FAIR HOUSING PROBLEMS STILL EXIST

HON. JIM MOODY
of WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. MOODY. Mr. Speaker, last year, Congress passed the Fair Housing Act Amendments which I strongly supported. The need for this legislation is clear. Twenty years after the enactment of the Fair Housing Act, discrimination in housing still exists. I want to bring to the attention of Members a new study which shows that vigorous enforcement of fair housing standards is still needed.

The study, "Residential Segregation of Blacks, Hispanics, and Asians by Socio-Economic Status and Generation," was authored by two researchers at the University of Chicago. It is based on a "dissimilarity index" which measures the percentage of minority group members that would have to move in order to achieve an equal distribution across a metropolitan area. In other words, it determines the extent of housing segregation in a given metropolitan area. A dissimilarity index over 0.600 is considered high and one below 0.300 is considered low.

One conclusion of this study is very revealing: Black Americans are the only ethnic group that fail to achieve integrated housing even after moving into higher income levels. In the 20 largest metropolitan areas, black Americans earning more than $50,000 had a dissimilarity index of 0.798 while those earning less than $2,500 had a dissimilarity index of 0.806. While the figures for Milwaukee—my home city—were not publicly released, Milwaukee's profile is similar to Chicago's, where the index for blacks earning more than $50,000 was 0.863 and the index for those earning less than $2,500 was 0.911. Unfortunately, this is higher than the average for the 20 largest metropolitan areas.

Taken alone, the study does not provide a factual basis for redlining or discrimination. However, taken in conjunction with another study published a few weeks ago by the Atlanta Journal and Constitution, the evidence of redlining and discrimination is stronger. The Journal and Constitution study found that black applicants for home mortgages were rejected twice as often as whites. Particularly troubling to me is the fact that the disparity in Milwaukee was the widest in the Nation.

I am deeply concerned about the implications of these two studies. All Americans have a right to decent housing in the neighborhood of their choice. The careful compromise of the Fair Housing Amendments will ensure that this right is real.

Reports on the two studies from the Washington Post follow:

[From the Washington Post, Feb. 8, 1989]

HIGH-INCOME BLACKS STILL LACK INTEGRATED HOUSING, STUDY SAYS WASHINGTON AREA FOUND RELATIVELY LESS SEGREGATED

(By Jay Mathews)

LOS ANGELES—A MAJOR STUDY OF 1980 CENSUS DATA HAS DETERMINED THAT BLACKS COMPRISE THE ONLY MAJOR ETHNIC MINORITY IN THE NATION THAT FAILS TO FIND HOUSING IN WELL-INTEGRATED NEIGHBORHOODS AFTER ACHIEVING HIGH INCOME AND COLLEGE DEGREES.

The analysis by University of Chicago researchers also indicates that, although high-income, well-educated blacks in the Washington area remain segregated, they are less so than similar blacks in 18 of the 19 other major metropolitan areas studied.

The figures show that Hispanics and Asian Americans, unlike blacks, find homes in largely integrated neighborhoods once they reach high income and education levels.

"The fundamental cleavage appears to be between blacks and non-blacks," concluded Nancy Denton, a research associate and demographer at the university's Population Research Center, and Douglas Massey, professor of sociology and center director.

"In no matter what the cause—occupational achievements and whatever their incomes, blacks are exposed to higher crime rates, less effective educational systems, higher mortality risks, more dilapidated surroundings and a poorer socioeconomic environment than whites, simply because of the persistence of strong barriers to residential integration," they said.

Denton, the primary researcher, said in an interview that the problem was underscored by a recent report in the Atlanta Journal and Constitution that the percentage of black rejected for mortgages from savings and loans nationwide was twice that of whites.

She said the relative ability of well-educated, high-income blacks to find integrated neighborhoods in the Washington area may reflect the large number of such blacks in the District and local officials' unusual sensitivity to civil rights concerns.

The study, to be published Wednesday in Social Science Quarterly is the latest in a series exposing the extent of black housing segregation through use of what the researchers call a "dissimilarity index."

The index computes the portion of minority group members who would have to move in order to achieve even distribution throughout a metropolitan area. Dissimilarity indexes of .600 and above are considered high and those below .300 low.

In the 20 metropolitan areas studied, blacks who earned more than $50,000 annually had an index of .690, while blacks earning less than $2,500 had an only slightly higher .696. Blacks with 17 or more years of schooling had a .703 index, compared with .693 for blacks with a fourth-grade education or less.

In the Washington area, blacks earning more than $50,000 had an index of .554, compared with .792 for those earning less than $2,500. Only Birmingham, with the traditional integrated housing pattern of some southern cities, had a lower index for high-income blacks—.452 compared with .461 for its lowest-income blacks.

