

EXTENSIONS OF REMARKS

THE EDGE OF POVERTY: THE MIDDLE CLASS

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. LELAND. Mr. Speaker, it is often assumed that once one reaches the middle ages of life many of the economic worries of the past will dissipate and one can proceed into the golden years with few if any economic concerns. Yet, today this is not necessarily true. Regardless of age, economic hardships facing the American middle class today are enormous. Many hardworking Americans are struggling to make ends meet. They are forsaking not only many of the luxuries that life has to offer, but also some of the necessities. Yet, they are still on the brink of falling into the grasp of poverty.

Mr. Speaker, I would like to bring to the attention of my colleagues the third in a series of articles, published by the Washington Post on the "The Almost Poor." These articles have eloquently portrayed middle Americas' desperate struggle to stay out of poverty.

As we continue to deliberate and try to resolve the major economic issues of our time, we must remember that our decisions are directly affecting the futures of all citizens.

[From the Washington Post, Nov. 3, 1987]

AN INSECURE MIDDLE AGE AT EDGE OF THE MIDDLE CLASS

(By Cass Peterson)

In normal times, Daryl Kratochvil makes \$8.20 an hour working in a Nebraska meatpacking plant, good wages by rural Midwest standards. Janet Erks does even better—\$9.25 an hour at a similar plant in South Dakota.

But Kratochvil spent most of this year doing odd jobs for whatever pay he could get—a few dollars, a bushel of sweet corn. Erks hasn't drawn a paycheck from the meatpacking plant since May and recently started working part time at a Sioux Falls, S.D., grocery store for \$3.75 an hour.

Kratochvil and Erks were on strike this year, walking the picket line, surviving on slender checks from their union and trying not to sink deeper into the ranks of the working poor.

When the paychecks are coming in, their wages at the meatpacking plants put their families on the cusp of the second economic quintile, hovering at the \$18,700-a-year cutoff that marks the entry point to the middle class. But the issue in the industry is wage concessions, not increases, and for Kratochvil and Erks the battle has an edge of desperation.

Daryl Kratochvil, who asked not to be photographed for this series, is 50 years old; Janet Erks, 49. Both are in what statisticians consider the peak earning years, the time when most workers are enjoying the best financial health of their lives. Too young to retire, too old to start over, Kra-

tochvil and Erks are tied to their jobs and fighting uphill.

"You never figure on going backwards," said Erks, who took a \$2.44-an-hour pay cut four years ago and is trying to avoid another.

At a time when many in their age group are buying a few luxuries, planning for retirement and enjoying the economic freedom that comes of financially independent children, Kratochvil and Erks are still worrying about buying food, paying utilities and keeping the car running another year.

And there is another, constant worry: their health. As a group, they are more vulnerable to the income loss that results from an extended or debilitating illness and often lack adequate insurance against the expense of medical care.

The concern is heightened for Kratochvil and Erks, because of their age and because they work in an industry that has one of the nation's highest worker-injury rates. In a given year, three of 10 meatpacking employees can expect to be injured on the job.

"That worries me all the time," said Kratochvil, who has come home twice with stitches where a steer kicked a gate into his head.

Janet Erks, a diabetic, cannot afford the \$216 a month it would cost to maintain her health insurance while she is on strike. "I've had to cancel doctor's appointments. I just can't afford to go to him," she said. "It bothers me that I don't have insurance. I guess I just hope the good Lord will take care of me."

Trust in providence is one of two recurring themes in conversations with Kratochvil and Erks. Neither wears religion on a sleeve, but it is there—an undercurrent of faith that stresses perseverance more than hope, the gospel of hanging on.

"My mom always said the Lord never gives you more than you and Him can handle," Erks said, and Kratochvil echoes the sentiment: "Everybody's got days that're hard. You just get through it."

The other theme is betrayal. The immediate villain is The Company, but the frustration goes deeper. Both grew up in homes with strong work ethics, guided by parents who taught them loyalty to the job and assured them that hard work would pay off. It hasn't.

"The hardest part is that my father gave them 38 years of his life, and my brother gave 23," Erks said. "I gave them 30 years of my life. You work damned hard. And they have no respect for us at all."

For Kratochvil and Erks, the new watchwords of "competitiveness" and "technology" translate into lower wages, less job security and increasing despair. He is resigned; she feels duped.

"When the company cut our pay last time, people believed them," she said. "We thought they needed concessions. Now they're making \$28 million a year and they're paying the top man \$375,000. And the politicians are saying 'Come to South Dakota, we'll give you the cheapest labor in the country.'"

Kratochvil and Erks describe themselves as Democrats and conservative, but placing

them in a slot on the political spectrum is not quite that easy.

"I haven't followed politics that much, and I'm going to have to ask you this," Kratochvil said. "Is Reagan a Democrat or a Republican?"

Erks and her husband, Don, are supporting Democratic candidate Jesse L. Jackson, who has attended rallies for the striking meatpackers. "He seems like somebody you could talk to, somebody who would listen," Don Erks said. "It seems like he couldn't be bought."

Nonetheless, when Vice President Bush made a political appearance in the area recently, Janet Erks attended.

"I wouldn't vote for him," she said. "He's not for the working people. I wanted to ask him a question, but he never acknowledged my hand. I just wanted to ask him if he ever had to borrow money to go to his son's funeral, like we had to."

And then she wiped away tears.

REGIMENTED LIFE AND RIGOROUS FRUGALITY

Hilda Kratochvil sits at the dinette in her small, immaculately clean kitchen and laughs at the question.

"How would I describe us?" she said, with a merry twinkle in her eye. "We're dull."

"Dull," to Daryl and Hilda Kratochvil, means a life without credit cards, spontaneous spending or debt. Supper out is a rare treat. Vacations are planned—and paid for—months in advance. Their modest frame house in Hawarden, Iowa, a community of 2,800 about 40 miles north of Sioux City, is mortgage-free. The cars are old but wholly owned.

The television set is new, replacing the old one that lost its picture tube after 13 years. But there isn't much time to watch it. Kratochvil rises at 3 a.m. for the hourlong drive that will get him to work at the IBP meatpacking plant in Dakota City, Neb., by 5:15. Hilda spends her day babysitting for six small children ("I've had as many as 10 at one time," she said.)

From 4 to 6 p.m., both work as janitors at a local church, a job that often occupies much of their weekend as well. By 8:30 or 9 on any given night, it's lights out at the Kratochvils.

It is a regimented life, but it keeps the Kratochvils financially afloat. Rigorous frugality allows them to save for the occasional major purchase—a new television, a lower-mileage used car. More important, it allows them to put something aside for the event that keeps the Kratochvils in the stratum of the working poor: The strike.

Working 40 hours a week, Kratochvil earns just over \$17,000 annually. Hilda's child-care earnings add about \$2,000, and the recently acquired janitorial work contributes \$4,000. It would be enough to put the Kratochvils narrowly into the middle class, except that Kratochvil is out of work for extended periods at least once every four years, when the United Food and Commercial Workers contract at IBP expires. There is always a strike.

"They never fail," Hilda said.

● 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.

"We work four years and then we have a year off," Kratochvil added with a wry smile.

The most recent strike started two weeks before Christmas last year. Kratochvil returned to work in August.

Kratochvil has worked in the stockyards at IBP for 17 years, herding cattle into the chute that leads to the killing area. Before that, he worked at a concrete block and silo construction company in Hawarden.

It wasn't the pay at IBP that attracted him. It was a back injury suffered in an accident at the block company. The injury forced Kratochvil to undergo disc surgery and left his back weakened. When he returned to work, he said, "They had me scooping gravel, and I said I'd be damned if I'd be a cripple at 35."

It was 1970, and IBP was involved in one of its inevitable strikes. "I was a naughty boy," Kratochvil said, staring somberly into his coffee cup. "I scabbed them."

Striking workers bombed his house. "They laid eight sticks of dynamite by the front porch," he said. "There was glass on the bed where my son was sleeping. He was about 5 years old."

Kratochvil remembers driving 95 miles an hour through the darkened streets of Sioux City on the way home from work during the strike, his windshield shattered by crossfire on the bridge that led back into Iowa.

"He still went to work," Hilda said quietly. "He never quit."

When the strike was over, Kratochvil stayed on, enduring the taunts of his fellow workers. Of the hundreds of replacement workers hired by IBP during the violent 1970 strike, he is the only one still working there.

"Why?" he said. "I gotta put food on the table. I've got a 6th-grade education. I can't read very well. When you've got no education, there's not much else you can do."

The jeers eventually subsided, and when the union strikes IBP now, Kratochvil is on the picket line. "We couldn't tolerate that place without the union," he said, "IBP would run right over us."

The Kratochvils accept the periodic strikes. They can be planned for. They end, sooner or later. What makes them apprehensive is the thought of the unexpected; and extended illness, for example, or a disabling injury.

So profound are their concerns about the cost of medical care that the Kratochvils strained their budget to take out a \$160-a-month health policy while he was on strike. When the strike ended, they decided to keep the policy to supplement the coverage offered by IBP.

The company policy pays 80 percent of medical care. When Hilda underwent surgery recently, the Kratochvils were left with a \$1,000 hospital bill. The supplemental policy, pays nothing toward the first \$3,000 of medical care, but it pays 100 percent after that.

"It goes up to \$1 million," Hilda said, "I hope it's enough."

Retirement isn't even a topic of discussion. The union's most recent contract includes a pension plan for the first time, but Kratochvil isn't confident that it provides much for him. The plan won't become effective until 1990, by which time Kratochvil will be 53, and the size of his pension will then depend on how much profit the company makes.

"I won't be able to retire at 65 because I won't be able to afford it," he said. "At the plant, they work you until they carry you out."

The Kratochvils have a son, Lyle, who is 23 years old and working as a diesel mechanic in Tucson. They visited him for two weeks last Christmas. It was their first airplane flight, and the tickets had been paid for since March.

"He has a brand new trailer house, a new pickup truck," Kratochvil said proudly. "He makes \$9 an hour, and he's getting a raise."

Life will be better for his son, Kratochvil said with conviction. "He has a lot more education."

For themselves, the Kratochvils have simply dreams. The house needs repairs, perhaps new siding. "I could sure take care of a new house," Hilda said wishfully, "That's all I know to do."

Her husband thinks about a new, or at least a newer pickup truck. The '76 Chevy, once overhauled, has 310,000 miles on it.

"That comes first," she said. "He's got to get to work."

"THINGS ARE SO HIGH, AND WAGES SO LOW"

Janet Erks went to work at the John Morrell meatpacking plant in Sioux Falls, S.D., a week before she graduated from high school. Her father, a longtime plant employee, got her the job against his own judgment.

"My father wanted me to go on to school, I wanted to go into nursing or interior decorating," she said. "But you get down there and start making what is good money for this town. . . ." Her voice trailed off.

For a time, it seemed like the right decision. By the late 1970s, Erks and her husband, Don, were bringing home nearly \$50,000 a year, Don working as a truck driver and Janet working in the shipping department at Morrells.

With seven children to raise—two hers from a previous marriage, four his and one of theirs together—it was an adequate living but not an affluent one. They bought an old house on a corner lot in Lennox, S.D. about 20 miles south of Sioux Falls, and fixed it up themselves.

But in 1980, Don had to stop working because of a pulmonary ailment and arthritis. With four children still at home, Janet became the sole breadwinner. Three years later, the union's contract with Morrell expired and the company announced that it would close the plant unless workers accepted lower wages.

The union conceded, and the Erkses joined the ranks of the working poor. "It cost me \$8,000 off my paycheck," Janet Erks said. "It was hard. The kids and I sat at home with no heat. There were times when I couldn't afford gas to get to work. If it hadn't been for good friends, we wouldn't have made it."

The family fought for nearly four years to win Don's disability payments, \$560 a month from Social Security. Two years ago, the house in Lennox was paid off. But even before the latest strike, money was tight—in part because of the couple's health problems.

Along with the 1983 wage concessions, the union accepted a reduction in health benefits. "We have to pay the first \$900 a year on insurance, and it used to pick up everything," Janet said. "We've had a lot of medical expenses, with me a diabetic. I've got \$6,000 in ourstanding bills that I was trying to make payments on, and now I can't even do that."

Erks and her coworkers have been on strike since May, not over their own contract but in sympathy with striking workers at Sioux City, Iowa. United Brands now owns both plants, and the company has

asked Sioux City workers to take a pay cut, to \$7.75 from \$9 an hour, as well as cuts in insurance and pension benefits.

Erks' local believes that if Sioux City workers are forced to concede, United Brands will ask Morrell workers to do the same.

Today, the Erkses live on Don's disability check, her \$40-a-week strike benefit from the union, and the income from a part-time job that she spent four months searching for. "Nobody would hire a Morrell striker," she said. "They figured you'd just go back when the strike was over, and I can't blame them."

Janet also intends to return to Morrell. Her pension is at stake—\$15 a month for every year of service—and she is at least a year shy of qualifying for it. "In the old days, you had to quit when you were having children," she said. "I have to make up those years."

In some ways, weathering the strike was easier for the Kratochvils than it has been for the Erkses, who have less experience at it. For the first 20 years that Janet Erks worked at Morrell, contracts were settled quickly. There was no strikes. Since United Brands bought the family-owned business about a decade ago, there have been three.

And the Erkses started in the hole because of family tragedy two months before the strike began. Their eldest son, Scott 30, serving with the Air Force in Spokane, Wash., had begged his parents to visit him during an air show at the base in May. The Erkses declined; they couldn't afford it.

But they made the trip anyway, not to watch Scott fly but to bury him. He was killed in March when his plane crashed in a training maneuver, practicing for the show.

"We had to refinance the cars to raise the money to go to the funeral," Janet said. "We had to take two cars, with all the kids."

The tragedy clearly has taken its toll on Janet Erks, a determinedly cheerful woman whose laughter seems often on the verge of tears. Of her remaining six children, only 13-year-old Angela lives at home now. Two sons are working in Sioux Falls, three daughters have moved away—to western South Dakota, to Michigan, to Montana.

"It used to be that families stayed together," she said. "We just thought, 'Well, I'll stay where my parents raised me.' Now our kids are all over, and we can't even afford to go to see them. We have six grandchildren, and we see them maybe once every two years. We had never seen Scott's youngest, Samantha, and she was two years old."

Erks understands why her children have moved away. Entry-level wages for most jobs in Sioux Falls start at minimum wage and rarely get higher than \$6 an hour. To stay in Sioux Falls is to accept membership in the ranks of the working poor.

"Things are so high, and wages are so low," she said. "How can you make it?"

The Erkses stay on and hope for the best. Janet Erks is hoping to retire when she qualifies for her Morrell pension, then take a new full-time job. It won't pay as well as the meatpacking plant, and the couple doesn't expect to ever see again the \$50,000-a-year income they once had.

"I don't think it'll ever get better," Don Erks said. "There are too many conglomerates getting too big."

THE CONTINUING CRISIS IN
FOSTER CARE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. MILLER of California. Mr. Speaker, I have frequently called the attention of the House to the crises that fragmented families result in children being placed in foster care. When first I began my efforts to reform foster care a dozen years ago, the Department of Health, Education and Welfare had no idea where many of the hundreds of thousands of foster children were living, what services they were receiving, or whether any serious attempt was being made to reunify them with their families. Congress reacted by passing the Child Welfare and Adoption Assistance Act of 1980, which I authored, to reduce the number of children in foster care and to provide preventive and reunification services to reduce the need for foster care.

Now, after a significant decline, more children are again entering out-of-home placement. For growing numbers of these children and families, the system is failing to provide the protections and safeguards mandated by the 1980 act. All available evidence suggests we are revisiting the crisis in foster care of which I warned a decade ago.

A Federal court recently found widespread physical, sexual, and emotional abuse of hundreds of foster children in Baltimore. The judge found Maryland officials abysmally lax in their supervision of the city's Foster Care Program, in which children now remain an average of 7.4 years.

Similarly, in New York, City Council President Andrew Stein charged that mismanagement had resulted in depriving hundreds of families of foster care stipends, Medicaid and other services.

This month, the New York Times reported a frightening story of disarray in the foster care system involving a homeless mother whose daughter was wrongly placed, and lost, in the foster care system. Although the mother had her daughter's birth certificate and photograph, the city was unable to locate the girl for 5 days.

A recent study reported in the New York Times found that hundreds of children in New York City are forced to live in foster care solely because their parents have been unable to find suitable housing. This represents a new strain on the foster care system, which was never intended to redress the low-income housing shortage. It also illustrates the bizarre circumstances by which government is willing to spend \$10,000 to \$25,000 a year—or more—to keep a child in foster care, but is unwilling or unable to support a family's far more modest housing needs, which would obviate the need for foster care.

These stories contribute yet more disturbing evidence of mounting systemic problems that have been routinely ignored by this administration; problems that have overwhelmed State and local providers, poorly served the Nation's children, and needlessly ruptured families. As a result of such inattention and unconcern, we are often inflicting State spon-

EXTENSIONS OF REMARKS

sored child abuse on the residents of our foster care system.

This crisis, and the failure of the administration to enforce the law, deserves the immediate attention of every Member of Congress, and every American, concerned about children, about good government, and about eliminating unnecessary costs.

[From the New York Times, Oct. 16, 1987]

SHORTAGE OF HOUSING KEEPS CHILDREN IN
FOSTER CARE

(By Josh Barbanel)

Hundreds of children are forced to live in New York City's foster-care system solely because their parents have been unable to find suitable housing, according to a survey of private agencies released yesterday.

The survey, of foster-care agencies serving half the children in the city's system, identified 389 children, or about 4 percent, who could be returned home immediately if their parents were to find appropriate housing.

City Council President Andrew J. Stein, who had requested the survey and announced the results at a City Hall news conference, said a survey of all foster-care agencies would find that "many hundreds more children" are being kept from their parents because of housing.

"These families are desperate and deserve to be helped by city government," he said.

The survey was conducted by the council of Family and Child Caring Agencies, a group representing agencies that care for more than 18,000 children in the foster-care system. The survey includes responses from 24 of the 58 foster-care agencies.

Mr. Stein said that while the city sets aside thousands of apartments each year for homeless families living in hotels, it does not routinely set aside apartments for families served by private foster-care agencies.

The cost of caring for a child in foster care can range from \$10,000 a year for a child placed with a foster family to \$25,000 a year for children placed in group homes.

Children are placed in foster care following complaints of abuse or neglect against their parents or when their parents are otherwise unable to care for them. Foster-care agencies seek to reunite families, when possible, or to put the children up for adoption.

Asked about the survey, Ann Ormsby, a spokeswoman for the City Human Resources Administration, confirmed that the families with children served by private foster-care agencies do not receive an allocation of city apartments.

She said that of about 4,000 apartments renovated by the city, 1,800 are distributed to homeless families by her agency, and of these, 96 are distributed by teams of city workers who aid abused and neglected children.

"The bottom line here is that there is a shortage of housing in this city," she said in a statement released yesterday. "This is not news to anyone."

Mrs. Ormsby said that city policy was to return foster-care children to their parents when appropriate even if housing was inadequate and the mother was living in a room in a welfare hotel with other children.

But officials at private foster-care agencies said that housing problems, in practice, are the last nearly insoluble hurdle for some families that may have overcome problems of alcoholism or drug abuse.

At Mr. Stein's news conference, one mother, Carrie Johnson, displayed a sheaf of letters she had sent to officials seeking help in getting her children back.

Mrs. Johnson said she has been seeking an apartment to get her two daughters, ages 10 and 12, back home with her since May 1986, when she enrolled in a job training program after suffering from an alcoholism problem.

She said she was living as a guest in a tiny apartment set aside for the elderly, with her 17-year-old daughter and her daughter's baby and there was no room for her other children there.

"When I see my children they want to come home," she said. "It's not fair. There is physical stress, mental stress. Your children suffer."

[From the New York Times, Oct. 7, 1987]

A MOTHER'S NIGHTMARE: GIRL LOST IN
FOSTER CARE

(By Sara Rimer)

For nearly five days recently, Sharon Cook tried frantically to find her 14-year-old daughter, who had mistakenly been caught up in New York City's vast foster-care system.

Through an apparent bureaucratic mix-up, Ms. Cook was not told—as the law requires—that her only child, Bernadette, had been taken into custody.

On Sept. 25, Ms. Cook, who lives in a welfare hotel in the East New York section of Brooklyn, had dropped Bernadette off at the apartment of cousins in Flatbush to play, and arranged to meet her at their hotel, the Plaza North, that night.

But the police, apparently acting on a complaint that there was no parental supervision at the apartment, rounded up the eight children who were there, including Bernadette. The children were taken to one of the city's foster-care placement offices and were subsequently sent to a group home on Staten Island.

No apparent mistake was made in the cases of the other seven children.

Ms. Cook, who is 29 and can barely read or write, said in an interview that she eventually learned only that the police had picked up Bernadette and that she might have entered the foster-care system.

"I WAS CRYING"

Ms. Cook said she spent the next five days telephoning city social service offices. Carrying Bernadette's birth certificate and photograph, she said she also made repeated visits to a police precinct as well as the foster-care placement office in Brooklyn.

"Nobody could tell me where my child was at," she said. "I was crying, I was throwing up. It was so confusing. I kept asking God, 'What did I do?'"

On Sept. 29, at about 11 P.M., a caseworker returned Bernadette to her mother's hotel. "She said, 'Don't worry, there's no case against you,'" Ms. Cook said.

Shawn Leary, a Legal Aid staff attorney, said she had spent much of Sept. 29 trying unsuccessfully to locate Bernadette Cook.

"The city is legally obligated to notify the mother that they have taken her daughter," Ms. Leary said yesterday. "This is indicative of their lack of adequate procedures. The system runs as though it's not accountable to anyone."

MISTAKE ACKNOWLEDGED

No neglect or abuse complaint has ever been filed against Sharon Cook, Ms. Leary said.

Suzanne Trazoff, a spokeswoman for the city's foster-care system, said the placement of Bernadette Cook was an unfortunate case of mistaken identity. She said caseworkers thought that Bernadette lived at the Flat-

bush apartment and was the daughter of her aunt, against whom the complaint had been filed.

"She apparently never made it clear that she wasn't a part of that family," Ms. Trazoff said.

Bernadette, who is enrolled in special education classes, said she had told the police and caseworkers that she did not live at the apartment and that her mother was Sharon Cook. Since her mother does not have a telephone, she was unable to call her. She said she had tried unsuccessfully to reach relatives living in Brooklyn from the group home by telephoning the number of the pay phone outside their apartment.

WELFARE HOTELS AND SHELTERS

Ms. Trazoff said caseworkers discovered who Bernadette Cook was on Sept. 28, when she and the other children were brought to a Manhattan field office for further investigation.

"I'm just glad she's back," Ms. Cook said. She and her daughter have been homeless since May 1986, when one of Ms. Cook's sisters, with whom they were living, was evicted for nonpayment of rent. Until last July, when the city placed them in the Plaza North Hotel, mother and daughter were moved more than 10 times, shuttling back and forth between shelters and welfare hotels in all five boroughs.

At least once, for several months, Ms. Cook's public assistance allowance was cut off when the notice for recertification, which had apparently been returned to the wrong address, came back unclaimed, Ms. Leary said.

"She is dependent for everything on the working of the city bureaucracy," Ms. Leary said. "I'm surprised at how much resiliency she has."

A TRIBUTE TO SHERMAN BLOCK

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. BERMAN. Mr. Speaker, I rise today to pay tribute to two residents of my district, Sherman Block, sheriff of Los Angeles County, and his wife, Alyce. Sherman and Alyce are being honored on November 7, 1987, by the Juvenile Justice Connection Project for their efforts on behalf of the youth of the San Fernando Valley area. Sherman and Alyce have devoted many years of their lives to dedicated community service and I am pleased that their achievements are being recognized.

The Juvenile Justice Connection Project is a youth services and referral program providing job location, counseling, educational, and other services to young people who have had experience with the criminal justice system. Sherman and Alyce have volunteered innumerable hours of their time to the program since its inception several years ago and they are largely responsible for its success.

Sherman has been an outstanding sheriff for Los Angeles County. As a result of his hard work and excellent performance, he enjoys the respect and bipartisan support of leaders from every sector of the county. The high regard in which he is held by all was graphically demonstrated by the overwhelm-

ingly majority vote he received when he was reelected.

Sherman holds leadership positions in several other youth organizations, serving on the board of directors of the YMCA of Metropolitan Los Angeles and the Boys and Girls Club of San Fernando Valley. He is also a member of the executive board of directors of the Los Angeles Area Council, the Boy Scouts of America, and a trustee of the Boys Club Foundation of Southern California.

Born in Chicago, IL, Sherman attended California State University at Los Angeles where he received a bachelor of science degree in police science and administration. He served 3½ years in the U.S. Army. He is a member of the Phi Kappa Phi Honor Society, as well as an expert lecturer in the field of criminal justice. Sherman is also a member of a number of government related commissions dealing with criminal justice and youth.

During my time in the California State Assembly, I had the opportunity to work closely with Sherman. He served as my chief law enforcement witness for bail reform legislation, proving himself an effective advocate for justice. Throughout the years, Alyce has worked closely with her husband, providing indispensable guidance and support for him.

It is my distinct honor and pleasure to pay tribute to these outstanding individuals. I welcome this opportunity to congratulate Sherman and Alyce and join the Juvenile Justice Connection Project in saluting them for their tireless efforts to help our young people achieve their goals.

A TRIBUTE TO REV. LONNIE SIMON

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. TRAFICANT. Mr. Speaker, today I rise in order to pay tribute to Rev. Lonnie A. Simon, a very special resident of my 17th Congressional District. It greatly pleases me to be able to inform my fellow Members of the U.S. House of Representatives that Reverend Simon has devoted 25 years of service to the worship of God as pastor of New Bethel Baptist Church in Youngstown, OH. Hundreds of people have become more devoted to religion as a result of Reverend Simon's amazing efforts, and he can certainly look back on his 25 years at New Bethel with deep satisfaction.

Born to William and Tempie Simon in East Mulga, AL, on March 23, 1925, Reverend Simon and his family soon migrated to southern Pennsylvania. After fighting for America in the U.S. Navy during World War II, Reverend Simon came to Youngstown to work for U.S. Steel. He soon received his calling from God, and was ordained as a minister in 1954. He has served as pastor of Elizabeth Baptist Church, Jerusalem Baptist Church in Canton, and has been pastor of New Bethel Baptist Church since 1962. In addition, Reverend Simon has a bachelor's degree in philosophy from Youngstown College, and a diploma in theology from the Baptist School of the Bible in Cleveland.

Reverend Simon's obsessive devotion to spreading the gospel has led him to make missionary visits to Guyana, Ghana, Senegal, the Gambia, and the Ivory Coast. He also recently served as an observer at the All-African Council of Churches Conference in Togo. Reverend Simon has conducted countless Bible studies and Christian leadership training programs across the country, and serves as an instructor at the American Baptist Theological Seminary.

Reverend Simon has battled selflessly for social justice and civil rights, and has received countless awards for his exhaustive efforts for liberty and equality. He is also a former member of the Youngstown Board of Education. He is happily married to the former Florence Ware, and has four wonderful children—Janet, Lonita, Kenneth, and Cynthia. Lonnie, you have my most heartfelt congratulations for your outstanding life of service to God and humanity. Thus, it is with thanks and special pleasure that I join with the residents of the 17th Congressional District in saluting the astounding accomplishments and honorable character of Reverend Lonnie A. Simon on his 25th anniversary as pastor of New Bethel Baptist Church.

TRIBUTE TO GEN. CASIMIR PULASKI

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. LIPINSKI. Mr. Speaker, as co-chairman of the Democratic National Committee's Council on Ethnic Americans, I want to take this opportunity to honor one of the ethnic heroes of our Revolutionary War.

On October 11, 1779, Gen. Casimir Pulaski, the great American and Polish patriot, gave his life for the cause of American independence during the Battle of Savannah.

Born in 1748 in Poland to an aristocratic and distinguished family, Count Pulaski refused to accept a life of leisure. Instead he devoted himself to the cause of liberating Poland from the illegal and tyrannical rule of Czarist Russia. Though his valiant efforts met with defeat, Pulaski's strong commitment to the ideals of freedom did not wane. After meeting with Benjamin Franklin in Paris in 1776 and learning of the American Revolution, he declared, "Wherever on the globe men are fighting for liberty, it is as if it were my own affair," and subsequently offered his services to our country.

Upon arriving in Boston during the summer of 1777, Pulaski volunteered his services and expertise to Washington's Continental Army. After distinguishing himself at the Battle of Brandywine, General Washington granted him a commission as a brigadier general and placed him in charge of the newly created American cavalry.

Later on in the War, Pulaski organized an independent corps of cavalry and light infantry—the Pulaski Legion. This group came to contribute greatly to the American cause throughout 1778. Pulaski's courage and determination helped save Charleston, SC, from

superior British forces, and during the siege of Savannah, he displayed relentless courage in the face of fierce enemy resistance as he led his cavalry into battle.

This final action, during the Battle of Savannah, sheds great insight into Pulaski's heroic nature. He volunteered to charge through the British line of defense, to enter the city, and to confuse the enemy. Tragically, this valiant effort caused him to sustain wounds which cause his untimely death. However, Pulaski's commitment and devotion to the ideals of freedom live on. His example serves as a model of patriotism for all time.

Mr. Speaker, I would like to include the following comments made by President Reagan in honor of Pulaski Day this year:

The American people proudly and gratefully observe every October 11 in memory of General Casimir Pulaski, because on that date in 1779 this young Polish count and cavalry officer, wounded two days before while leading a charge during the siege of Savannah, gave his life for our country.

Before casting his lot with America, Casimir Pulaski had fought bravely against tyranny and foreign domination in his beloved Poland and had been forced into exile. He and other Polish freedom fighters well understood that humanity's battle for liberty and self-government is indivisible around the world; with the immortal cry, "For Your Freedom and Ours," they went forth to many nations in support of freedom, justice, independence, and individual rights. These ideals are forever part of Poland's heritage; they are dear to the Polish people, and this devotion continues to inspire America and the rest of the world.

The freedoms for which General Pulaski fought and died—the freedoms he helped America win—have not yet been realized in many parts of the globe. The United States of America will always champion religious, political and economic liberty, tolerance, and human rights around the world. Whenever mankind's fight for freedom continues, there stands the spirit of Pulaski and there stands the hope, the commitment, and the help of the United States—"For Your Freedom and Ours."

I would like to extend my greeting to those constituents of Polish descent who reside in the Fifth Congressional District of Illinois, and to the many others who share General Pulaski's timeless ideals.

A TRIBUTE TO PHILIP PEARLMAN

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. LEVINE of California. Mr. Speaker, I would like to recognize Mr. Philip Pearlman who has been selected by the Association of Container Reconditioners to receive the prestigious Morris Hershon Award of Merit. This award, to be presented at the association's 46th national convention, is given annually to the person who has made the greatest contribution to the industry.

Phil is the only founding member of the association who is still actively engaged in the business. He started working part time for Acme Barrel in 1928. By the time he was

named president in 1953, he had held every job in the company. He has a similar record with the National Barrel & Drum Association. Phil has held every office in the organization, except that of president—several times. He has served as finance chairman for 19 years. In addition to his extensive organizational contributions on behalf of the association, Phil has made a considerable number of technical contributions to the industry. He pushed for the use of interior lining of steel drums, participated in the design of what is now standard reconditioning equipment and persuaded the military to come up with acceptable, uniform specifications for all of the services. Phil is clearly a man who knows the barrel business inside and out.

In 1940, he and Ray Cabrey, the first president of NABADA, attended an informal gathering of eastern drum reconditioners in Philadelphia. In that meeting, the National Barrel & Drum Association was born. On his way back to Chicago, Phil stopped off in four cities to enroll 38 members in the new organization. The first meeting of the NABADA, the Association of Container Reconditioners, was held in 1941.

For 46 years, the association has provided an essential environmental service—that of reconditioning and recycling used steel drums for commercial reuse. It has kept countless millions of used oil, chemical, paint and other used drums from adding to the growing problems of industrial waste. Approximately 1 million drums are emptied each week in this country; all must have their residues removed, neutralized and safely disposed of before the containers are either reconditioned or recycled as scrap metal. The association offers "responsible container management" services to drum users and emptiers which ensures the proper disposition of the inevitable drum residues, reduces solid waste disposal problems, and protects the environment. An official of the Environmental Protection Agency is reported to have said: "If NABADA did not exist, EPA would have to invent it."

Mr. Speaker, my own family has long been active in the barrel and drum business. It was the business of my grandparents; my father, my uncle, and several cousins. Some of my cousins are still in the business. I know, therefore, from my family of Phil Pearlman's leadership—and it is, therefore, a special privilege to offer this tribute to him.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Philip Pearlman for his outstanding contributions to the container reconditioning industry. NABADA members have provided responsible and environmentally sound recycling and disposal of over 90 percent of the steel drums that are reconditioned and recycled annually. Philip Pearlman, as one of the founding members, and as a long-time officer of the association has made innumerable contributions to the effectiveness of the NABADA and the container reconditioning industry.

EAST ORANGE CHILDREN EXPRESS THEIR SUPPORT FOR THE CHILDREN OF SOUTH AFRICA

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. RODINO. Mr. Speaker, I rise today to salute a teacher and her class in my district who prove that all is not wrong in America's schools. A few weeks ago I received a letter from Mrs. Connizza's sixth grade class in the Nassau School in East Orange. The letter urged me to support House Resolution 141 which called for the immediate release of children held in South African prisons.

I was touched by the sentiments expressed in this letter. It was a show of support by a group of American children for their fellow youngsters a half world away who live in an atmosphere which is completely removed from this Nation's experience. These children are held in prison, on no formal charges, in the name of defending the deplorable institution of apartheid.

Unlike the students of Mrs. Connizza's class, these South African children are unable to do things which are taken for granted in this country. They are unable to live at home with their parents, go to school, play with their friends or otherwise know the joys and frivolity of youth. Theirs is a harsh existence caused by the desperate usurpation of civil liberties by a paranoid and morally illegitimate regime. I was very proud to report to Mrs. Connizza's class that I am a cosponsor of this bill which properly expresses this body's outrage about this state of affairs in South Africa.

I was also extremely heartened by this letter because it highlights an example of a teacher working to foster a civic and moral awareness in her students. Let us not lose sight of the fact that there are dedicated teachers like Mrs. Connizza and eager pupils like the youngsters in her class who are successfully going about the business of learning.

Mr. Speaker, I ask that the text of the letter be included in the RECORD.

DEAR CONGRESSMAN RODINO: We are studying the current situation in South Africa. We have developed strong feelings of concern for South African children.

We urge you to support House Resolution 141.

We feel that the treatment and detention of South African children is against the civil and human rights that belong to all people.

Respectfully yours,

Mrs. Connizza's Sixth Grade Class,
Nassau School, East Orange, NJ.

YOUTHS ABUSED IN D.C. JUVENILE DETENTION FACILITIES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. MILLER of California. Mr. Speaker, recently the Washington Post reported additional disturbing evidence that the juvenile justice

system is failing our Nation's youth. Each year, nearly half a million youth enter the juvenile justice system. Too many of these children will leave the system worse off than when they entered, since punishment, rather than rehabilitation, is the rule.

A court-appointed monitor reported increases in the number and severity of reports of abuse by staff members, unacceptable housing conditions, and intoxicated staff, among other shortcomings, at the District of Columbia's three juvenile detention facilities. One child suffered a seizure after waiting 5 days for a prescription to be filled for medicine that she was supposed to take three times a day. The court monitor reported that children in these facilities are jeopardized by funding shortages and poorly trained, insufficient staff.

Similar abuses take place across the country.

For example, according to testimony presented to the Select Committee on Children, Youth, and Families, delinquent California youth have been sent to live on a Nevada Indian reservation in flammable teepees with unvented Kerosene heaters, only cold water, and minimal professional staff. Youth in Florida juvenile training school are "put in filthy, roach-infested isolation cells for weeks at a time." In the Idaho training school, children have been "punished by being put in strait jackets, and hung, upside down, by their ankles." One mother testified to the select committee that her 13-year-old son took his life while detained at a Maryland juvenile correctional facility where abuse by staff, overcrowding and restricted family contact were the norm.

The message in the accompanying article is that we must strengthen and enforce those protections set forth by the Juvenile Justice and Delinquency Prevention Act [JJDA] if we are to protect troubled youth from institutional abuse and encourage them to stay on the right side of the law. Congress will have the opportunity to do so next year, when the JJDA is reauthorized.

The article follows:

[From the Washington Post, Oct. 27, 1987]
MONITOR'S REPORT SLAMS D.C. JUVENILE FACILITIES—MORE CHARGES OF ABUSE BY STAFF ALLEGED

(By Elsa Walsh)

A court-appointed monitor reported yesterday that allegations of abuse by staff members have increased at the District's juvenile detention facilities and that intoxicated staff are sometimes tolerated "in the belief that 'half a counselor is better than none.'"

In a 97-page report filed in D.C. Superior Court, the monitor also said it was "rare" for staff to give "frank" accounts of inappropriate behavior by colleagues toward residents. He also said that many incidents in which staff members strike residents are never reported.

Those who did "break the code," the monitor said, "have been ostracized or harassed by their coworkers" and more often counselors "are advised by their peers to write incomplete, inaccurate or euphemistic incident reports to avoid getting into trouble."

The report represents the fourth court filing by monitor Michael K. Lewis, who was appointed last year to oversee implementation of the city's agreement to a consent

decree mandating major improvements in the city's juvenile services. In his latest report, called by some his most severe, Lewis details an "erratic, and sometimes dysfunctional, compliance effort."

Lewis said "substantial progress" has been made by the city in some areas, such as improved staff and less use of leg irons and handcuffs at Oak Hill and the Annex. But in other areas, he said, the "chronic" inability of city officials "to move forward with a smoothly intergrated plan has resulted in wasted effort and frustration."

Majorie Ellis, D.C. commissioner for social services, said, "I can only say in the most general terms that such a report is not a good one, and that we're certainly in the midst of strenuously taking corrective action."

Officials have previously said they planned to hire nearly 300 employees for the three juvenile facilities: Oak Hill and the Annex (formerly known as Cedar Knoll) in Laurel and the Receiving Home in the District.

The report, which covers May 1 through Aug. 31, found, among other things:

Lack of careful screening in hiring by the city's personnel department. For example, two drivers were recently hired primarily as messengers between the detention facilities and the public school system. One had his license revoked and the other was unable to drive because the car had a manual transmission. When a request was made to "send drivers who could work, the same two drivers were returned to the facility."

Unnecessary school closings. On May 19, school was closed at the Annex for more than three weeks because two electrical transformers broke down. The monitor said he has been assured by the principals at Oak Hill and the Annex that the "almost arbitrary" closing of schools has been addressed.

Lack of coordination with substitute teachers. Ten substitutes were hired "to work as needed" at the end of May and were to be paid only when they worked. However, the reports said the substitutes "reported every day, and were paid for every day, even during vacation."

Absence of a disciplinary hearing officer. Because of staffing problems, no disciplinary hearings were held in August. Lewis attributed "a great deal of what is wrong with discipline" at the institutions to the "lack of fair and timely hearings." He said that if hearings were held at all, a student usually already had been punished, a violation of the decree.

Unacceptable housing conditions. The report said that air-conditioning units either did not work or were inadequate and that staff complained of mice and roaches.

Problems with filling prescriptions. During the reporting period, a fund to pay for emergency prescriptions at Peoples Drug Store ran out. In one case, a resident had a seizure while waiting five days for medicine that she was supposed to take three times a day.

Lewis reserved some of his sharpest comments, however, for the reported rise in allegations of staff misbehavior, saying he was "deeply distressed by the increase both in number and severity" of reports of abuse by staff members.

Lewis said most allegations could not be substantiated "with sufficient certainty" to warrant taking disciplinary measures, but "there is a strong sense at the institutions that many of the allegations have a factual basis." Among the allegations were com-

plaints that counselors struck residents immobilized by other counselors or, in one case, shackled to a hospital bed and that some counselors inappropriately used choke holds or night sticks.

The Washington Post reported last month that Lewis was investigating three complaints of staff beatings of youths including one incident involving the acting school principal at Oak Hill that also was being investigated by the U.S. attorney's office in Baltimore.

Lewis said the superintendents at the institutions did not tolerate staff abuse, but were hindered by the fact that counselors, "and even supervisory staff, tend to present a united front against investigators."

As for incidents of staff drunkenness, Lewis said that "at each institution there are employees who are known to have alcohol problems." He said that although the superintendents deny that they allow staff members to work while intoxicated, one longtime employe told him that staff shortages are so acute at times "that they will accept a counselor who is intoxicated, in the belief that 'half a counselor is better than none.'"

COURAGE IS NEEDED IN EL SALVADOR

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. BERMAN. Mr. Speaker, the murder of Herbert Anaya, president of the Human Rights Commission in El Salvador, is a disappointing attempt on the part of extremists in that country to steer the fragile peace process onto the rocks. With every indication that the assassination was the work of those associated with rightwing death squads, it is incumbent upon President Duarte to vigorously pursue the culprits and push aggressively for justice before civilian courts.

While other notorious cases of rightwing criminal activity have not been prosecuted, or remain officially unsolved, this incident represents the truest test of the strength of the civilian government. I know that my colleagues who share my deep concern over the future of peace in the region also share my belief that President Duarte must act decisively and more than symbolically. He has offered a \$10,000 reward for information regarding the murder and he has denounced the heinous crime. He is to be commended for that action. El Salvador needs strong leadership now and a bold and unwavering stand by President Duarte to punish the killers will, more strongly than anything else, show his dedication to peace and justice.

Of course, the result is more important than the rhetoric, and so we must continue to watch carefully the situation in El Salvador and be prepared to act accordingly.

I must also make clear my belief that the rebels in El Salvador should not use the assassination of Mr. Anaya as an excuse to back away from the negotiating table. Peace is in the best interest of that nation and the region. I would urge the rebel leaders to demonstrate their commitment to the peace process by continuing talks with the government.

In the poem, "The Second Coming," W.B. Yeats said:

Things fall apart; the center cannot hold
Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and every-
where

The ceremony of innocence is drowned.

These words speak chillingly to the future of the peace effort in Central America if extremists are allowed to dictate the actions and reactions of the principals.

Only by courageous and farsighted efforts from the government and the rebels will peace be possible. The cowardly actions of fanatics should not be allowed to detract from that goal.

A TRIBUTE TO ROBERT FEDDERN

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. TRAFICANT. Mr. Speaker, today I rise in order to pay tribute to Mr. Robert J. Feddern, a very special resident of my 17th Congressional District. Mr. Feddern is retiring after 23 years as an employee of the railroad section of the Public Utilities Commission of Ohio. All of his coworkers at the PUCO are in a state of deep mourning over his impending retirement, for every member of the railroad section realizes that Mr. Feddern is one of the most distinguished and diligent employees in PUCO history.

Mr. Feddern began his amazing career with the railroad section on September 20, 1964. Starting out as a PUCO railroad inspector, he clawed his way up to becoming an inspector supervisor, and worked exhaustively and slavishly until he was certified as a certified Federal Railroad Administration track inspector. Then in 1981 came the crowning achievement of his life—his selection as chief inspector of the railroad section, a position in which he has performed admirably for the past 6 years.

Literally thousands of Ohioans are deeply indebted to Mr. Feddern. Anyone who has ever ridden on a train in Ohio has Mr. Feddern to thank for their safe journey, and every railroad employee has Mr. Feddern to thank for their excellent working conditions. He has also performed many heroic deeds as railroad chief inspector, including his supervision of the PUCO's participation in the hazardous material spill in Miamisburg, OH.

Mr. Feddern is extremely active in community and church activities in Galloway and West Jefferson, OH, and spends countless hours assisting the Zion Lutheran Church and the West Jefferson Community Association. He is deeply in love with his wife Dortha, is totally devoted to his children James Feddern and Janis Feddern Murray, and is a doting grandfather to his grandchildren Julie, Jennifer, Jeffery, and John. Thus, it is with thanks and special pleasure that I join with the residents of the 17th Congressional District in honoring the outstanding accomplishments and noble character of Mr. Robert J. Feddern.

EXTENSIONS OF REMARKS

THE NATIONAL FISH AND WILDLIFE ENHANCEMENT ACT OF 1987—H.R. 3601

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. JONES of North Carolina. Mr. Speaker, today I have introduced H.R. 3601, the National Fish and Wildlife Enhancement Act of 1987, along with Chairman JOHN DINGELL and Congressman LINDSAY THOMAS. It is not without reason that some of the most ardent fish and wildlife conservationists in this Congress are original cosponsors of this bill.

Nine years have elapsed since the Committee on Merchant Marine and Fisheries authored the last omnibus wildlife conservation measure, the Fish and Wildlife Improvement Act of 1978. Much has been accomplished for fish and wildlife conservation in those 9 years—much, but not enough. Wetland habitat losses continue to accelerate; Federal wildlife and land acquisition programs have been assaulted by anticongressional budget cutters at OMB; many units of the National Wildlife Refuge System have significant backlogged maintenance and operation projects; administrative decisions and court decrees have chipped away at the paramount authority of the Director of the U.S. Fish and Wildlife Service to manage all activities occurring within the National Wildlife Refuge System—all of these problems and more suggest that our goal of providing firm financial and administrative footing for our Federal fish and wildlife programs has not yet been achieved.

H.R. 3601 attempts to respond to many of these above problems. While much of the bill addresses the question of oil and gas exploration and development on the Coastal Plain of the Arctic National Wildlife Refuge, it would be a mistake to assume that this issue defines the scope of the bill. H.R. 3601 not only provides implementing legislative authority for two international fish and wildlife conservation agreements and overturns two court decisions with adverse consequences for wildlife refuge management, it also would create a new 23.5 million acre National Wildlife Refuge on the North Slope of Alaska and seeks to update or expand fish and wildlife conservation authorities in a variety of Federal wildlife laws including the National Wildlife Refuge System Administration Act, the Wildlife Refuge Recreation Act, the Migratory Bird Conservation Act, the Migratory Bird Hunting Stamp Act, and the Refuge Revenue Sharing Act—all statutes under the jurisdiction of the Committee on Merchant Marine and Fisheries.

Moreover, the bill attempts to establish, once and for all, adequate and secure financial footing for the fish and wildlife habitat acquisition programs of this Nation. No longer will such meritorious programs have to plead for Federal pennies like beggars with tin cups and tambourines. Given the past enormous budget requests of some Federal agencies, the land acquisition goals of this bill can hardly be called fiscally irresponsible. It is thus a bill that true conservationists can support—that Members of Congress with excellent environmental records should endorse.

Undeniably, the issue in the bill which will generate the most debate concerns the Arctic National Wildlife Refuge [ANWR]. In 1980, after years of debate, Congress passed the Alaska National Interest Lands Conservation Act [ANILCA]. While ANILCA resolved most of the major public lands issues in Alaska, it deferred one of the most difficult issues involving a 1.5-million-acre section of the Arctic Refuge's Coastal Plain. While section 702 of ANILCA ultimately designated over 8 million acres of the Arctic Wildlife Refuge as wilderness, other Members of Congress had argued that this 1.5-million-acre section of the Coastal Plain be designated wilderness as well. Congress did not agree to take this step because of the high oil and gas potential of the Coastal Plain.

Instead, Congress authorized in section 1002 of ANILCA a 5-year study of the fish and wildlife resources and potential oil and gas reserves of the Coastal Plain of the refuge. Section 1002 barred any actual exploratory drilling and relied instead upon a seismic surface exploration program of the area. Upon completion of the seismic program, the Secretary of the Interior was directed to report his recommendations to Congress regarding oil and gas leasing and wilderness for the Coastal Plain. Congress thus deferred the choice between two conflicting options: designating the 1.5 million acre section of the Coastal Plain as wilderness versus the authorization of oil and gas leasing and development.

The Interior Department has now completed its seismic study program and has issued a final section 1002 report. In that report, the Coastal Plain is identified as the Nation's last best prospect for an enormous onshore oil and gas discovery. This characterization of the magnitude of the potential deposits has been concurred in by the oil industry. Based upon the analysis in the 1002 report, the Secretary of the Interior recommended the broadest and most aggressive oil and gas leasing program possible for the entire Coastal Plain. The Secretary's recommendations were subsequently reflected in H.R. 1082, a "full leasing" bill for the Coastal Plain introduced by my friend and committee colleague, DON YOUNG.

The 1002 report and the Secretary's recommendations have been very controversial and have been criticized by a wide variety of sources ranging from the Environmental Protection Agency [EPA] to the environmental community. Quite predictably, those organizations in the environmental community who support wilderness for the entire Coastal Plain have strongly disagreed with Secretary Hodel's recommendations and Congressman YOUNG's bill. Their views previously had been championed in H.R. 39, a bill designating the entire Coastal Plain as wilderness which was introduced by the distinguished Interior and Insular Affairs Committee Chairman, MO UDALL. Thus, once again Congress finds itself polarized between diametrically opposed positions on the questions of energy development within the arctic wildlife refuge.

Mr. Speaker, the Nation is faced with an important but resolvable dilemma and we believe that H.R. 3601 provides an environmentally responsible alternative which deserves serious consideration. Because exploratory drill-

ing was excluded from the Coastal Plain oil and gas assessment program, and since the data from the only exploratory well drilled in the area—the so-called "KIC well"—has not been made available to the Federal Government, the Department of the Interior's final section 1002 report leaves unanswered the ultimate question of whether there are commercially recoverable deposits of oil and gas beneath the Coastal Plain. Until exploratory wells are actually drilled, the presence of commercially recoverable deposits of oil will necessarily remain speculative, with the estimates somewhat low in the eyes of some members of the general public—deemed by the section 1002 report to be 19 percent or 1 in 5. While the oil industry states that a 1 in 5 chance of finding a commercially recoverable field of oil is actually high by industry standards in Alaska, the fact remains that to much of the general public—and to many members of Congress—a 19 percent chance of finding a big oil field is a figure that needs improvement before oil and gas leasing is allowed in the Arctic Refuge. While I do not personally share that view, I respect the fact that some of my colleagues may.

In addition to the uncertain mineral reserve estimates, the report also leaves some important biological and ecological questions unanswered, including questions on hazardous waste disposal and air and water pollution. A letter from EPA, which was very critical of the 1002 report, highlighted the need for a careful examination of these issues. Our bill may not silence this energy versus environment debate, but it does offer an equitable and prudent solution to the dilemma.

The National Fish and Wildlife Enhancement Act of 1987 would direct the initiation of a limited and controlled exploratory drilling program on the Coastal Plain, followed by an environmentally protective oil and gas leasing program if warranted. At the same time, the legislation would significantly enhance the Nation's fish and wildlife habitat acquisition programs by dedicating any federal oil and gas leasing revenues from ANWR for fish and wildlife conservation purposes.

Since H.R. 3601 is detailed and comprehensive, I will only summarize its key features—features which are designed as much to focus congressional debate as they are to suggest fixed solutions; the bill is not carved in stone. First, it would require the development of a better geological, biological, and ecological data base prior to an authorization for leasing. Building upon the data acquired to date through the seismic exploration program, it would direct that four on-structure exploratory test wells be drilled on the Coastal Plain during the winter months. While the number of wells is small, we have been advised by oil and gas experts at the U.S. Geological Survey, the Bureau of Land Management and at the National Academy of Sciences, that four on-structure wells would be sufficient to significantly enhance the mineral potential estimates for the Coastal Plain. These experts have also indicated that four wells would be an adequate number of wells to confirm or disprove the geological computer models currently developed for the Coastal Plain. Since it would be required that the wells be drilled directly over the best oil and gas prospects in-

dentified to date, it would also generate significant new data on the accuracy of the seismic program projections. I should add that in a letter to our committee dated October 23, the Congressional Research Service confirmed this as well.

If actual oil is discovered, it would be icing on the cake, so to speak, since the primary goal at this stage of the program would be to produce better data rather than to produce oil. This approach, incidentally, is consistent with the thrust of a recent Congressional Research Service study which characterized the ANWR debate as "the need to know versus the need to pump" and concluded that our country currently had a need to know what was under the Coastal Plain regardless of whether we had an immediate need to pump it.

The exploratory drilling program in H.R. 3601 is not intended to be an exhaustive exploratory drilling inventory of the oil and gas potential of the entire Coastal Plain and is not designed to identify every significant oil trap or commercially recoverable body of oil which may be present. Nor is it intended to delineate the reservoir boundaries of any oil deposits which may be discovered at any of the exploratory wells. An exploratory drilling program with that ambitious an agenda could require 20 to 30 wells, would cost well over a billion dollars, and would take many, many years to complete. Rather, our proposal would significantly enhance our understanding of the geology and mineral potential of Coastal Plain in general, and of four of the best identified prospects in particular.

I would hasten to add that it is not the intent of this bill to establish a federally run oil and gas exploration program, as was the case on the National Petroleum Reserve on the Western North Slope of Alaska, but rather to allow the private oil industry to efficiently conduct the exploratory drilling operations. It also is not intended to be a general precedent for modifying the traditional onshore mineral development process whereby exploratory drilling occurs after leasing. Rather, it is a unique approach designed to address the unique circumstances surrounding development in the Arctic Wildlife Refuge and should have no broader application than that. Generally, it would require the Director of the U.S. Fish and Wildlife Service to look to the oil industry and the National Academy of Sciences to nominate the best areas to drill the exploratory wells. Based upon the nominations received, the Director, with the assistance of the Directors of the Bureau of Land Management and the U.S. Geological Survey, would identify certain general areas that would be available for drilling and overlie identified prospects. It would then be up to a company or companies in the private sector to step forward with a proposed plan of operations for drilling four exploratory wells.

As was the case with the 1002 seismic program, once a particular drilling proponent had been selected, an opportunity would be provided for other companies to participate in the drilling program as a joint venture, sharing the costs of the program on a pro rata basis. A joint approach would avoid unnecessary duplication of activities and would further reduce the environmental impact on the refuge by consolidating facilities and work crews. All ge-

ological data and information developed as a result of the exploratory drilling program would be shared with the Director of the Bureau of Land Management who would ensure the confidentiality of any processed or analyzed proprietary data just as he currently does for any other onshore drilling operations.

In response to the objections from the oil industry that there would be no economic incentive to participate in an exploratory drilling program of this sort, H.R. 3601 would allow each exploratory drilling program participant to deduct 50 percent of its actual pro rata costs as a credit against any bonus bids, royalties or rentals which they may owe in subsequent oil and gas lease sales authorized for the Coastal Plain, the Outer Continental Shelf, or onshore lands under the jurisdiction of the Bureau of Land Management. In this fashion, the Federal Government and the oil industry would evenly share the costs of an exploratory drilling program just as they would share the geological data.

Apart from a 50-percent credit for their costs, there would be two other incentives for the oil industry to participate in the entire exploratory drilling program. One is that the U.S. Geological Survey would be authorized to conduct the program if no one from the private sector stepped forward with an acceptable plan. As reluctant as the oil industry may be to participate in an exploratory drilling program without the prior issuance of a lease, it has disliked government participation in such programs even more. Recognizing this antipathy, U.S. Geological Survey would only serve as a back up should private industry not participate in the program.

The second and perhaps most compelling incentive to participate is that H.R. 3601 would bar any company which was not part of the joint exploration program for all four wells from bidding in any subsequent lease sales for the Coastal Plain. This should ensure a large number of participants in the exploratory drilling program, thereby reducing considerably the overall cost per participant. When a 50 percent credit of costs is added to the equation, the costs per participant associated with the exploratory drilling program become much more manageable and acceptable, especially if it results in better geological data which ultimately contributes to the opening of the Coastal Plain.

Even in the short time that the final 1002 report has been available, polarized and subjective debate has surfaced in Congress and the Nation. To add a dangerous level of objectivity to this process, H.R. 3601 would enlist the thinking of the Nation's most esteemed scientists by turning to the National Academy of Sciences for assistance and advice. The bill would request the National Academy of Sciences to conduct an independent study of the geological and geophysical data from the Coastal Plain and to assess the relative importance of ANWR. This study would focus on, and be conducted simultaneously with, the exploratory drilling program authorized in an earlier part of the bill. The National Academy of Sciences' panel would produce an interim and a final report regarding the likelihood of commercial quantities of oil and gas being present under the Coastal Plain

and the environmental consequences of its development and production.

The Director of the U.S. Fish and Wildlife Service would have the benefit of the reports from the Academy to assist his factual analysis. The Academy's role, however, would be advisory only and would be limited to fact-finding and analysis; the ultimate administrative decisionmaking authority would rest with the Director, the Secretary of the Interior and the President. This should satisfy or discourage the chronic carping from the Department of Justice about appointments clause problems in legislation before Congress. One final point about this study is that to start the National Academy's independent study promptly, it would be our strong intent that the Fish and Wildlife Service avoid any delays in its funding by reprogramming existing appropriations to initiate the study in the same fiscal year as the date of enactment of H.R. 3601.

Upon completion of the exploratory drilling program, the Director of the U.S. Fish and Wildlife Service would prepare and make public a draft revised section 1002 report which would have the benefit of the data from the National Academy of Sciences. This report would contain any newly developed information, including a revised estimate of the potential oil and gas reserves and the most recent biological and ecological findings and conclusions. The Director would subsequently issue a final revised section 1002 report which would serve as the basis for a new secretarial recommendation on whether to initiate a leasing program on the Coastal Plain of the Arctic Refuge.

The Secretary of the Interior would be required to recommend oil and gas leasing to the President unless one of three criteria could not be satisfied. If one of those three criteria turned out to be a problem, then the Secretary would have to recommend against leasing. The President would be required to follow the recommendations of the Secretary unless he found that it was not in the paramount national interest to do so. The one instance where the President could not override a recommendation from the Secretary would be where the Secretary recommended against oil and gas leasing on the Coastal Plain because it would result in serious and significant adverse environmental consequences. In such a case, only Congress could direct that leasing move forward despite the environmental consequences to the Arctic Refuge. Apart from this one exception, however, the final decision on leasing would be left to the President who would be empowered to authorize the Director of the Fish and Wildlife Service to initiate a leasing program without a subsequent act of Congress.

Should the Arctic Refuge ultimately be opened for oil and gas leasing, H.R. 3601 would require, as the price of admission, the dedication and use of the Federal revenues and royalties for fish and wildlife conservation purposes. Currently, not one penny of the royalties generated by oil and gas operations on the Kenai National Wildlife Refuge in Alaska goes back into fish and wildlife conservation or wildlife refuge management programs: Ninety percent goes to the State of Alaska and 10 percent goes into the general receipts account of the U.S. Treasury. This is an unac-

ceptable arrangement and completely inconsistent with the policies and philosophy of the Refuge Revenue Sharing Act of 1935. That act stands for the proposition that when the natural resources of a wildlife refuge are disposed of commercially, there ought to be an overall net benefit back to the wildlife refuge system. Historically, this is accomplished by placing all receipts from the sale of refuge resources into a special fund, the refuge revenue sharing fund. Moneys in this fund are used to make what are known as payments in lieu of taxes [PILT] to local jurisdictions such as counties, as compensation for the loss of taxable lands or increased county services due to national wildlife refuge acquisition. In recent years, however, due to serious shortfalls in the refuge revenue sharing fund, the affected counties have received actual payments which are dramatically less than what they are entitled to under the Refuge Revenue Sharing Act. For example, the projected shortfall for fiscal year 1988 will result in PILT payments of only 56 cents on the dollar. This cannot be allowed to continue or else our ability to acquire additional national wildlife refuges will be seriously jeopardized by opposition from local jurisdictions.

In order to resolve this crisis, which has been growing since 1980, H.R. 3601 would propose to divert all revenues and receipts attributable to oil and gas leasing in ANWR through the refuge revenue sharing fund established under the Refuge Revenue Sharing Act of 1935. The Director would be directed to remove from the ANWR revenues an amount necessary to eliminate the deficit in the fund and bring it back up to the level of 100 percent funding for the counties and other local jurisdictions. The remainder of the ANWR revenues would then be split 50-50 with the State of Alaska. With regard to the Federal share of the revenues, a portion would be used to establish a new \$150 million fish and wildlife enhancement trust fund which would provide funding for five different categories of fish and wildlife enhancement ranging from research to State nongame programs. The remainder of the Federal ANWR revenues would be placed in the migratory bird conservation fund and used for future land acquisitions for the National Wildlife Refuge System in accordance with specific guidelines. Approximately 50 percent of these remaining ANWR revenues would be targeted for acquiring migration route and wintering habitat in the lower 48 States for migratory birds from Alaska and Canada. Another 20 percent of the new revenues would be spent in support of the wetland acquisition program outlined in the North American waterfowl plan negotiated between the United States and Canada. Finally, the remaining 30 percent would be spent for the acquisition of new wildlife refuges for species other than migratory birds. Thus, as the result of H.R. 3601, literally hundreds of millions of dollars of ANWR generate revenues would be dedicated to wetland and other wildlife habitat acquisition.

Apart from matters involving revenues, H.R. 3601 highlights the paramount role of the Director of the U.S. Fish and Wildlife Service in the management of any oil and gas activities in the Arctic Refuge. This is consistent with the original intent of Congress expressed in

the National Wildlife Refuge System Administration Act of 1966. Unfortunately, Secretaries of the Interior seem to periodically forget this congressional delegation of authority. In 1975, Secretary Morton attempted to put the Bureau of Land Management in charge of the management of various game range units of the National Wildlife Refuge System. Congressional criticism of this was intense and the decision ultimately was invalidated by the enactment in 1976 of the so-called game range amendments to the Refuge Administration Act. These amendments expressly provided that only the Director of the Fish and Wildlife Service could be put in charge of management decisions and activities within units of the refuge system.

Apparently, the painful lesson learned by Secretary Morton was never passed down to one of his successors, James Watt. In 1981, Secretary Watt attempted to brush aside the Director of the Fish and Wildlife Service to put the head of the U.S. Geological Survey in charge of the section 1002 seismic survey program in the Arctic Refuge. Once again this secretarial effort failed and was enjoined by the Ninth Circuit Court of Appeals for violation of the Refuge Administration Act and ANILCA. Rather than wait for a third Secretary to strike out at the plate again, H.R. 3601 has expressly reaffirmed that the Director of the Fish and Wildlife Service is to be the lead official for administering any oil and gas leasing program on the Arctic Refuge. This is no radical departure from existing law. To the contrary, it is quite consistent with the implicit intent of the Refuge System Administration Act since 1966, and the explicit text of that statute since 1976.

We, of course, do not intend for the Fish and Wildlife Service to go out and hire 20 geologists to run this program and build an expertise in this area independent from the rest of the Department of the Interior. We have thus required the Director to negotiate cooperative agreements with the Bureau of Land Management and the U.S. Geological Survey, in order to draw upon their minerals management expertise and to gain their assistance in managing technical, geological, and financial aspects of any mineral exploration and development program within the Arctic Refuge.

Our goal is simply to reaffirm the fact that the Arctic Refuge is a national wildlife refuge first and foremost, and that the Director of the Fish and Wildlife Service historically and appropriately has been the lead agency official with primary responsibility for the management of national wildlife refuges. He should be able to draw upon, and in effect "deputize," the best mineral expertise the Department of the Interior has to offer, but it should ultimately be recognized as his program and his responsibility and not that of some other agency Director or Assistant Secretary.

Apart from the dedication of oil and gas royalties for conservation purposes, perhaps the other most important conservation benefit from this bill would be its establishment of a new 23,500,000 acre national wildlife refuge on the North Slope of Alaska, the Teshekpuk-Utukok National Wildlife Refuge. Currently known as the national petroleum reserve—Alaska [NPR-A] and managed by the Bureau of Land Management, this is an area with su-

perative fish and wildlife values that deserves inclusion in the National Wildlife Refuge System. This proposal should come as no surprise to those Members of Congress who participated in the debate on ANILCA in the late 1970's.

During the 96th Congress, the House of Representatives agreed that this area should be designated as a national wildlife refuge in the Alaska Lands Act bill that it passed and sent to the Senate. Unfortunately, time ran out in the 96th Congress and we were forced to accept the Senate's bill on Alaska lands which had deleted NPR-A as a wildlife refuge. I merely point out this past history to inform my newer colleagues that the House has previously gone on record as recognizing the benefits from making the entire NPR-A a national wildlife refuge. We are, therefore, resurrecting and reaffirming the past wisdom of the house in this matter.

Premier habitat areas for fish and wildlife abound throughout this proposed wildlife refuge, including the Teshekpuk Lake area, the Colville River corridor and delta, and the vast Utukok Highlands to the west. The Teshekpuk Lake area seasonally hosts up to 25 percent of the world's population of Pacific brant during their annual molting season, as well as calving, summering and wintering caribou. Moreover, while much has been made of the Porcupine caribou herd in the Arctic Refuge, many Members may be surprised to learn that our Nation's largest caribou herd is not the Porcupine herd in the Arctic Refuge, but rather the Western Arctic herd located in the new proposed wildlife refuge. The Utukok Highlands are important calving grounds for the 250,000 animal Western Arctic caribou herd. In addition to this valuable caribou habitat in the southwestern part of NPR-A, the Icy Cape are due north from the Utukok Highlands contains an expanse of salt marshes and lagoons that are very important to waterfowl and a host of seabird and shore bird species. Meanwhile to the east, seals have been reported in the lower reaches of the Colville River, and the river delta is important for spawning and overwintering fish. In addition, the delta is rich in bird fauna and is particularly important for whistling swans. These are just a few examples of the area's teeming wildlife resources.

Apart from these superlative wildlife values and habitats, which in their own right would justify national wildlife refuge status, additional reasons exist for making the NPR-A a national wildlife refuge. First, if the Arctic Wildlife Refuge is to be ultimately opened up for oil and gas development, some form of compensation needs to be made to the National Wildlife Refuge System on the North Slope of Alaska to offset the loss of wildlife habitat values and acreage within ANWR. While recognizing that the placement of habitat in protective land status does not fit the traditional concept of "compensation," the opportunities that we find for ourselves on the North Slope are somewhat unique.

The second reason has to do with the comparative level of interest in oil and gas development in NPR-A. Quite frankly, the national petroleum reserve appears to be poorly named because the one thing that 40 years of oil exploration and 30 test wells have failed to

produce is oil in commercially recoverable quantities. While the oil industry rates ANWR as its highest priority for further leasing and its best chance for discovering an enormous onshore field of oil, the industry response to a recent BLM Federal Register notice regarding future lease sales in NPR-A indicated a rather low level of interest in further leasing in NPR-A in the foreseeable future. In fact, the level of interest in NPR-A is low enough for some companies to have turned back their existing oil and gas leases to BLM rather than to have continued payment of minimal yearly rentals.

Thus, logic would suggest that one focus leasing activities where the mineral experts believe the best prospects are—the Arctic Refuge—while establishing an additional conservation system unit governed by wildlife refuge law where the interest in leasing is much less by comparison, and where commercial quantities of oil have never been discovered—NPR-A. I am sure that the oil industry would prefer to have unfettered access to both areas and would prefer that wildlife conservation not be enhanced as the primary focus for the NPR-A. Realistically, however, some compromise must be made and the one that H.R. 3601 makes would preserve our best option for finding huge reservoirs of oil.

The third reason for making NPR-A a national wildlife refuge is the precarious legal status of its most sensitive wildlife habitat areas—Teshekpuk Lake and the Utukok Highlands—to oil and gas exploration and development. Currently, these areas are in special management zones administered by BLM under the authority of section 104(b) of the Naval Petroleum Reserves Production Act of 1976 (42 U.S.C. 6504(b)) and under the Federal Land Policy Management Act. While section 104(b) of the Naval Petroleum Reserves Act recognizes the need for sensitive management of these wildlife areas, the express terms of this section state that these conservation measures may be applied " * * * to the extent consistent with the requirements of this act for the [oil and gas] exploration of the reserve." This means that the degree of protection accorded these areas to date as special management areas has been due to secretarial discretion rather than statutory proscription.

Administrative levels of protection can be lifted or changed rather quickly, however. Therefore the special management area designation for Teshekpuk Lake and the Utukok Highlands is an illusory form of protection which is ultimately subordinate by statute to the oil and gas exploration program for NPR-A. Moreover, the statutory oil and gas leasing authority for NPR-A which was passed in 1980, extended the conservation programs' subordinate status to the leasing program as well. We believe that areas like Teshekpuk Lake and the Utukok Highlands deserve the permanent protection of wildlife refuge status where development as a general matter under existing wildlife refuge law must accommodate fish and wildlife conservation needs. This is in contrast to the current statutory arrangement for NPR-A where those subordinate and dominant roles are reversed. Our bill would ensure that fish and wildlife conservation comes first.

I would now like to turn my attention to some of the issues or concerns that have been raised in the course of the debate on

ANWR. To begin with, much has been made over whether the historical environmental record at Prudhoe Bay has been good or bad. The premise appears to be that whatever the environmental legacy is at Prudhoe Bay, it will be automatically duplicated at ANWR if a leasing program is initiated on the refuge. We are not prepared to accept this premise. While the experience and information gained at the Prudhoe Bay oil fields and at NPR-A is important, it should not be viewed as controlling. The Coastal Plain is located within a national wildlife refuge; Prudhoe Bay is not. It is on multiple-use, State-owned land where fish and wildlife conservation is only one of a number of competing uses and certainly not the dominant use. Similarly, the oil and gas leasing and exploration which has taken place in NPR-A to the west of Prudhoe Bay is located on public lands managed by the Bureau of Land Management [BLM], a Federal multiple-use land managing agency. Under BLM statutory authorities, fish and wildlife conservation is only one of a number of competing uses and not the priority use.

Within a national wildlife refuge, however, all human and commercial activities are subordinate to fish and wildlife conservation which is the dominant primary use. There is a fundamental difference therefore, between the scope of management prerogatives and authorities at Prudhoe Bay and NPR-A and those which govern oil and gas development on a national wildlife refuge. Fish and wildlife conservation corners may be cut on the former lands as a matter of administration discretion. Statutorily, however, these corners may not be cut on a national wildlife refuge. Thus, the experience at Prudhoe Bay is unlikely to be duplicated on the Coastal Plain of ANWR, if for no other reason than that the underlying statutory authorities are more stringent and environmentally protective for wildlife refuges than for federally or State-owned multiple-use lands.

Moreover, the Army Corps of Engineers did not begin asserting jurisdiction on the North Slope under section 404 of the Clean Water Act until the late 1970's, years after Prudhoe Bay was started. Similarly, comprehensive monitoring under the Clean Air Act was only recently initiated for Prudhoe Bay. Thus, important environmental laws like the Clean Water Act's section 404 program did not affect or seriously influence the environmental impacts generated during the early days of oil and gas development on the North Slope. Despite Prudhoe Bay's world leadership in state-of-the-art arctic oil and gas development, shortsighted environmental mistakes were made, imperfect technologies and techniques for arctic oil development were employed, and haste occasionally replaced environmental prudence and caution in the face of biological unknowns.

There are those who say that this environmental history will be repeated in the Coastal Plain of ANWR if oil and gas exploration and development is permitted. This might only be the case if we are content to ignore the lessons of the past and not take advantage of the technological improvements and biological data developed since the early 1970's. This is a path that we will not take. We cannot allow

the lowest environmental common denominator to establish the regulatory framework for further exploration and possible development of ANWR. Moreover, I am convinced that this view is shared by the oil industry as a whole. During the past few months, I have had an opportunity to discuss the question of oil development in ANWR with a number of oil industry executives who all expressed a commitment to improve upon their environmental record at Prudhoe Bay and run the cleanest oil and gas operation the world has seen. I believe they are sincere in this desire and are aware of the intense public scrutiny which would follow their every move on the Arctic Refuge. Therefore, Prudhoe Bay is indeed a valuable model but one whose environmental record can be, and will be, improved when applied to oil and gas activities in ANWR.

Some representatives from the State of Alaska have argued that the Alaska Statehood Act gave the State an irrevocable right to 90 percent of all of the Federal mineral royalties from oil and gas leasing and that Congress is powerless to unilaterally change this percentage. I must respectfully disagree with this assertion. The Alaska Statehood Act only guaranteed the State 90 percent of any royalties arising out of leasing activities under the Mineral Leasing Act of 1920. The 90-percent formula does not apply to leasing activities under other sources of statutory authority. Thus in 1980, Congress authorized the oil and gas leasing of the national petroleum reserve—Alaska [NPR-A] under leasing authority other than the Mineral Leasing Act of 1920, and provided for a 50-50 split or royalties with the State. Our bill is merely consistent with this precedent involving leasing in NPR-A and uses the same 50 percent stateside—50 percent federalside apportionment. We are, therefore, not denying the State anything that it is entitled to as a matter of constitutional law under the Statehood Act.

While we will gladly adopt the precedent of 50-50 royalty distribution under the NPR-A leasing legislation, we are mindful that we not set a precedent of our own with regard to oil and gas leasing elsewhere within units of the National Wildlife Refuge System. Under current wildlife refuge management law, natural resource development may be allowed to occur within a national wildlife refuge so long as it is found to be compatible with the purposes for which a given refuge was established. This so-called compatibility test has been the general rule for refuge management since the passage in 1966 of the National Wildlife Refuge System Administration Act. Given the unique circumstances surrounding the Arctic Refuge with the involvement of significant national energy interests, it is a political reality that if exceptionally large deposits of oil and gas underlie the Arctic Refuge, this country will develop those deposits regardless of the academic or semantical nuances of the term compatibility. Congress reserved the right in 1980 to make the final judgment as to where the national interests lay with regard to oil development in the Arctic Refuge. If the ultimate verdict is that it should be developed, it will be because a majority in Congress concluded that the environmental tradeoffs were outweighed by the energy and wildlife conservation benefits to be gained by going in. While

such a balancing process is appropriate for Congress, it is not now, nor should it ever be, part of the Fish and Wildlife Service's process for applying the compatibility test throughout the Wildlife Refuge System. The compatibility test should be based upon biological factors alone and should involve an agency inquiry no broader than consideration of the purposes for which a refuge was established.

The debate on ANWR, however, is a congressional inquiry involving a range of issues beyond the purposes of the Arctic Refuge. Thus, we intend to shield the compatibility test from any unwarranted inference that by allowing oil and gas leasing in the Arctic Refuge, Congress is indicating that oil and gas leasing is compatible in every other wildlife refuge in the country. This is certainly not our intent. It is for this reason that we have chosen the new and more flexible management standard of "no significant adverse effect" to control development in the Arctic Refuge, and to leave the compatibility test alone and unaffected by the outcome of our debate.

A final point that I would like to address concerns the most appropriate use to be made of any oil revenues generated from ANWR. Whether you are talking about the magnificent and rapidly declining stands of bottomland hardwoods in the South, the vanishing marshes of the grasslands area in the Central Valley of California, the threatened migration route areas for migratory birds like Bowerman's Basin in the Pacific Northwest, the last habitat pockets for concentrated endemic species like the Ash Meadows area in Nevada, or unique ecological oases like Canaan Valley in West Virginia, unique and critical wildlife habitat areas still remain that deserve permanent protection.

This is a central part of H.R. 3601. The bill stands for the proposition that the primary beneficiaries of any oil program within the Arctic Refuge should be the wildlife resources of this Nation—that wildlife habitat, as opposed to human recreational areas and opportunities, should be the priority focus of ANWR-based acquisition programs. It is for this reason that the bill chooses the migratory bird conservation fund and the refuge revenue sharing fund as the appropriate vehicles for receiving ANWR royalties, rather than the land and water conservation fund. Quite frankly, the problem with the land and water conservation fund is not that it needs a bigger spigot at the top to pour additional revenues into the fund, but rather that it needs a bigger spigot at the bottom to pour more of its existing revenues out. Annually, anywhere from \$700 million to \$650 million remain unspent in the land and water conservation fund, so a convincing case cannot be made that ANWR revenues are needed to expand that fund. Let me emphasize once again that we feel very strongly that wildlife habitat acquisitions should be the primary focus of any acquisition program funded by ANWR. We would have a difficult time giving serious consideration to any bill on ANWR which did not recognize this fundamental principle.

In summary, H.R. 3601 is an amalgamation of concepts and approaches from a large number of past congressional enactments regarding mineral development in general, and mineral development in Alaska in particular.

Ideas have been pulled from the Mineral Leasing Act of 1920, the Trans-Alaska Pipeline Act, the Alaska Natural Gas Transportation System Act, as well as from the Outer Continental Shelf Leasing Act. In addition, some new approaches and concepts have been developed. H.R. 3601 is not a perfect bill, for the perfect bill is the bill that passes. We intend to remain pragmatic and flexible as we proceed in the months ahead, and look forward to the insights and information that we will gain as a result of the congressional hearing process our committee intends to pursue. We have always valued the wildlife conservation contributions made by our dear colleague, DON YOUNG, and look forward to working closely with him on this matter as we continue to perfect our bill. We have attempted to present an array of options and ideas for arriving at a consensus among a majority of our colleagues and will always be willing to consider better alternatives for achieving that goal.

REMEMBERING THE LATE JOHN
F. CAHLAN FOR HIS OUT-
STANDING SERVICE TO
NEVADA

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. BILBRAY. Mr. Speaker, I rise today to respectfully pay tribute to the memory of John F. Cahlan, an outstanding Nevadan and Las Vegas community leader. On Sunday, October 11, Nevada lost one of her finest citizens, a man highly noted for his hard work and dedication to develop the State of Nevada and better the lives of her citizens.

It is rare to find an individual who can accomplish as much as John did in his lifetime. At the age of 27 John began his distinguished career by becoming the editor and the only news staff member of the Las Vegas Review, then a small newspaper with a circulation of 500. Through tough, heads-up journalism, John devoted countless hours toward publicizing Las Vegas as a tourism destination. By publicizing the lives of renowned celebrities, John placed Las Vegas squarely in the limelight of national publicity and notoriety. In 1980 at the city's 75th Anniversary Gala, John was named chairman in recognition of his efforts in promoting the growth of Las Vegas.

In addition to holding the position of editor for 32 years, during which time he led the Review-Journal in a period of dynamic growth, John found time to serve the community he so dearly loved by serving as a judge and a juvenile probation officer for Clark County. John's civic contributions included service as a cofounder of the Las Vegas Junior Chamber of Commerce and on the University of Nevada board of regents.

John Cahlan's record of successful endeavors is long and distinguished. He was one of three persons who was instrumental in the establishment of Nellis Air Force Base and he was a powerful force behind the founding of a State archives in Nevada. John gave gener-

ously of his time in serving the State of Nevada.

Mr. Speaker, on behalf of Nevada, I ask that my colleagues join me in solemn remembrance of the contributions John Cahlan has given to southern Nevada. His death is a true loss, for few can match this man's outstanding record of accomplishments and service to Nevada.

A TRIBUTE TO LANSING COMMUNITY COLLEGE

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. WOLPE. Mr. Speaker, I want to pay special tribute to Lansing Community College as it celebrates 30 successful years of academic service to Michigan.

Established in April 1957, the college first opened its doors that year to a few hundred students and 16 faculty members. This year LCC will serve more than 40,000 students and employ nearly 2,000 faculty and staff. This tremendous expansion, together with the fact that over its 30 years some 260,000 individuals have chosen LCC as a source of education and personal enrichment, are eloquent testimony to the college's success.

Philip J. Gannon, the founding and current president of Lansing Community College, has observed that "education is a life long process." Under Dr. Gannon's farsighted leadership, the college has maintained an ongoing commitment to academic excellence and flexible programming. LCC continues to measure its vitality by how well it is responding to the special needs of the people of Lansing and the neighboring communities. The college offers over 200 programs specializing in the liberal arts and technical fields, from avionics and computer graphics to health careers and broadcast journalism, and it provides a constant professional exchange of resources, expertise, and on-the-job experience among LCC students, faculty, area corporations, school districts, the State government, and Michigan State University. Up-to-date educational opportunities abound in this highly integrated learning environment. In addition, Lansing Community College's innovative training, retraining, and placement programs for displaced workers have been of special significance to the people of our State.

In its 30-year history, Lansing Community College has consistently lived up to its mission to expand the scope of its services to reach anyone in the community who seeks them. It has opened 25 off-campus learning centers since 1971 and established special service for learning disabled, minority, and handicapped students, as well as an extensive telecourse system, a computerized self-paced instructional system, and a first-rate international educational exchange. A number of its programs including the adaptive rehabilitation program and the student newspaper, have received State and national awards of excellence.

Mr. Speaker, I know my colleagues will want to join with me in congratulating Lansing Com-

munity College on its outstanding educational contribution to the people of Michigan, and in applauding the college's continuing focus on excellence, flexibility, communication, and responsiveness to the community it serves.

A TRIBUTE TO MARTIN McDONOUGH

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to a distinguished member of the Sacramento community, Mr. Martin McDonough, on the occasion of his 50 years of dedicated service to the legal field and the Sacramento area.

Mr. McDonough's career has been a long and notable one. Upon receiving his degree in law from the University of California, Berkeley, in 1937, he accepted a position as a legal aid with the State Relief Administration. Two years later, he began work as the deputy counsel for the California Legislative Counsel Bureau. In 1943, Mr. McDonough took the position as head counsel for the Sacramento Municipal Utility District. He stayed with SMUD until 1951, when he opened a private law firm specializing in water and power law.

Mr. McDonough's private practice has been devoted to water and power work for public utilities, public agencies, and private companies and associations. He is a member of the Sacramento and American Bar Associations and has practiced before State and Federal courts including the California Public Utilities Commission, the Federal Energy Regulatory Commission, the Department of the Interior, and the Nuclear Regulatory Commission.

Mr. McDonough has been instrumental in a great deal of significant legislation. He was involved in the condemnation of the north Sacramento water system, represented the Fresno Redevelopment Agency in a California Supreme Court action testing the validity of proposition 14, and represented the State of Arizona before a special matter of the U.S. Supreme Court in an action settling water rights on the Colorado River.

Mr. Speaker, on behalf of the people of Sacramento and the State of California, I want to congratulate Mr. McDonough for a job well done. His dedication to his community is most admirable indeed, and I want to take this time to offer my warmest wishes to this outstanding individual and wish him the very best of luck in all his future endeavors.

EMANUEL MARGOLIS HONORED FOR DISTINGUISHED SERVICE TO CONNECTICUT BAR

HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. MORRISON of Connecticut. Mr. Speaker, on November 4, in New Haven, the Connecticut Law Tribune will present its first

Award for Distinguished Service to Emanuel Margolis of Westport.

The award is richly deserved. Over the past three decades, Emanuel Margolis has earned a reputation as an outstanding litigator and an untiring advocate for civil liberties and civil rights. He is a highly respected leader not only in the legal community but in the wider community of Fairfield County.

It is appropriate that, in this year that we celebrate the 200th anniversary of our Constitution, we also celebrate the achievements of Emanuel Margolis who has done so much to ensure that the principles of the Constitution are forcefully implemented.

The Connecticut Bar knows Emanuel Margolis as a premier advocate for the first amendment, for due process, and for equal protection of the laws. Connecticut has no more determined fighter for justice than Emanuel Margolis.

Mr. Margolis has been a partner in Wofsey, Rosen, Kweskin & Kuriansky in Stamford since 1965, specializing in criminal, constitutional, and civil liberties law. His cases include a Selective Service case before the U.S. Supreme Court which resulted in an 8-0 decision in favor of his client. He received his law degree from Yale Law School in 1956 after having previously earned a Ph.D in government from Harvard University. In 1986, he was appointed adjunct professor of law at the University of Bridgeport Law School.

In addition, Mr. Margolis has been an active member of the Connecticut Civil Liberties Union for 25 years. He has served on its board of directors and on the board of the American Civil Liberties Union.

He is the author of the "Human Rights Commentator," a regular feature in the Connecticut Bar Journal, as well as many articles on a wide variety of legal issues in leading law journals, including: "The Hydrogen Bomb Experiments and International Law," 64 Yale Law Journal 629-647, 1955; "Medical Malpractice in Connecticut: Landon v. Humphrey Revisited," 32 Connecticut Bar Journal 51-69, 1958; "Questionable Status of Charitable Immunity: A Different View," 33 Connecticut Bar Journal 23-54, 1959; and "New Frontiers in Criminal Procedure," 41 Connecticut Bar Journal 603-625, 1967.

In 1980, he was elected editor-in-chief of the Connecticut Bar Journal and served in that capacity for 3 years. His outstanding abilities as a litigator have been recognized in "Who's Who in America Law" and "The Best Lawyers in America."

Mr. Margolis and his wife, Estelle, an architect, have five children, and have lived in Westport for more than 20 years.

His broad-ranging accomplishments represent the legal profession at its best. I am very pleased to join my colleagues in Connecticut in honoring his record of service, and I know my colleagues in this body will do so as well.

A TRIBUTE TO JOSEPH CLARK

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. TRAFICANT. Mr. Speaker, today I rise in order to pay tribute to Mr. Joseph Clark, a very special resident of my 17th Congressional District. Mr. Clark's lifetime of service to the labor movement was recognized recently when a union hall in Struthers, OH, was named "The Joseph Clark Hall" in his honor. I would now like to inform my fellow Members of the U.S. House of Representatives about this outstanding man's inspiring life.

Mr. Clark served for over 24 years as a craneman for the Youngstown Sheet and Tube Co. His active involvement in the labor movement began with his three terms as financial secretary of Local 1462 of the United Steelworkers of America. He clawed his way to becoming a staff representative, and slavishly worked with dedication and devotion to become director of the United Steelworkers of America's Youngstown Subdistrict Office in 1973.

Few residents of Youngstown, OH, can match his exhaustive involvement in community affairs. He is an active member of Mt. Zion Baptist Church, served four terms as chairman of the Youngstown Fair Employment Practice Commission, and as 1977-78 general chairman of the United Appeal Fund Drives. He is a past worshipful master of the Masonic Lodge Spirit of Ohio No. 311, and is a member of the McGuffey Centre, the A. Phillip Randolph Institute, and numerous other organizations too countless to mention.

Mr. Clark is still totally devoted to his wife of many years, the former Thelma Wright, and adores both his son Joseph and his daughter Stephanie. Joe, every person who has received a decent wage and good working conditions in the steel mills of Mahoning and Trumbull Counties owes a deep debt to you, and I salute you for your lifetime of fighting for the working man and woman. Thus, it is with thanks and special pleasure that I join with the residents of the 17th Congressional District in paying tribute to the many accomplishments and truly wonderful character of Mr. Joseph Clark.

APPLAUDING THE PASSAGE OF
H.R. 3295, FOR THE RELIEF OF
NANCY L. BRADY

HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. BOEHLERT. Mr. Speaker, today, as we consider H.R. 3295, for the relief of Nancy L. Brady, the House is recognizing an admirable example of compassionate voluntarism in the Federal workplace.

Nancy Brady, a constituent of mine employed at Griffiss Air Force Base in Rome, NY, was kept away from her job by long-term illness. In the process, she used up all of her accumulated sick and annual leave. Her co-

workers, sympathetic to her situation, came to her aid and volunteered to donate part of their own annual leave to hers, with the idea that it would give her the reassurance of knowing she'd have both the time to heal and the constant income needed to pay for that healing.

It seemed like a simple solution to a terrible predicament—and it was a heartwarming story to boot. But there was a catch. Under current law, the commonly used and commonsense business practice of allowing employees to transfer their annual leave between each other during emergency personnel situations is prohibited by the Federal Government.

This is the rule—regardless of the fact that the cost of employee annual leave is already budgeted into an agencies' appropriations for the year. And allowing Federal coworkers to transfer their annual leave between each other for such justifiable and extraordinary situations is budget neutral. Companies that have incorporated such plans into their leave policies have had no problem in finding employees willing to donate a portion of their leave. They've even reported that the program has fostered a renewed spirit of teamwork and cooperation in their offices, leading to increased amounts and quality in office production.

Now, Nancy has not only courageously battled cancer for over 2 years but she's also been forced to contend with the Federal bureaucracy for relief—a frustrating task, at best, when one is healthy. So on July 8 of this year, I introduced legislation to allow Nancy to receive annual leave from her coworkers. Today, we see the fruits of this labor. With the generous support and assistance of my colleagues in the Judiciary Committee, H.R. 3295 is now before us.

Passage of this legislation will help Nancy with her problems. But what about those others in similar circumstances? There are literally hundreds of Federal employees that are faced with situations like Nancy's. They could all benefit from such a program.

The Office of Personnel Management is conducting a feasibility study toward universal implementation of such a plan. Hundreds of affected workers applied. Three were chosen to participate. Three.

Now it will be at least 6 months until the conclusions of the OPM's study are known. But I've spoken with OPM and they've told me that their program is literally running itself. Mr. Speaker, we can already determine what conclusions the OPM will reach—the evidence and employee support for the program is already overwhelmingly in favor of universal application.

So on this day when we have cut through the bureaucratic redtape to assist a single individual, I'd also like to urge my colleagues to support similar legislation for all Federal employees. The vehicle for such a proposal has already been introduced. H.R. 2487, introduced by Congressman FRANK WOLF, would allow OPM to universally apply such a leave-sharing program. There are too many people out there suffering needlessly. The problem is apparent and the solution wouldn't cost a single penny. But it would be priceless to those Federal workers who are being denied access to the relief this program would offer

and are wishing that they were the ones standing in Nancy Brady's shoes today.

CONSTRAINTS ON WEST BANK
AND GAZA TRADE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. HAMILTON. Mr. Speaker, I attach for the interest of my colleagues a recently completed report prepared by the Agency for International Development on constraints in trade from the Israel occupied territories of the West Bank and Gaza. The most important constraints according to the report are imposed by Israel and Jordan, although Egypt also presents barriers to trade, especially in the transportation area.

U.S. policy of trying to improve the quality of life for Palestinians living in the West Bank and Gaza has had strong support here and in the Middle East. This report was prepared as part of ongoing efforts to further the quality of life policy and it is clear barriers of trade are formidable. The Subcommittee on Europe and the Middle East of the Committee on Foreign Affairs required information on this subject.

The State Department report follows:

REPORT ON WEST BANK/GAZA TRADE
CONSTRAINTS

I. CURRENT TRADE FLOWS

Israel and Jordan are the Occupied Territories' primary trading partners. In 1985, approximately 66 percent and 32 percent of the territories' estimated 269 million dollars in exports went to Israel and Jordan, respectively. In the same year, of an estimated 668 million dollars in imports, 90 percent came from Israel, 1 percent from Jordan, and the remaining 9 percent from other countries.

West Bank/Gaza's (WB/G) exports to Jordan consist mostly of agricultural products such as olive oil and citrus, plus some processed commodities such as margarine, soap and stone. Imports from Jordan are negligible and limited to a few imported agricultural and industrial inputs. WB/G exports to Israel consist mostly of industrial goods (such as textiles and leather goods produced by Palestinian enterprises on a subcontract basis for Israeli firms), remittances from Palestinians working outside the area and wages earned by Palestinians who commute to jobs in Israel. Very little agricultural produce is exported to Israel. Imports from Israel comprise a variety of agricultural and industrial goods.

II. PRESENT TRADE CONSTRAINTS:

Current constraints on WB/G trade are summarized below according to agricultural, industrial or transportation categories. The most important constraints are imposed by Israel and Jordan, although Egypt also presents barriers to trade, particularly in the area of transportation.

A. Agricultural Constraints

1. Israel

West Bank/Gaza Palestinian agricultural products, with few exceptions, are not permitted to enter Israeli markets; Israeli agricultural produce enters West Bank/Gaza markets without restriction.

Agricultural produce from Israeli settlements in the Occupied Territories freely

enter Israeli markets and are treated as if produced in Israel proper;

Agricultural exports through Israel to third countries must go through Israeli organizations (AGREXCO or the Citrus Marketing Board);

Israel reportedly imposes quotas on production (according to West Bank economist Meron Benvenisti);

Higher cost and greater limits on use of water for Palestinians than for Israeli settlers in the Occupied Territories.

2. Jordan

Through a system of official permits and quotas, the GOJ Ministry of Agriculture restricts quantities and timing of most agricultural products entering Jordan (i.e. largely staples which compete with similar products grown on the East Bank). Non-traditional crops (which are not competitive with Jordan produce) are granted free entry.

Packaging, grading and handling restrictions;

Bureaucratic requirements, including certificate of origin, result in delays in entry;

High transportation costs and fees, particularly for goods to be exported from Jordan;

High cost of importing equipment through Jordan;

Products not produced prior to 1967 are not permitted entry into Jordan, except Gaza oranges which are permitted to be imported under a special arrangement.

Problems with marketing, pricing and payment from Jordan's agricultural marketing and processing corporation.

3. Egypt

Prohibition on direct marketing of West Bank/Gaza agricultural products in Egypt.

Unwillingness to permit use of Egyptian ports for transshipment of Gaza agricultural product exports.

B. Industrial Constraints

1. Israel

Restrictions on licensing companies, particularly those whose production would compete with Israeli companies;

Restrictions on entry to the Israeli market of goods that compete with Israeli products;

Restrictions on raw materials entering from Jordan, largely on security grounds;

Discriminatory treatment of Palestinian companies compared with companies in Israel and, particularly, those associated with Israeli settlements with respect to taxation and access to preferred credit rates;

High cost of public service hookups.

Labelling restrictions which insist that West Bank/Gaza production be identified as made in Israel.

2. Jordan

Restriction on entry or export through Jordan of goods that use/contain raw materials and capital equipment imported through Israeli ports;

Limit on amount of production that can enter Jordan;

Only products of companies licensed in Jordan permitted to transport goods to/through Jordan;

No licenses to Gaza companies;

Until recently, no licenses for companies formed since 1979.

C. Transportation Constraints

1. Israel

Time-consuming administrative procedures to obtain permits for travel of individuals and shipment of goods;

Various fees charged individuals and vehicles crossing the bridges;

Transportation delays and damage caused by rigorous inspection procedures.

2. Jordan

Limited number of trucks licensed to cross bridges;

Fees charged on goods transiting bridges; High transport fees to export points [Aqaba];

Administrative delays at bridges.

3. Egypt

West Bank Palestinians are not permitted overland entry into Egypt;

No overland exports are permitted from Gaza to Egypt or via Egyptian ports.

III. PROSPECTS FOR EASING WB/G TRADE CONSTRAINTS

Limited progress has already been attained in easing some of the above constraints. Jordan, for example, has allowed the registration of 25 additional trucks for use by cooperatives in transporting West Bank produce to the East Bank. Moreover, both Jordan and Israel have cooperated in allowing the opening of branches of an Arab bank (Cairo-Amman Bank) in the West Bank in order to facilitate Palestinian trade and investment. Nonetheless, much greater progress is required before Palestinian businesses can realize their productive potential in both domestic and international markets.

U.S. Embassies in Israel, Jordan and Egypt, and the U.S. Consulate General in Jerusalem continue to stress to host government officials the importance of removing constraints on business activity in the territories. We understand the European Community has also encouraged the GOI to relax trade barriers and has granted preferential access to WB/G agricultural exports. Eliminating the constraints will be a slow process. Progress also needs to be made in developing markets for WB/G exports, in improving credit access and in furthering technological development. Government assistance to West Bank/Gaza through our direct aid program (8.5 million dollars in FY 1987) and through our support of the Jordan Government's West Bank/Gaza program (14 million dollars in FY 1987) will help Palestinians to take better advantage of productive opportunities generated by any easing of constraints.

FAIR CREDIT AND CHARGE CARD DISCLOSURE ACT OF 1987

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. SPRATT. Mr. Speaker, this week the House overwhelmingly passed H.R. 515, the Fair Credit and Charge Card Disclosure Act of 1987. I was pleased to offer my support to this legislation, which imposes new disclosure requirements on card issuers. I strongly supported this bill which I view as an equitable compromise between consumer interests and credit card issuers. The uniform disclosure requirements of H.R. 515 will allow the consumer to make informed decisions on bank or retailer credit cards, in a highly competitive market.

I wish to commend the House for soundly defeating the amendment to set a ceiling on credit card interest rates. While the amendment was intended to benefit consumers through lowered finance charges, several fi-

nancial authorities concluded the rate cap would prove detrimental to consumer interests. First, it can be assumed that credit card issuers, faced with loss of finance charge income, would find alternative means of raising revenue. In offsetting the income loss, card issuers might impose annual fees or late payment fees; existing fees might be increased; the interest-free grace period might be eliminated. Thus, a Federal cap on interest rates could increase other costs associated with credit cards. Card issuers might also limit or restrict the availability of credit, a policy that would prove particularly detrimental to lower income applicants. These conclusions were drawn by the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Comptroller of the Currency.

For the above reasons, I supported H.R. 515, without amendments.

A DIFFERENT VIEW

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. GINGRICH. Mr. Speaker, there has been a great deal of fanfare about the recent awarding of the Nobel Peace Prize to President Oscar Arias Sanchez, of Costa Rica. Richard Matthews of the Atlanta Journal brilliantly outlines the questions we should all ask the Nobel selection committee. Might it be in the free world's best interest to rename the Nobel Peace Prize the Nobel Freedom Prize and establish a new set of criteria in determining who deserves such distinctions?

The article follows:

[From the Atlanta Journal, Oct. 15, 1987]
HOW DOES NOBEL PRIZE COMMITTEE DEFINE PEACE?

(By Richard Matthews)

The Nobel Peace Prize for 1973 was awarded, with all the usual fanfare, to U.S. Secretary of State Henry Kissinger and North Vietnamese leader Le Duc Tho for the agreement they negotiated to end the Vietnam War. Kissinger accepted happily, but Le Duc Tho surprised the world by rejecting the honor.

"Peace has not yet really been established in South Vietnam," he announced. "In these circumstances, it is impossible for me to accept. . . ."

The gesture was not quite as noble as it might have appeared; as Flora Lewis wrote in The New York Times, the North Vietnamese considered the Paris agreement "a victory over the United States," and thus could hardly have been eager to have Tho share the prize equally with the American negotiator.

It seems even less noble when one recalls that the peace that came of the agreement was only the peace of a totalitarian prison state—under the iron rule of Tho and his comrades.

But the ostensible point raised by Tho's refusal is legitimate: Should the prize be awarded to someone who has worked for peace, or only to someone who has actually achieved it?

In practice, the latter standard is unrealistic—for how often in this world is peace really achieved except through decisive

war? So the question becomes, What sort of effort, and what sort of progress, justify this paramount honor?

Costa Rican President Oscar Arias has been chosen for the 1987 prize for his work in creating a plan for peace in Central America, where oppression and rebellion have been the norm for decades. But his plan has only just been accepted by the heads of the governments concerned, and it is far from certain that it will actually bring about the desired results.

A cease-fire and amnesty agreement has been worked out in El Salvador under the umbrella of the Arias plan, but things are still far touchier in Nicaragua, where the contras and the Sandinista government, do not trust each other, and in Guatemala, where the foreign minister has just said talks with guerrilla leaders are pointless because they cannot even get their followers to honor a cease-fire during negotiations.

Of course, the Nobel Peace Prize has been given to others who had not yet won their battles: the Rev. Martin Luther King, Jr., Andrei Sakharov, Bishop Desmond Tutu. Few would suggest that those awards were not well-deserved recognition of critical struggles.

Perhaps it is enough that Arias has managed to bring together people who had previously been unable to find common ground on which to talk about peace. If that is a sufficient criterion, however, then Jimmy Carter should have received the 1978 prize that was given to Anwar Sadat and Menachem Begin, for without Carter there would have been no Camp David agreement.

There is another question about the Nobel committee's decision-making process that may be more troubling than the one about its timing on the Arias choice, however, and that is its definition of peace.

Suppose the Arias plan does stop all the wars in Central America: A likely outcome is that there will still be a leftist totalitarian regime in Nicaragua and a rightist one in Guatemala. The parallel with the Kissinger-Tho instance is interesting. Once again there will be a cessation of war, but not peace—not the kind of peace that includes freedom and human dignity, the kind of peace sought by King, by Sakharov, by Tutu.

The awarding of the Nobel Peace Prize to Oscar Arias may have been premature not because it's too soon to know whether his plan will bring peace, but because it's too soon to know what brand of "peace" it can bring.

PERSONAL EXPLANATION

HON. CARDISS COLLINS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. COLLINS. Mr. Speaker, although I have requested and received an official leave of absence, had I been present, I would have voted the following on legislation—rollcall votes—considered by the House since September 9:

SEPTEMBER 9

Approval of the Journal (roll No. 313), "yes."

H.R. 1327, National Health Service Corps amendments (roll No. 314), "yes."

SEPTEMBER 15

House Resolution 192, Lithuanian religious freedom (roll No. 315), "yes."

H. Res. 260, reaffirming support for Aquino government (roll No. 316), "yes."

SEPTEMBER 16

Approval of the Journal (roll No. 317), "yes."

House Resolution 256, rule for the consideration of H.R. 1154, Textile and Apparel Trade Act (roll No. 318), "yes."

H.R. 1154, Textile and Apparel Trade Act (roll No. 319), "yes."

SEPTEMBER 17

Lungren amendment to H.R. 442, Civil Liberties Act (roll No. 320), "no."

H.R. 442, Civil Liberties Act (roll No. 321), "yes."

SEPTEMBER 21

House Resolution 265, rule for the consideration of H.R. 3030, Agricultural Credit Act (roll No. 322), "yes."

SEPTEMBER 22

House Resolution 267, rule for the consideration of H.R. 2783, Housing and Urban Development appropriations bill, (roll No. 323), "yes."

Frost amendment to HUD appropriations bill (roll No. 324), "yes."

Crane amendment to HUD appropriations bill (roll No. 325), "no."

Crane amendment to HUD appropriations bill (roll No. 326), "no."

Boland amendment to HUD appropriations bill (roll No. 327), "yes."

HUD appropriations bill (roll No. 328), "yes."

House Resolution 247, rule waiving points of order against conference report (roll No. 329), "yes."

House Joint Resolution 324, debt limit (roll No. 330), "yes."

SEPTEMBER 23

Approval of the Journal (roll No. 331), "yes."

House Joint Resolution 362, making continuing appropriations (roll No. 332), "yes."

Thank you for your cooperation in this matter.

JONATHAN AUSBY III DAY

HON. C. THOMAS McMILLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. McMILLEN of Maryland. Mr. Speaker, many times in these Chambers I have risen to share with my colleagues the joys and triumphs of my constituents. Today I come not with an award won or a victory gained, but that of a painful loss to my district.

Saturday, November 7, is Jonathan Ausby III Day. Jonathan Ausby III was the only son of Jonathan and Shirley Ausby, Jr., who collapsed and died while playing basketball for Andover High School on February 17, 1987. At the age of 17, before he had even graduated from high school, Jonathan Ausby fell victim to a heart attack.

What can you say about the death of a young athlete, Mr. Speaker? Do you talk of

the glories that lay ahead in college due to his athletic prowess? Or do you discuss his other interests and dreams of the future that came from his other pursuits? Are there even words to speak that can possibly ease the pain that has wracked the members of Jonathan's family and his friends since he was taken from us only 9 short months ago.

In honor of Jonathan Ausby III, Mr. Speaker, I ask the following poem written in his memory by Laura Lechitz, a fellow student of Jonathan at Andover, be inserted in the RECORD.

Here stood a man with the will to survive.
He did what he could to keep his dream alive.

A dream that would linger forever and all times, with a strong will he became the best there was to see.

Yes, he had the spirit of a hero.

Oh, there's no need for sorrow, now his spirit is free and his dream will always carry on, even through tomorrow.

Oh, never let the dream die, we've got to help it to survive in remembrance of his lost destiny.

With a strong ambition, he became the best he could be, and he's seen what there was to see.

Yes, he had the spirit, that is of a hero, a spirit that will never die.

A spirit and his dreams will always stay alive.

CONTINUING SUPPORT OF THE FAIRNESS DOCTRINE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. DINGELL. Mr. Speaker, I draw my colleagues' attention once again to the groups supporting legislation to codify the fairness doctrine. In addition, I note the addition of the National Association of Black Journalists to the ranks of those who support the fairness doctrine. As the NABJ stated in its letter of support, "Those who say they already 'air all sides', have nothing to fear from a fairness doctrine. As long as it stood, the doctrine set a standard of integrity for all. Broadcasting is one of, if not the most powerful and influential tool in American society today. Its message should not be controlled by the few who are privileged enough to afford licenses. That is why the National Association of Black Journalists supports making fairness law."

GROUPS SUPPORTING LEGISLATION TO CODIFY THE FAIRNESS DOCTRINE

Accuracy in Media.
Action for Children's TV.
AFL-CIO.
American Baptist Churches.
American Civil Liberties Union.
American Clothing & Textile Workers' Union.
American Conservative Union.
American Federation of State, County and Municipal Employees.
American Jewish Committee.
American Lung Association.
Americans for Democratic Action.
Anti-Defamation League of B'nai B'rith.
Black Citizens for a Fair Media.
Center for Science in the Public Interest.
Center for Study of Responsive Laws.

Church Women United.
 Christian Church (Disciples of Christ).
 Citizens Communications Center.
 Common Cause.
 Communications Workers of America.
 Conservative Caucus.
 Consumer Federation of America.
 Consumers Union.
 Department for Professional Employees,
 AFL-CIO.
 Eagle Forum.
 Environmental Action.
 Environmental Policy Institute.
 Episcopal Church—Office of Communica-
 tion.
 Friends of the Earth.
 Fund for Renewable Energy and the Envi-
 ronment.
 General Motors.
 International Ladies Garment Workers
 Union.
 Media Access Project.
 Mobil Oil Corporation.
 Morality in Media of Massachusetts.
 Motion Picture Association of America.
 National Association of Arab Americans.
 National Association of Black Journalists.
 National Conservative Political Action
 Committee.
 National Council of Churches—Communi-
 cations Commission.
 National Education Association.
 National Federation of Local Cable Pro-
 grammers.
 National League of Cities.
 National Organization for Women.
 National Rifle Association.
 People for the American Way.
 Public Citizen.
 Safe Energy Communication Council.
 Seagrams and Sons, Inc.
 Sierra Club.
 United Auto Workers.
 United Church of Christ—Office of Com-
 munications.
 United Food and Commercial Workers
 International.
 Upjohn.
 U.S. Catholic Conference—Department of
 Communications.
 Union of Concerned Scientists.
 U.S. Public Interest Research Group.

PROTECTION PACKAGE FOR RIVERS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. EDWARDS of California. Mr. Speaker, an editorial in the October 27 edition of the Los Angeles Times offers an insightful look at the role Congress is playing in the preservation of the Merced, Kings, and Kern Rivers. The Los Angeles Times editorial reaffirms the importance of Federal protection for these California rivers, and the need to recognize the value of the rivers not only to the State of California, but to our Nation. The excitement of the rapids and the spectacular wilderness scenery of the California rivers is rarely equaled. By granting wild and scenic status to these rivers, Congress can prevent the development of additional dams which halt the flow of these vanishing flowing rivers.

As the article states, Congress has already passed legislation to protect the Merced and Kings River. I hope the President soon will

sign these bills into law. In addition, the Senate has already passed legislation to grant Wild and Scenic status to the Kern River. The House of Representatives should follow this example and pass this legislation which will permanently protect this magnificent river from pollution and destruction. In these days of overdevelopment and growth, let's take this opportunity to set aside this environmental treasure to serve as a reminder of the beauty of our Nation's natural resources. Let us be the ones to protect the Kern River for future generations to experience and enjoy as we can today.

The article follows:

PROTECTION PACKAGE FOR RIVERS

The Merced River delights visitors with its scenic twists and turns as it flows through Yosemite National Park, as does the Kings River in Kings Canyon National Park and the Kern River in Sequoia National Park. These three rivers are generally well protected within those parks, but that protection ends at the parks' edges. Congress is finishing its work to add this protection for all three rivers, and President Reagan should sign all three bills.

Congress has already joined with its California members in declaring that the Merced and Kings Rivers should be part of the National Wild and Scenic Rivers System. The legislation that established that system outlaws development of any sort on some portions of wild rivers, and controls recreational access and related development on others. The act was particularly aimed at halting the damming of America's wild rivers.

The Merced measure—backed by both California senators, Democrat Alan Cranston and Republican Pete Wilson, and by Rep. Tony Coelho (D-Merced)—would preclude the proposed construction of a small hydroelectric dam near El Portal, the gateway to Yosemite. The Kings River legislation—backed by both senators and Rep. Richard H. Lehman (D-Sanger)—would protect the river that flows out of Kings Canyon National Park through Fresno County.

Both bills contain compromises that enabled them to pass Congress. The Merced measure designates the lowest eight-mile section that it covers as a study area should Mariposa County officials decide to construct a second reservoir, although that does not mean that the reservoir could in fact be built. The Kings River bill designates one river stretch, where a dam has been proposed at Rodgers Crossing, as a special management area. This means that after three years a dam could be built. Environmentalists, who are used to eternal vigilance, contend that it will be hard to argue the merits of these projects on rivers once the rest of the river is protected by federal legislation.

The Kern River legislation was passed by the Senate on Oct. 1, and that Senate bill will come before a House interior subcommittee today. The Kern's north and south forks flow south out of Sequoia National Park, and would be protected up to the Tulare-Kern County line. There is limited local opposition to the designation because of inherent distrust of the federal government in those parts. In this case people would be far better off with the government on their side than not.

Now Congress should finish its work on this package of protection. It would be a reaffirmation of the value of these rivers to

Californians and to the nation if the President would sign the measures and let the waters roll on.

A TRIBUTE TO DENNIS KODNER

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. SCHUMER. Mr. Speaker, I would like to take this opportunity to recognize Dennis Kodner, an outstanding and innovative professional dedicated to providing affordable health care for senior citizens in Brooklyn.

Mr. Kodner was a founder and the first general director of Elderplan, a social health maintenance organization that has over 4,000 members in Brooklyn. The success of Elderplan has made it a prototype for a national health care system for the elderly.

A renowned expert in gerontology and long-term care, Mr. Kodner has spoken to both private and government groups across the country, on the health care needs of the elderly.

Mr. Kodner is leaving Elderplan after 10 years of service. But I am sure his expertise and creativity will continue to help improve the quality of health care for the elderly for years to come.

REMEMBERING JEWISH REFUGES FROM ARAB COUNTRIES

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. FASCELL. Mr. Speaker, I would like to call the attention of our colleagues to an important international conference that occurred in Washington last week, which was overshadowed by summit speculation, stock market worries, and other immediate issues, but which nonetheless deserves our attention and recognition. I refer to the October 26-28 conference of the World Organization of Jews Living in Arab Countries [WOJAC].

For those of you not familiar with the organization, WOJAC seeks to represent the interests of over 2 million Jews from Arab countries now living throughout the world, the majority of them in Israel, where they make up approximately 44 percent of the population. WOJAC is a voluntary organization which has been approved as a nongovernmental organization by the United Nations' Department of Public Information. I had the privilege last week to meet with representatives of WOJAC's leadership and learn first hand about their valuable work.

WOJAC's Third International Conference last week focused on three key problems facing Jews who still live in, and those who have fled, Arab countries: first, to promote the rights of Jews in Arab countries, especially the right to emigrate if they so desire, as well as the right to have their civil and human rights respected; second, to promote compensation for those Jews who left Arab countries and were dispossessed of their property, and to

ensure the protection of Jewish cultural and religious assets in Arab nations; and third, to win recognition of the de facto exchange of populations that occurred in the Middle East with the resettlement of Jews and Palestinian Arabs, and to promote the absorption by Arab states of Palestinian refugee populations.

As the United States seeks to promote a just and lasting peace settlement in the Middle East which protects the national interests of Israel and the United States, it is useful to keep in mind the human dimensions of the Middle East conflict. WOJAC performs a great service by recalling the sacrifices of those hundreds of thousands of Jews who have lost their private and communal property in Arab states, and by focusing attention on the plight of Jews in certain Arab countries, such as Syria, which continue to deny Jews their civil and human rights, including the right to emigrate. In doing so, WOJAC does not indiscriminately lump all Arab states together, but explicitly draws a distinction between countries where Jews live in distress, and the one or two Arab states like Morocco, whose attitude toward their Jewish citizens is relatively liberal.

Mr. Speaker, WOJAC's conference is a timely reminder of the continued suffering of the Jewish community in Syria. While our influence with the Syrian Government is slight, as Americans committed to human rights we must do all we can to improve the plight of this small group, which should not be overlooked as we address pressing concerns elsewhere.

LEST WE FORGET: A MOST DANGEROUS MILITARY PROFESSION—THE AMERICAN MERCHANT MARINER

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. TAUZIN. Mr. Speaker, recent events in the Persian Gulf give us, sadly, the opportunity to reflect upon a strong and proud tradition of U.S. military service—U.S. merchant seamen are once again heroes of this Nation.

During World War II, a higher percentage of merchant seamen lost their lives than any other branch of military service except the Marines. In Korea and Vietnam, merchant seamen also played key roles in military operations.

The Americans aboard the reflagged U.S. tanker *Sea Isle City*, knew they were in dangerous waters. The day before they had watched as the supertanker *Sungari* exploded in flames after being struck by a Silkworm missile.

At 5:40 a.m., American radio operator William Kreysler was asleep in his bunk aboard the 81,283-ton tanker *Sea Isle City*. Capt. John Hunt was on the bridge. A crewman saw the missile only moments before it hit. The Silkworm slammed into a ventilating tower in front of the bridge, causing the warhead to detonate just before it hit the superstructure. Only 25 feet from the point of detonation, Captain Hunt was overwhelmed by a wall of

flame and flying glass. The force of the blast was so powerful that hot metal shards ripped through 10 steel barriers before the last chunk dug into a steel wall in the rear of the upper boiler room. Radio operator Kreysler rushed to the bridge to find Capt. John Hunt critically injured, lying on his back, covered with blood. Kreysler ran to the communications room to radio a distress signal and helped with the evacuation of the burning ship.

Capt. John Hunt now lies blinded in a Kuwaiti hospital. Seventeen other members of the crew were also injured.

I urge my colleagues to reflect on the bravery of these Americans the next time we are called upon to support the U.S. maritime industry. We must all be aware that we do not now have the manpower or ships to adequately support a major seafleet. We cannot afford to write off our maritime industry as just another victim of the restructuring of the American economy. In wartime, the loss of our shipyards will not be made up by Japan or Korea. The lack of a U.S.-flag fleet will not be compensated by the seizure or purchase of foreign flag ships, because we will not have sufficient American seamen trained to sail them. How can we expect foreign seamen to brave such obvious risks to defend our interest?

The next time we vote on an issue affecting our maritime industries, we should remember that they are vital military assets. In times of war or national emergency there will be no replacement for U.S.-built and manned merchant vessels. Absent this resource, our armies will be trapped on foreign soil, without hope of adequate resupply. Our ocean-borne commerce will be halted, and we will be left isolated.

I urge my colleagues to not let the valiantry of the crew of *Sea Isle City* go in vain. We must continue to look upon our maritime industries as parts of our military structure and important attributes of our national security. To neglect the U.S. maritime industry is to leave us weakened and ill prepared to meet the challenges of a hostile world.

A TRIBUTE TO FRANK C. KOLLER

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. YATRON. Mr. Speaker, I rise today to pay tribute to Mr. Frank C. Koller of Kenhorst, PA who will be celebrating his 101st birthday on November 18, 1987. I am honored to add my good wishes on this important and joyous occasion.

A well-known and respected gentleman, Mr. Koller has been a dedicated member of the community having served on the Kenhorst Borough Council for many years. He has been involved in numerous other community functions as well, providing a role model for which all citizens might seek to emulate. In addition to his devotion to public service, Frank Koller has been equally committed to his home life. He and his wife Mary, 96 years old, currently enjoy the designation of oldest living couple in

the Borough of Kenhorst. This, too, is a milestone which few are fortunate to reach.

Mr. Speaker, I know that my colleagues will want to join me in offering sincere congratulations to Mr. Koller on his special day and best wishes for every happiness in the future.

BIRMINGHAM TAPPED TO HOST 1988 PRESIDENTIAL DEBATE

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. ERDREICH. Mr. Speaker, the League of Women Voters will host three Presidential debates and one Vice Presidential debate in September and October 1988, and I am pleased to tell my colleagues in the House that Birmingham, AL, which I represent in the U.S. Congress, has been selected as one of the debate sites.

This latest coup is yet another acknowledgment of Birmingham's appeal as a city, in terms of ongoing economic progress and jobs creation, culture, education, entertainment, health care, housing, recreation, and southern heritage. And Birmingham's residents owe a round of applause to the local members of the League of Women Voters for their successful efforts in securing Birmingham as a site for one of these debates.

The league has been working to bring the debate to Birmingham since 1985 and is to be commended for giving the voters in Alabama and across the Nation the opportunity to view firsthand the candidates for the highest elective offices in the United States. Birmingham, Jefferson County, and Alabama are proud to host this national debate during the Presidential election of 1988.

I applaud the League of Women Voters for its foresight in providing Presidential debates to the citizens of this country, and am certain that the residents of Birmingham join me in looking forward to hosting one of these debates in 1988.

PERSONAL EXPLANATION

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. DANNEMEYER. Mr. Speaker, on November 2, 1987, I was unavoidably out of town and missed that day's session. When the Congress concluded business on Thursday, October 29, no recorded votes were scheduled for Monday. As it turns out, there were five recorded procedural votes caused by the unruly nature of the vote on final passage of H.R. 3545 on October 29. Had I been present yesterday, and disavowing any semblance of self-incrimination, I would have voted as follows:

"No" on recorded vote No. 396, the first motion to adjourn.

"Yes" on recorded vote No. 397, a motion by Mr. Sensenbrenner to arrest absent Members of the House.

"No" on recorded vote No. 398, the second motion to adjourn.

"Yes" on recorded vote No. 399, a motion by Mr. Walker to compel the attendance of absent Members.

"No" on recorded vote No. 400, the final motion to adjourn.

NOVEL PROGRAM AT KODAK

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mrs. SCHROEDER. Mr. Speaker, I would like to commend Eastman Kodak Co. for taking the lead on work and family issues. 80,000 Kodak employees will enjoy job protected unpaid leaves under a new policy modeled after the Family and Medical Leave Act, H.R. 925. Kodak has adopted a 4-month parental leave policy to provide its employees unpaid family leave for the birth or adoption of a child, or the serious illness of a family member.

The following Denver Post article describes Kodak's policy in more detail.

[From the Denver Post, Nov. 1, 1987]

NOVEL PROGRAM LETS KODAK WORKERS TAKE UNPAID FAMILY LEAVE (By Peter G. Chronis)

Eastman Kodak Co. will allow its U.S. employees—including some 2,800 workers in Windsor—to take up to four months unpaid family leave.

The novel plan was announced by the company Friday and was hailed by the office of Rep. Pat Schroeder, D-Colo., an advocate of liberalized leave policy and other family-oriented work benefits.

Eligible workers will now be able to take the leaves for the birth of a baby, adoption of a child below school age, addition of a step or foster child to a family, or to care for a seriously ill family member whose care requires full-time absence from work.

Additionally, employees who take the leave will be able to continue health and life insurance coverage by paying applicable employee contributions, Kodak said.

Terms of Kodak's policy are about the same as those originally proposed in Schroeder's family and medical leave act, which has since been revised in the House Education and Labor Committee, said Sharon Triolo-Moloney, one of Schroeder's aides.

Schroeder had asked for up to 18 weeks' unpaid leave for birth, adoption or serious illness, she said. Additionally, Schroeder's bill sought extended medical leave in the event of serious accident or similar event, Triolo-Moloney said.

The current version of the bill provides for up to 18 weeks' leave for birth, adoption or illness in the family, Triolo-Moloney said, and up to 15 weeks for medical leave.

"We have limited detailed information about how it will work," said Ron Brinkman, assistant to the manager of Kodak's Colorado division, "but I anticipate the employees will be pleased with the program."

The Kodak leave plan is in addition to the paid maternity leave for new mothers, Brinkman said. There had been no previous provisions for fathers to take leave, he said. The earlier leave policy wasn't as liberal, Brinkman said, with paid maternity leave depending upon individual circumstances and medical considerations.

Kodak said employees will be able to take the family leave no more than once every two years. For women who take leave to have a baby, the family leave would begin after the expiration of maternity benefits, the company said.

The new policy applies to regular full-time and regular part-time employees with at least one year of service, the company said. Employees taking the leave will be reinstated to their former positions or similar positions, Kodak said.

Kodak's Colorado division began informing supervisors of the new policy Friday, Brinkman said.

Kodak employs slightly more than 80,000 people in the United States.

A TRIBUTE TO ENOLA MAXWELL

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Ms. PELOSI. Mr. Speaker, it is with great pleasure that I rise today to salute a courageous and successful woman from the Potrero Hill community in the city of San Francisco, Mrs. Enola Dundy Maxwell. On the occasion of the 80th anniversary of the Potrero Hill Neighborhood House of which she is the executive director, Mrs. Maxwell was honored for over 40 years of remarkable accomplishments and community service.

From her days as an aide to the Olivet Presbyterian Church minister—while studying for the ministry—Enola Maxwell has dedicated the past 25 years to serving the people of Potrero Hill. In 1967, the San Francisco Presbyterian commissioned her its first lay minister and since that time her most eloquent sermon has been the example she has set through her life of service to her community. It is her deeds, even more than her mighty words, that have won her a place in the hearts of her fellow citizens.

In the last 15 years she led the Potrero Hill Neighborhood House to its position as a multipurpose social agency that provides services to a broad-based and diverse community. These services include youth programs, senior citizen activities, a center for developmentally disabled adults, and a home to a wide range of cultural programs for Potrero Hill and the city as a whole. She has created in our city an institution whose sole purpose is to fulfill the scriptural commissions to feed the hungry, to clothe the naked, to house the homeless—in short, to give strength to the powerless.

Mrs. Maxwell is well known not only for her service but also for her compassion. Rooted in her faith and in the strength of holding together four generations of her family as a single parent, she has an uncommon understanding of others. She is a counselor to the powerful and the powerless alike. She is a woman who is always there for those in need, always ready to provide support, advice, and assistance.

It is the children for whom Enola Maxwell reserves her most abiding concern. They are the ones whom she knows to be the most tragic victims of the problems and injustices of our society. In their hands lies the future. She knows that if she can make a difference with

them, and for them, she will have made a great difference in our world.

Out of Mrs. Maxwell's compassion has come her vision. She has a perception and understanding of the human condition that has led to action in many situations long before action was popular. As a religious and political leader in the black community, she was an early supporter of gay and lesbian civil rights. Her participation in the struggle for black civil rights taught her that as long as any community is discriminated against, no community is free.

Enola Maxwell marched in Alabama with Dr. Martin Luther King, Jr. during the civil rights action, and was a participant in the 1960's sit-ins to integrate businesses in San Francisco. She continues to work with Mrs. Coretta Scott King in furthering the goals of the Martin Luther King, Jr. Center for Nonviolent Social Change. She worked on the committee to honor the memory of Dr. King with a federally sanctioned public holiday beginning in 1986. She is committed to the peace movement and works actively in the Women's International League for Peace and Freedom.

Mrs. Maxwell has served, and still serves, on several city and regional committees, as well as church sponsored committees, and is very well respected for her outspoken and direct approach to local problems. Her concerns about the education of inner city youth, the spread of AIDS, the epidemic proportions of teenage pregnancy, and the economic status of single parent families are uppermost in her priorities.

She was instrumental in bringing the Federal summer youth employment and the mayor's local in-school employment programs to Potrero Hill, and continues to give guidance to them, while fighting to retain the programs despite budget cuts.

Potrero Hill is a neighborhood in transition and Mrs. Maxwell has been a leader in the process of bringing together various competing elements of the community, forging in the process an effective political force. Whether the problem is garbage collection in the projects, a pornography district in the residential neighborhood or the stopping of an inappropriate PG&E expansion, she is in the lead, creating an effective coalition to fight for the needs of the people she serves.

When Mrs. Maxwell was appointed executive director of the Potrero Hill Neighborhood House, there was a fear among some of the old-time members in the community of this strong-minded black woman. It is a tribute to her wisdom and her work that many of these same people now come to the senior lunches at the NABE and call her mom.

Mr. Speaker, this is not the first time the work of this dedicated woman has come to the attention of this body. In 1976 my predecessor, the late Philip Burton of California, paid a similar tribute to Mrs. Enola Maxwell's service, compassion, and leadership. Because of the unrelenting strength of her commitment, we once again pay her tribute and honor.

ASPIN LOOKING AT THE WORLD
AFTER INF

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. PEASE. Mr. Speaker, it is official. General Secretary Gorbachev is coming to America on December 7, 1987, to sign an intermediate nuclear force treaty with President Reagan. I welcome this development as well as the hope it gives for more substantial arms control agreements down the road.

At the same time, we should heed the concerns expressed by the distinguished chairman of the House Armed Services Committee, LES ASPIN. He recently delivered a very incisive speech to the American Association for the Advancement of Science on how to proceed from consummation of an INF treaty. Following is an excerpt of his remarks that speak to a concern that many of us share—how to respond to Soviet advantages in conventional forces in Europe?

CONVENTIONAL FORCES

A review of the literature shows that there has been no lack of analyses of the conventional balance. These analyses abound, and their results vary widely, depending upon their political and methodological assumptions. The findings range from a portrayal of NATO with a slight advantage—a 1.5-to-1 ratio in its favor—to a large superiority for the Warsaw Pact—a 4-to-1 advantage in its favor. While there are many detailed considerations, the spread of these results seem dominated by different assumptions in two major areas:

Who will fight? (Will France join forces with NATO? Will the Eastern European satellites fight wholeheartedly on the side of the Soviet Union or will they fight with indifference, or would they use a crisis as an opportunity to rise up against their Soviet occupiers?)

When will they be ready to fight? (Will NATO get clear warning of Warsaw Pact mobilization for war? With warning, will NATO mobilize, or exercise restraint to avoid further ratcheting up the crisis?)

There is no simple answer to these questions. Nor is there any way we can predict with certainty the behavior of nations in a crisis of unknown character at some unknown time in the future.

In the literature, however, the median result of the studies on the conventional balance shows a 2.5-to-1 Pact advantage after several days of mobilization. There also seems to be a judgment that if this ratio can be shifted to around 1.7-to-1, the picture changes dramatically. With this ratio, the Warsaw Pact would face the strong risk that if it were to initiate an offensive it would either fail or end in a stalemate. This would be a powerful deterrent.

If one subscribes to these typical views of the balance, then NATO has a straight-forward solution—add enough forces to get the ratio down to 1.7-to-1. By my calculations, this would mean adding about 10 more divisions.

That is easier said than done. As desirable as 10 extra divisions would be, and they are desirable, there are reasonable doubts as to whether they could ever be put together, at least over the next decade. Ten more divisions would not come free. Initially they would cost about \$75 billion, plus \$20 billion

annually thereafter. These are startling amounts, and are far more expensive than buying defense with nuclear weapons. While on paper NATO could afford these amounts, it's tough to imagine the alliance contributing these numbers at a time when America is working away at the federal deficit, and the allies are retrenching on defense spending.

There is also the problem of a declining pool of 18-year-olds in the NATO countries, leading to serious doubts as to whether the necessary manpower would be available without major social disruptions.

There's another point. Even if NATO bought 10 extra divisions, it is not clear that this would necessarily give us confidence that the conventional balance problem was fully solved.

First, there are some reputable analysts who feel that even if we could get the force ratio down from 2.5-1 to 1.7-1, this would still be insufficient. The argument is also made that, barring other factors, the Soviets themselves may not be deterred by 1.7-1 force balance. Thus, skepticism about this approach would remain, and the debate would continue.

Second, it is by no means clear that just building up our forces is what needs to be done, or that it is really sufficient by itself. One analyst, Steve Biddle, has done some interesting work that suggests the character of the forces is as important as the ratios, perhaps even more so. Now, I believe this conclusion is pretty tentative, and a lot more work needs to be done to assess it. But I think we may have been neglecting an important dimension of how to think about conventional warfare beyond mere bean counts, important though the balance of beans can be.

Consider the following. We have established that the balance before the war is very uncertain. But what happens once the war has begun is even more uncertain.

Drawing on Biddle's work, there are two models of conflict that are instructive as to how conventional combat might be carried out. The first model has force structures under which the side that attacks first attains significant military leverage. By massing forces at surprise points, the attacker can rapidly break through defenses to capture strategic positions in the rear. Ultimately, the aggressor can defeat the defender with relatively low casualties. In this model, as time goes on, the force ratio becomes ever more favorable to the attacker.

In short, in this model, it pays to attack first.

The second model is one with force structures where defense has inherent military advantages. The basic nature of its defensive posture makes its casualties low while the attacker is exposed to fire and experiences very high losses. In this model, as time goes on, the force ratio gets even more favorable to the defender.

In short, in this other scenario, it pays to be the defender.

In looking at these models, we should highlight two points. First, they reveal that looking at the conventional balance before the war starts is not necessarily the best way to predict the outcome of a conflict. Forces with starting advantages or disadvantages may win or lose, depending on the character of their force structures. Indeed, the conclusion is that in seeking an acceptable conventional balance, NATO should be concerned less with the size of its forces, and more with their structure.

The second observation has to do with our basic objective: how do we deter aggression

by the Warsaw Pact without an excessive reliance on the use of nuclear weapons, and what kind of forces do we need to accomplish this.

The first model of combat, where the side that attacks succeeds, is what I call "unstable" in a crisis. In such an unstable military environment an aggressor has little incentive to resort to diplomacy. If he shows restraint and waits for diplomacy to succeed, the other side may attack first, getting the upper hand. In this model, the incentive is for diplomacy to take a back seat to the military option.

The second model, where the posture of the side that attacks deteriorates, is what I call "stable." Neither side has an incentive to attack first because the attacking side uses up more forces than the defending side does. In this model the incentive is for diplomacy to dominate as the instrument of choice in resolving a crisis.

Of these two models, a world of conventional stability is clearly preferable. And indeed there are specific measures we could take that would move us demonstrably in the direction of a more stable military environment.

In considering these measures, let's return to the specific military situation in Europe today. By all rights it is arguably unstable. The Warsaw Pact forces are characterized by large armored formations designed for mass attacks at points of their choosing along NATO's defenses. Their objective is to achieve quick breakthroughs, where follow-on armored forces can punch through to strategic objectives in the rear. This could lead to the collapse of NATO's defense with relatively low casualties. Bluntly put, the present situation in Europe almost exactly fits the instability model.

So the question becomes: How do we design forces to counter this? The answer is to deal directly with the essential element that makes workable the Warsaw Pact plan of quick penetration and exploitation of the rear—armored forces, specifically tanks, the gut and sinew of the enemy's capability. If we clearly have the capability to neutralize Soviet tanks and make their losses inevitably higher and higher as the war progresses, then we have stability. There are several ways we could set about accomplishing this.

First, we can build anti-tank barriers—dirt trenches, canals, concrete walls, mine fields. Barriers will not stop tanks dead in their tracks, but they can slow them down and pinpoint their location so that the array of our firepower—artillery, helicopters, aircraft and other means—can destroy them. There is almost universal expert agreement that barriers give tremendous leverage to the defender in imposing casualties on the attacker.

Second, we should focus far more on employing effective, infantry-fired, anti-tank weapons. Of course, we already have sizable numbers of weapons in our arsenal. The big question, however, is how well do they work. And here we need to do much more hard-nosed research and testing to get these systems to the point where they are truly effective. This is an area that demands a good deal of emphasis.

The third is effective close air support. Since our adversary can mass his forces for penetration where and when he chooses, we need to be able to counter-punch quickly. Close air support can help accomplish this. It can quickly mass impressive amounts of firepower anywhere against enemy armor on the battlefield.

Fourth, we need to recognize that some Soviet armor will still be able to mass sufficiently and penetrate into NATO's rear. This armor can be neutralized with dispersed infantry units roving throughout the depth of NATO's rear with anti-tank weapons. Relatively invulnerable to enemy fire, these light units would be backed up further by NATO armored units held in reserve.

To recap: we need to use barriers, anti-tank weapons, close air support, and light infantry in-depth and operational armored reserves. With these measures, there is strong reason to believe from the analysis that we can achieve a much higher degree of conventional stability.

Once conventional stability is attained, we will be in a world somewhat analogous to nuclear crisis stability—a world where, if our adversaries attack first, they will gain minimal military advantage at best, but risk devastation to their forces.

Conventional stability can change the nature of conventional war away from memories of World War II where Blitzkrieg attacks gave hope of quick, relatively painless victory. Stability will create a new vision—the militarily-unappealing prospects of a World War I scenario, where attacks on trenches extracted massive casualties with little gain. Through these measures we just may be able to create a powerful new deterrent in Europe. At that point, we will have created a world where conventional war gives the attacker little hope of victory, and diplomacy will become a far more rational alternative to crisis resolution.

Now these measures I'm recommending are tentative. While I believe they'll point us in the right direction, they're hardly the last word on the issue. The fact is, this area needs a whole lot more work and a whole lot more analysis. It requires the kind of thinking we didn't have to do in the past, but we need to do now. And because we are, of necessity, plowing new ground, we need to be prepared to think creatively. By creatively, I don't mean anything goes—but I do mean that we need to keep an open mind in coming up with solutions to an awfully tough problem.

CONGRESS BECOMING A "BANANA REPUBLIC HOUSE"

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. SOLOMON. Mr. Speaker, it's obvious that the majority party won't even stop at changing the rules in the middle of the game, so arrogant has it become in its exercise of naked power.

It's a fact that hasn't gone unnoticed by the editorial writers of the Wall Street Journal. For those who may have forgotten how thoroughly the House disgraced itself with last spring's vastly undeserved pay raise, the Journal has performed the great service of describing last week's sleight-of-hand to rescue a \$12.3 billion tax bill. If this episode were not so typical of the decline of institutional integrity, if it were not so indicative of how closely this body has

come to resemble the worst Central American dictatorships, it would be comical. But it is no laughing matter, and that is why I feel obliged to insert the editorial in the RECORD. It speaks for itself.

BANANA REPUBLIC HOUSE

Yesterday, the House was in a state of limbo, with members unable to either finish their business or go home. For nearly four hours, House Speaker Jim Wright, faced with a Republican uprising over the tactics he used last week to ram a tax-increase bill through the House, didn't have a quorum needed to conduct business.

In recent years, a disturbing pattern of unfair committee ratios, proxy voting and violations of the House's basic rules has begun to undermine the chamber's institutional integrity. Under Speaker Wright, politics in the House has continued to deteriorate.

The most egregious example occurred last Thursday when by one vote the House passed a measure to raise \$12.3 billion in new taxes. Speaker Wright had been embarrassed early in the day when 48 of his fellow Democrats broke ranks and blocked consideration of the bill. Mr. Wright then pulled out all the stops, even deciding to suspend time itself.

To avoid a requirement that he couldn't bring a new version of the bill up for a vote on the same day, Mr. Wright adjourned the House at 3:17 p.m. on Thursday, so that he might instantly reconvene the chamber on the following "day," which arrived a minute later, at 3:18 p.m. The House clocks actually had to be stopped for seven minutes and then reset, so that the new "day" would start on time. "The House is convinced the sun rises and sets over it, but this is the first time I've ever seen us readjust the sun," said GOP Rep. Hank Brown of Colorado. Students of Congress report this tactic has been used only three times in the past 200 years, and never for such a controversial subject.

The House then brought the bill back onto the floor for a final up-or-down vote. Despite intense lobbying, it still failed 206-205. After several minutes spent searching for absent members, Speaker Wright reluctantly closed the vote.

Then, according to the Journal's account, the speaker's top aide, John Mack, ran down the aisle "all but dragging" Texas Democrat Jim Chapman with him. The congressman filled out a card changing his vote and gave Speaker Wright his victory.

This kind of chicanery is becoming pervasive in the House of Wright. Last month, the House Interior Committee approved a water-projects bill that was opposed by environmental groups as a special-interest giveaway. According to Ed Odann, water resources director for the National Wildlife Federation, only nine members of the 41-member committee were present when the bill was approved. "I was there, along with other witnesses, and the room was nearly empty when the bill passed by voice vote," Mr. Odann says. When GOP Rep. Robert Walker objected to the apparent lack of a quorum on the House floor he was told that a quorum had been present although "attendance was not taken."

The real power in the House is now held by the liberal majority in the Democratic caucus, a group that elected Speaker Wright and to which he is beholden. The rights of the Republican minority and many moder-

ate Democrats are routinely trampled. Every year less and less restraint in the exercise of raw power is shown in the House.

Polls consistently show that the public holds Congress in low esteem. With good reason. The rule-by-whim encouraged by Speaker Wright is more appropriate to a banana republic than a country that just celebrated the bicentennial of its Constitution.

RECOGNITION OF CHRISTIAN HOLMES

HON. DON BONKER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. BONKER. Mr. Speaker, in my capacity as chairman of the House Foreign Affairs Subcommittee on International Economic Policy and Trade, I have been responsible for providing oversight to the U.S. Trade and Development Program. In this regard, I have watched over the years with increasing admiration the work of the TDP Director, Christian Holmes. In a span of some 6 years he has managed to transform a small U.S. Government agency into one of the most successful and active U.S. trade promotion entities in the U.S. Government.

Mr. Holmes will soon be leaving the U.S. Government to take a senior position in the private sector where he will be working as a vice president with the Cooper Cos., a leading manufacturer of medical technologies. Mr. Holmes is one of the finest public servants I have yet encountered and I believe his departure from the Federal Government is a real loss to our Nation.

When I first came to the Congress in 1974, Mr. Holmes was beginning a career with the Agency for International Development. Prior to that, he had worked for several years as the chief of staff to one of our former and highly respected colleagues, Congressman William Mailliard. He arrived at AID at a time when millions of people throughout the developing world were threatened by incredible hardship brought on by famine and warfare. He embarked on a career concentrating on the most important element of our foreign assistance program: saving lives and alleviating the suffering of disaster and war victims throughout the developing world. In this regard, he quickly moved up the ranks, initially serving as the Principal Assistant to the President's Special Coordinator on International Disaster Assistance and subsequently as the chief operating officer of AID's International Disaster Relief Program and finally as the Principal Deputy Assistant Secretary for Refugee Programs. During this period, he personally conducted on-site assessments in some of the most devastated regions of the developing world, including war zones of East Timor, the Thai-Cambodian border, and Ethiopia; earthquake stricken regions of Central America, and the drought devastated Sahel area. As a result of his work, he has bettered the lives of millions of people throughout the developing world.

In 1981, he turned his impressive managerial talents to helping our Nation organize an entirely new program targeted at both opening up export markets in the developing world and in fostering economic development. In this regard, over the last 3 years he has played a pivotal role in the U.S. Government efforts to utilize foreign assistance resources to both promote economic development as well as trade and investment throughout the developing world and in particular in the Pacific Basin. He has taken the U.S. Trade and Development program from a small organization with scant resources to one which has won such confidence from the Congress that we have increased its budget over the last 6 years by some 400 percent. As a result of his leadership, the Trade and Development Program has now generated approximately \$1 billion in U.S. exports and has financed some 43 projects in 74 countries. It is with great satisfaction that this program, which my committee has played a lead role in supporting, has now become the centerpiece of the trade finance section of the trade bill wherein the Congress proposes to transfer even more authority and funds to the Trade and Development Program to assist in its impressive efforts to open new markets while also helping developing nations in their economic development efforts.

One of his most important achievements has been personally initiating, negotiating, and overseeing the implementation of a major technical assistance program in China which has not only helped the Chinese in their modernization efforts but has also helped U.S. firms get on the inside track of the development of major projects throughout China. Over the last 6 years Mr. Holmes personally traveled to China numerous times and has enabled the Trade and Development Program to reach the point where it is now financing 40 projects throughout China and has already generated some \$50 million in United States exports to these projects.

As a result of his work this administration and prior administrations have given him considerable recognition; as a member of the Senior Foreign Service, at Minister Counselor Rank, he has twice received the President's Meritorious Award, one of the highest awards to which a member of the Foreign Service can aspire.

My colleagues and I on the House Foreign Affairs Committee will indeed miss working with Mr. Holmes. He has accomplished a great deal and we wish him well in his new endeavors.

**THE SOVIETS: JUDGE THEM BY
THEIR ACTIONS, NOT THEIR
WORDS**

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. BROOMFIELD. Mr. Speaker, the Soviets have shattered yet another agreement

with the United States. How can we trust the Kremlin to follow the letter of a possible INF agreement if they openly violate a simple accord concerning the treatment of U.S. military liaison personnel in East Germany? While an INF agreement may be near, I urge the administration to stop handling the Soviets with kid gloves. Let's ruffle their feathers instead of sheltering the visiting Soviet Foreign Minister from protestors in front of the Department of State. Let's call a spade a spade and discuss these unwarranted attacks on U.S. military personnel with the Soviets. A government that kills innocent Americans in East Germany is a government that may someday ignore the INF agreement and threaten the security of all of us.

In 1985, I strongly protested the murder of U.S. Army Maj. Arthur D. Nicholson, Jr., in East Germany. I called for the departure of the Soviet Ambassador to the United States if the Russians failed to apologize for that unwarranted assassination. While performing routine liaison work in East Germany, Major Nicholson was shot by a Soviet soldier and allowed to bleed to death. A few months ago, another U.S. soldier was wounded by Soviet troops.

All of this goes on in clear violation of a 1947 agreement with the Soviets concerning the activities of the U.S. military liaison mission in East Germany. After the brutal murder of Major Nicholson, United States and Soviet teams worked out a 1986 compact designed to prevent future incidents of this nature. The harassment of U.S. forces, however, continues unabated in clear defiance of the agreements and the spirit of better United States-Soviet relations.

While the diplomats in our Government are trying to ignore serious incidents of this type as the signing of an INF agreement draws near, I for one will not roll over and forgive this cruel Soviet behavior. The Russian bear is still heartless even if he tries to mask his brutal acts with the rhetoric of glasnost.

I urge the administration to raise the ongoing abuse of U.S. forces in East Germany with the highest levels of the Soviet Government. I urge our President to proceed with caution in signing accords with the tough and devious street fighters from the Kremlin.

With these concerns in mind, I commend the following Washington Times article on this subject to my colleagues in the Congress.

[From the Washington Times, Oct. 26, 1987]

PRESENCE OF MALICE

The Defense Department has just declassified information that shows how glasnost works in real life. The documents describe Soviet assaults on U.S. military personnel in Europe, and strongly suggest that future Soviet behavior will not depart substantially from the brutality of the past.

In March 1985 U.S. Army Maj. Arthur Nicholson was shot and left to bleed to death by Soviet troops while he was on routine military liaison mission in East Germany. The response from Soviet Gen. Mikhail Zaitsev was to denounce the murdered liaison officer as a "spy."

Last month, Soviet soldiers again fired on two American servicemen in East Germany while they were engaged in similar official

business, supposedly protected by a 1947 agreement between the U.S. and Soviet armies. Their vehicle was riddled with gunfire and one man was slightly wounded. Soviet Foreign Minister Eduard Shevardnadze grudgingly apologized for the violence, though not without accusing the Americans of "gathering radio and electronic intelligence" near a restricted area.

The Defense Department information, declassified at the request of Rep. Jim Courter of New Jersey, shows the assaults on Maj. Nicholson and the two GIs last month were neither unique nor accidental. "Since the March 1985 incident in which a Soviet soldier shot and killed . . . Arthur D. Nicholson there have been five incidents in which USMLM [U.S. Military Liaison Mission] personnel or vehicles were struck physically by Soviet or East German personnel," writes Deputy Assistant Secretary of Defense John Maresca in a letter to Mr. Courter.

The five incidents include the wounding in September of Master Sgt. Charles Barry by a Soviet bullet fragment that struck his arm. The other four involve what appear to be deliberate Soviet or East German attempts to detain U.S. military personnel on official business or run their vehicles off the road.

In addition, "there have been several other occasions during which USMLM tours have been temporarily stopped and detained by Soviet military personnel and subsequently released," as well as "other incidents in which personnel from Warsaw Pact countries have struck or fired upon U.S. military personnel in Central Europe." Rep. Gerald Solomon, who has sponsored a resolution condemning the Soviets for their mayhem, recounts several similar incidents from the early 1980s in a letter to his colleagues last month. Mr. Maresca writes that "We consider incidents such as these serious, with the potential for even graver consequences."

This view evidently isn't popular in Foggy Bottom. "The State Department types," a Defense official told Washington Times reporter George Archibald a few weeks ago in the wake of the attack on Sgt. Bradley, ". . . don't want to step on the Soviets' toes at a time when high-level talks are going on."

But it does not take Sherlock Holmes to detect a pattern: The Soviets are deliberately impeding legitimate U.S. liaison activities protected under the 1947 agreement and by a 1986 compact intended to prevent assaults on U.S. troops after the Nicholson murder.

Mr. Courter says "It's a challenge to us to accept the injury without responding in kind, and then to continue with things like arms control as if it never happened." He compares the pattern of attacks with the recent Soviet missile tests off Hawaii. The Soviets' persistent contempt for agreements they have signed and their continued assaults on U.S. soldiers raise serious questions about their willingness to abide by other diplomatic commitments. As the administration pursues an INF treaty, Mr. Gorbachev is now saying no summit meetings without concessions on SDI. But Soviet behavior suggests we need a missile defense and our men in East Germany need bullet-proof vests.

CONGRATULATIONS TO DUNCAN
HUNTER

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. DREIER of California. Mr. Speaker, I wish to extend congratulations to my California colleague, DUNCAN HUNTER, the recipient of a Distinguished Service Award from democratic resistance groups around the world. Mr. HUNTER received this award from a special gathering of senior leaders of resistance movements in Afghanistan, Angola, Cambodia, Ethiopia, and Nicaragua participating in the World Contra Summit. This event was a part of the annual meeting of the American Security Council Foundation. I would like to point out that this is the first time these leaders have come together to present a special award to just one Member of Congress.

This prestigious award could not have been bestowed on a more deserving person. I have worked with Congressman HUNTER since 1981 when we first arrived here. I am continually impressed with his efforts to advance the Reagan doctrine and focus attention on the plight of oppressed peoples around the world. I was pleased to have the opportunity last summer to travel to Central America with Mr. HUNTER where we worked together producing the film "Ballots or Bullets." I must say, Mr. Speaker, that DUNCAN shows promise as a movie director.

I have also worked with the gentleman from California on important issues of national security as a member of the bipartisan Coalition for Peace Through Strength of the American Security Council. This organization is in the forefront of major developments affecting the defense and foreign policy of the United States. I know my colleagues join me in extending well deserved congratulations to our friend.

I would like to insert into the CONGRESSIONAL RECORD the remarks of Yonas Deressa, of the Ethiopian Peoples Democratic Alliance, when he presented the Distinguished Service Award to DUNCAN on behalf of all of the resistance organizations.

[Yonas Deressa's remarks follow:]

REMARKS OF YONAS DERESSA

Before we conclude the World Contra Summit, my colleagues and I in the democratic resistance movements would like to make a special presentation. I know that I am speaking for the senior leadership of the democratic resistance efforts not just in my country of Ethiopia, but in Afghanistan, Nicaragua, Angola, Cambodia, and Laos when I tell you how grateful we all are to Congressman Duncan Hunter of San Diego, California.

Since he arrived on Capitol Hill in 1981, Congressman Hunter has given priority attention to the needs and aspirations of resistance forces throughout the world. It goes without saying that his voting record both in the House Armed Services Committee and on the floor of the House of Representatives has always reflected his concern for our diverse efforts, but we are sincerely grateful to Congressman Hunter for far more than his voting record and rhetoric. We all know that Duncan Hunter has been

there when we have needed him the most. I think all of you are familiar with the up and down plight of military aid levels for the Nicaraguan Resistance, and it was not until last year that the UNITA forces in Angola first received U.S. assistance, and the same is true for the Khmer People's National Liberation Front. Duncan Hunter was in the forefront of the legislative efforts that made these actions possible, and he laid the ground work for our efforts years before they were adopted by key opinion makers.

Duncan Hunter's commitment to peace, freedom, and democracy is underlined by his activities during the past few months alone. It was Duncan Hunter who led a Congressional Delegation in August to Central America to meet with key government officials, resistance leaders, and refugees. A half hour TV documentary on the findings of this Congressional delegation entitled "Ballots or Bullets," was recently sponsored by the American Security Council Foundation. Congressman Hunter has been especially concerned about the gross human rights violations conducted by totalitarian regimes throughout the world, and he has just completed an interview with Afghan Freedom Fighters that emphasizes the devastation the civilian population has been subjected to because of the relentless attacks of Soviet Hind 24 helicopters in Afghanistan. This interview will soon be up-linked to satellite for broadcast to TV stations across the United States. I am especially proud to say that Congressman Hunter will soon be making a radio broadcast that will be simultaneously translated and broadcast clandestinely throughout Ethiopia.

Congressman Hunter has also gone well above and beyond the call of duty by distributing slides and videotapes to civic organizations in California and throughout the nation about the needs of resistance movements.

We are profoundly grateful to the many Members of Congress who have assisted our efforts, but once again, Duncan Hunter is in a class by himself. He is principled, courageous, and fights for the things we all believe in. I would now like to ask my colleagues from the resistance movements to come forward so we can jointly present this special award of merit to United States Congressman Duncan Hunter.

MO UDALL: 25 YEARS OF
POLITICKING

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, November 3, 1987

Mr. FORD of Michigan. Mr. Speaker, for many, many years I have been a MO UDALL aficionado. Like many of our colleagues I warmly regard MO as my kind of Congressman.

To my way of thinking he embodies all the characteristics one would expect to find in the quintessential lawmaker. He is a veritable storehouse of wisdom and experience. When it comes to compassion he is an example for all of us. And it is doubtful that anyone here better understands the political process.

I could go on and on extolling MO's legislative virtues. But just about everything I want to say is in an excellent piece about him in a recent issue of the widely respected Tucson Weekly. I believe that many of my colleagues

would enjoy reading the article. I would, therefore, like permission to insert it into the CONGRESSIONAL RECORD.

QUARTER OF A CENTURY—MO UDALL: 25
YEARS OF POLITICKING

(By Robert L. Dolezal)

It was the spring of 1961. Yuri Gagarin orbited the globe. Soviet Premier Nikita Khrushchev pounded his shoe and challenged "Let the capitalist countries catch up!" John F. Kennedy, in the first months of his truncated term as America's youngest president, responded immediately by accelerating our "first man on the moon program," to meet that challenge by 1970.

Kennedy asked Congress for a budget of \$87 billion. The deficit of \$3 billion was staggering and politically unpalatable—in those days. Taxes might have to be raised. The Republicans screamed for fiscal responsibility.

Fidel Castro had finally won his protracted revolution in Cuba. The Cubans charged the United States with training a "liberation army of 4,000 to 5,000 counterrevolutionaries, mercenaries and adventurers" to invade their island. The U.S. categorically denied it.

Fledgling Secretary of State Dean Rusk trumpeted warnings that the United States might have to send troops to Laos—or even neighboring Vietnam—if the communists didn't curb their aggressive actions.

In April of that year, a "Colored Welcome" rent ad appeared in the *Arizona Daily Star*, four rooms for \$55, on the southside. A three-bedroom foothills "ranch" rented for \$150. Melina Mercouri admonished her clients *Never on Sunday* at the Park cinema. Whitey Ford beat the Washington Senators, Sandy Koufax mowed 'em down in LA, and Mantle, Maris and Mays were hitting homers like they had corked bats.

And, on May 2, 39-year-old Morris K. Udall won a special election to go to Congress.

From childhood—he was born in St. Johns, Ariz., in 1922—Mo Udall had been a man with political ambition. He had also been a competitor. Even with one eye—he lost one in a childhood accident—he could shoot baskets and quarterback a winning high school football team. In 1947, after a tour in the Army, he was elected student body president at the University of Arizona. He captained the university's Border Conference basketball team, and was named to the all-conference squad.

Five years and a law degree later he was elected Pima County attorney. In 1954, when the incumbent second district congressman retired, Udall was pawing the ground to make a run at it. But family structure intervened. Brother Stew got first shot. "We could've drawn straws, I suppose. But he was the older son.

In his book-filled and unpretentious office in the Barrio Historico downtown, Udall talked to the *Weekly* about the politics of today contrasted with the politics of a quarter-century ago.

In 1960, Levi Udall, the brothers' father, had privately decided to step down as chief justice of the Arizona Supreme Court. With his path to Congress blocked by a brother who "was very good as a congressman," Mo jumped at his father's suggestion that he succeed him on the court.

"You can beat all those ambitious Phoenix judges," his father said.

The plan was for the chief justice to time his retirement announcement to surprise the Phoenix competition and benefit his son. But, in a recurring theme of his political reminiscences, Udall said events have a way of altering plans. A week before the announcement was to be made, at a family picnic, the elder Udall dropped dead of a stroke.

"My career proves you can't count on anything," Mo Udall said.

With Paul Fannin in the Governor's office, the Republicans sought an appointee who could hold the seat in November. They had never had a Supreme Court justice. "Lo and behold, they came up with the name of Jesse A. Udall, Judge of the Superior Court in Safford."

Udall was disappointed, but not defeated. "So you can't go to Congress—your brother is there—and you can't be a judge because your uncle is there!" He decided to set up a new Tucson law office and "get involved in public affairs in some other way."

It didn't take long. Brother Stew had helped Jack Kennedy in his run for the presidency, and was rewarded with an appointment as Secretary of the Interior. Mo eagerly ran in a special election, defeating Republican Mac Matheson, the same opponent his brother had beaten six months earlier.

He has been a congressman ever since.

The young Representative walked into a Congress where seniority provided a lifetime pass to the committee chairs, and where freshmen were to be seen, not heard—except to vote. It was a "club" controlled by a few old men, predominantly Southerners. "The way the structure was . . . it was 20 elderly men who had the majority power in the House and Senate. They don't anymore."

That they don't is a tribute to Udall's political nerve, leadership skill and perseverance. A frontal assault on the system would have been suicidal, even if he had been able to muster the troops. So, through the 1960s, Udall and his younger House colleagues pushed for "a members' Bill of Rights which provided that the goodies were passed around." It was, he smiles, "nothing short of a revolution."

So revolutionary, he recalls, that early on one of the old-timers said, "You done tore your ass with the powers that be."

Among the changes was that the "committee on committees" would no longer select committee chairmen solely based on seniority. Also, a secret ballot was instituted for the final vote. Udall relishes his memory of the culmination of those efforts: "I sat there one afternoon, in the House chamber, and in a period of three or four hours they had shot down four old cantankerous committee chairmen with a total of 129 years of seniority among them."

To punctuate the finality of the system's demise, he remembers the day "an old guy from Louisiana named Eddie Hebert, chairman of the Armed Services Committee, asked the president of the freshman class if he could possibly get 30 minutes with the freshmen congressmen. We couldn't get the time of day from Eddie Hebert before this!"

Technological improvements have also caused notable changes in Congress since Udall arrived. "You could've walked through the House Office Building in 1961 and seen nothing even remotely resembling a computer." He used to read every letter, 40 or 50 a day. "We get 500 pieces now, and the computer's chattering away in the back of some little cubbyhole in my office, an-

swering computer letters that I never see and wouldn't have time for even if I knew they were there."

He misses having time for the more folksy, hands-on approach. "When I went to Congress, if your secretary came in and said 'There's some folks from Yuma out here you would drop whatever you were doing and bring 'em in the office, take 'em to lunch if you could. Now the jet airplane brings hordes of lobbyists and students and all kinds of people every day, and they don't just want to come by and see you, they all want you to come to their reception or their dinner. After all, this is the annual dinner of the Mousetrap Makers Association, and we'd like to have our congressman there.'"

Changes in the executive/legislative relationship have also been "revolutionary." Udall remembers when "Larry O'Brien and a couple of guys who ran errands" represented John Kennedy's entire Capitol Hill staff. Now, he says, the White House has "the head lobbyist for the House, for the Senate, for economic matters, foreign aid—and they'll come around and draft a bill for you! They're swarming all over the place!"

Another, far more worrisome change clearly dismays the congressman: The amount of money now required to finance a run for the House. "I spent, in that (1961) campaign, something like \$8,000 to \$10,000. If they started out today, if they had a special election—say Jim Kolbe is elected governor, or some other outrage occurs—you couldn't think of entering the race short of \$300,000." Kolbe, he notes, "raised something like \$700,000 the second time against (Jim) McNulty."

In the last 25 years, the issues facing the country have changed too, and significantly. In 1961, foreign aid was the "bitter" issue. "I got more hate mail on foreign aid than anything." Abortion? "Abortion wasn't even an issue."

Medicare was big in 1961. Illegal drugs were not.

Housing was a major issue in 1961. Udall, whose record is one of pragmatic support for federal programs that produce societal benefits, is unequivocal in his praise for one "New Deal" program the Reagan administration has recently tried to privatize (failing, ironically, because of industry pressure). "The FHA (Federal Housing Administration) was a real winner. There's never been a civilization that I know where everybody owned their own homes. (With the FHA) not everybody, but a majority of the people either owned their own home or could legitimately anticipate, if they got a profession or a job, they could own their own home."

But no more. "That's been going the other direction the last few years."

Udall is enormously troubled by Reagan's bulldozer approach to reducing or eliminating federal assistance in various social programs. He also criticizes the president for withholding funds for programs the administration takes credit for, citing the "Just Say No" drug program as a major duplicity. "They pass it with a great flourish, the president hands out pens, we're going to make war on the borders, and then someone says 'Great program, Mr. President, we've now got it enacted, please send some money,' and there's no money forthcoming. In fact, on a whole list of programs, the president has either cut back the money or put strings on it in ways that you have less available than which you started."

During his almost 27 years in Congress, in increasingly important rules, Udall has been

subjected to considerable lobbying pressure. Yet he is generally positive about lobbyists. "People have a right to petition their government," he explains, "and if you think that us folks down in Washington are about to do something to take away your livelihood, your business, your investment, you ought to have a right to come in and be heard."

There are exceptions. "There are a lot of instances where a special interest group can get something that, on the merits, they wouldn't be able to get." The National Rifle Association (NRA), for example. "The NRA has cultivated an image in Washington that one vote against the NRA could kill you. When congressmen believe that, and a big majority of them do, it's awfully hard to change."

One anomaly in the NRA's litany of successes occurred this past session, when they pushed for legislation permitting any citizen to own, without restriction, his or her own machine gun. The NRA attempted to enlist "the police chiefs, staff, military, the whole law enforcement community" to support its position. The folks who could have been ridden did not fall into line.

"This was a case where the NRA overstepped themselves," Udall submits. "They should've known there is a limit to where you can take people."

The congressman takes obvious pride in his reputation as an even-handed legislator. "I was called last week by a delegation from the folks who build nuclear plants," he says by way of illustration. "They wanted to know if I would object to being named Legislator of the Year by them. I said, 'Hell, the Sierra Club will take away my Caribou Button—I just got their award as Legislator of the Year!'" But he accepted, and no one has asked him to return the Caribou Button.

When Udall was campaigning for his first trip to Washington, the news of the day abounded with anti-Cuba, anti-Castro, anti-communist proclamations. In mid-April, the Bay of Pigs invasion brought this optimistic banner headline in the Star, "Invaders Halfway to Havana." When they faltered, a Star editorial, 10 days after the ill-fated assault, joined Sen. Barry Goldwater in calling for the United States to invade Cuba: "The people will understand that if Cuba is not liberated now, much greater dangers will develop in the not distant future, which will have to be met, or we Americans will have to resign ourselves to the role of a secondary power, and a world dominated by Moscow."

Udall's anti-communist stance, while apparently in step with the times, seemed a bit more temperate. The day before the election the Star reported Udall warning that "we must increase our military might and scientific advances to stymie the worldwide aims of the Communist conspiracy."

Reminded of his position, he quips, "That doesn't sound like my recent rhetoric!" In fact, Udall believes that opportunities were missed to extricate Castro from the Soviet grasp. "I really think there were several periods when he wanted to get out from under the Russian embrace. It was kind of humiliating for Castro to have to run to Moscow every time he wanted something."

He also sees little reason for the continuing U.S. policy to isolate Cuba. "Hell, we can't expect that we'd have a U.S.-Canada type relationship. But we have an embassy in Rumania, Yugoslavia and Poland, all communist countries. There's no reason we

can't have one in Cuba, and some exchange."

Currently U.S. policy toward Nicaragua seems to run parallel to that toward Cuba a quarter century ago. "Our official policy . . . is that we're not interested in a settlement," Udall says. "Our goal is to change the Sandinista government." Will we have any greater success ridding the hemisphere of the Sandinista than we did getting rid of Castro? "I don't know. The Sandinistas are in power, and are going to be hard to dislodge. I'm not wildly optimistic about this round of diplomacy with the five Central American presidents . . . (but) it's as good a chance as we've had. I hope we don't lose it."

The administration position on Central America is currently personified by Elliot Abrams of the State Department, who Udall calls "an abomination." Abrams continues to be a frequent critic of diplomatic peace efforts in the area.

Looking at another region of foreign policy tension, Udall traveled to the Soviet Union two years ago, and although he didn't meet with Gorbachev, he did meet "with people who were forces in the administration, who could give you some readings on how they talked and what they are thinking about." He concluded that Gorbachev "wants to be remembered as a guy who brought the Soviet Union into the 20th century, who had the guts to recognize that nobody wins in a nuclear war and was prepared to run some risks."

Assessing America's current attitude, he sees "two schools of thinking on the struggle with the Soviets. One school is that the Soviets are a goddess group of brilliant, shrewd political operators, who always get their way and who out-negotiate our folks every time, and there's only one thing they understand, and that's force. The other view—and George Shultz is an example of this—is that you don't have to love the Soviets to negotiate with them, and that these nuclear arms threaten the whole world. Sure," he concludes, "there are risks if you destroy some nuclear weapons and cut back the levels. But there are risks the other way, too."

Commenting on his ill-fated run for the presidency in 1976, Udall displays a trace of wistfulness. That's not surprising, considering he made a solid second-place showing in the New Hampshire primary (Jimmy Carter won) and Massachusetts (Scoop Jackson won), and even entered Wisconsin with the lead, dreams of his first victory dancing in his head.

But the final tally transformed his dream into a nightmare. Jimmy Carter was on his way to the White House.

"When I play the old 'what if?' game," he ponders, the words coming slower, "two or three little things we could've done to turn it around in the Wisconsin primary." He ex-

plains how he had cautioned Stew and his campaign manager to be careful of the money they spent. "I don't want it bad enough to mortgage everything I've worked for, and it's up to you, my brother and my best friend, to keep me out of debt."

With the campaign—and the campaign coffers—dwindling, and Udall closing the gap on his opposition, the staff put together a last-minute \$25,000 weekend TV blitz to be aimed primarily at the rural areas. Udall was out of the state, but on his way back. In his absence, "Stew, being faithful to his promise, to me, said 'Hold on, no way you are going to spend that money. Mo has told me to protect him, and I'm going to do it.' They had a big hassle, and finally said 'Hold the phone till Mo gets here, we'll let him make the final decision.'"

After his DC-3 landed, he analyzed the situation and considered his options. "What the hell, it wasn't \$2 million (like Gary Hart later spent), or \$4 million (like John Glenn), it was a lousy \$25,000. If I was out of the ballgame anyway. So I said 'Go ahead and run it! They went down to the TV stations, and the time had been sold. Next Tuesday I ended up losing, after being ahead all night, I've thought about that, many times.'" The late-arriving rural returns went against him.

Another political "what if?": Compare the congressman's first president with the current man in the White House. What if John Kennedy had run against Ronald Reagan for the presidency—both for the first time—in 1980?

Udall was, not surprisingly, an admirer of John Kennedy. "Kennedy had an appeal that was sort of timeless," he begins. "He could go from one era to another. His attitude of searching for excellence, looking objectively at problems, reaching out to other countries appealing to young people, his spirit of adventure—I think those are the kinds of qualities people are looking for in a president."

Coming back to the politics of the present, who will win the Democratic nomination for the '88 run?

"One of the seven Democrats!"

Including Bruce Babbitt?

"Including Bruce Babbitt." (All this was before Sen. Joe Biden's withdrawal and Rep. Pat Schroeder's announcement.)

Udall explains the process, one he knows all too well, and how Babbitt—or any of the other lagging candidates—could emerge the victor. "Between now and Iowa, some things are going to break, and they can help or hurt. (In these primaries) there's always a winner, and then there's a perceived winner."

He goes back to 1972. "Muskie beat McGovern in New Hampshire 49-37 percent, a clear winner, but McGovern was perceived as the guy who vastly exceeded expectations. He got momentum out of that to finally drive Muskie out of the race."

Applying that thesis to the present, "Bruce Babbitt has one of the two best organizations in Iowa, and if that situation holds, and he comes roaring down second, or a very close third, he could be perceived as the winner."

The "seven Democrats" do not include Colorado Representative Pat Schroeder. Does she have a chance, at this late hour, and considering that no woman has ever seriously challenged in a presidential primary? "I think she may get into (the race). But my advice to her was to not get in thinking she is going to win. She isn't. But she can sure as hell advance the dialogue and maybe set the stage for another run down the road."

"She's good. She's a tough, nice lady, a Golda Meir and Maggie Thatcher. Pat's as tough as those women who have held power."

Finally, what of the legacy of this president? What will Ronald Reagan be remembered for?

No hemming and hawing here: Reagan has squandered the nation's wealth. "He's gotten away with murder. It took us 39 presidents, and 200 years, and two world wars, and all kinds of troubles to rack up the first trillion dollars in national debt. The second trillion Ronald Reagan accomplished all by himself in five years. And at the present rate he'll be pretty close to the third trillion by the time he goes back to the ranch."

"It doesn't bother him a bit," he continues, clearly exasperated, "and it's a damn national scandal that we would do this, and get ourselves dependent on foreign banks, and borrow money to live high on the hog now!"

Mo Udall is an avowedly opinionated and outspoken man. Yet, he is in a business that requires compromise, and he does it well. He is in a position of power but often uses that power to protect people and things that are vulnerable to it. He is an abiding friend of the environment and a champion of those without political or economic influence. His vote is frequently at odds with his fellow Arizona congressmen. Some constituents fault him for that, saying he is out of step, too "liberal" for Arizona. But the majority has returned him to Washington 13 times, usually by large margins.

Udall has been called "an institution in his own time," "one of the great legislators of our time," "a giant in public life today," and "a national treasure." Nevertheless, his features will not be chiseled in the rock of Mount Rushmore (ah, Wisconsin). He may never have an office building named in his honor. Still, his many contributions to this country's political process guarantee him a niche in history that few have ever achieved.