[Savings and loan institutions reject black applicants for home loans twice as often as whites, according to a newspaper analysis of loan applications submitted to savings and loans nationwide from 1983 through the middle of last year. The report also showed a wide gap between rejection rates of whites and other minority groups.

Calling the findings "extremely disturbing," Senator Banking Committee Chairman Donald W. Riegle Jr. (D-Mich.) yesterday called on the bank board to explain why it had not analyzed the data itself and to offer an accounting of bank board efforts to enforce fair housing laws.

Civil rights activists and minority groups said the newspaper report confirmed what they have long asserted.

"It proves exactly what we have been saying for a long time—that there is . . . discrimination in lending," said Raul Yzaguirre, president of the national council of La Raza, a Hispanic civil rights group. "It means that the laws aren't working and we're going back to them and find a way of strengthening that legislation."

The newspaper reported that nationwide, the loan-application rejection rate was 11.1 percent for whites, 12.2 percent for Asians, 16.5 percent for American Indians, 18.2 percent for Hispanics and 23.7 percent for blacks.

The gap between blacks and whites in the Washington area is slightly narrower than the national average. While 15.7 percent of black applicants were denied mortgages here, only 8.5 percent of whites were rejected.

The disparity was widest in Milwaukee, where black loan applicants were almost four times as likely as whites to be rejected by savings and loans. High-income blacks were rejected more often than low-income whites in 85 of the 100 largest U.S. metropolitan areas during at least one of the past five years, according to the report.

Mark Clark, a spokesman for the U.S. League of Savings Institutions, an industry lobbying group, said the Journal-Constitution report does not show whether discrimination has occurred because key factors, such as the credit rating of the loan applicants, were not addressed.

As of the settlement of a civil rights suit a decade ago, the bank board agreed to collect and analyze data on the race, sex and

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* 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.
The program is designed to make sure that we have highly trained water resources professionals and well-planned research programs to develop practical solutions to the Nation's water and water-related problems. These objectives are accomplished through a nationwide system of water resources research institutes and a competitive national program for research grants.

This program is a cooperative effort, where State, Federal, and local levels of government come together to seek solutions to water resources issues and to jointly fund much of the work done under this program.

I urge all of my colleagues in Congress to join me, once again, to support this legislation.

ISRAEL, THE MASS MEDIA, AND THE STATE DEPARTMENT HUMAN RIGHTS REPORT

HON. TOM LANTOS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. LANTOS. Mr. Speaker, the State Department recently released its annual country reports on human rights to the Congress of the United States. As the Washington Post commented editorially, "The State Department's country-by-country judgments have a value in focusing attention on things that need to be done, or done better, or not done." As the Democratic cochairman of the Congressional Human Rights Caucus, I welcome the continued scrutiny of human rights conditions in 166 countries around the globe. The issue of human rights is not a Democratic issue or a Republican issue—it is an American issue. It is a unique American contribution to international relations.

While I welcomed the report, I was shocked and appalled by the media coverage given that comprehensive, 1,500-page document. Media attention was focused on only one country—Israel. These 15 pages of the State Department report received substantially more media coverage than the entire report combined. I can only describe the media's obsession with Israel—to the exclusion of the remaining 165 countries—as a pathological preoccupation.

Mr. Speaker, it would be naïve for anyone to argue that Israel's human rights record is without blemish. But at the same time, during the last year Israel has been forced to cope with a violent internal uprising, a civil insurrection, while facing the constant threat of internal and external terrorism. Israel has had to take a number of restrictive actions in order to maintain its international security and domestic tranquility. But, in spite of its problems, as the Washington Post appropriately noted, "Israel, being democratic, offers its citizens basic rights and supports a process of law by which they can claim them" and "Israel is at heart a democratic country."

In large part because of Israel's democracy and press freedom, its problems in facing the challenge of civil insurrection are on the front pages of American newspapers and on our television screens each night. In many other countries, where far more serious human rights violations have occurred, there is no freedom of the press or access for foreign journalists to document these abuses. This State Department report provides a balanced review of human rights in 166 countries, but again the media ignores the complete picture and attacks Israel.

The media have seized on the small section of the report dealing with the West Bank and Gaza—virtually ignoring the remaining 99 percent of the report, virtually ignoring some of the most outrageous human rights violations noted by the State Department since the annual reports began.

Mr. Speaker, for the benefit of my colleagues who may not have had the time or opportunity to read the full 1,500-page text of the report, I would like to mention only a few of the most deplorable items from the reports that the media did not deem worthy of mention.

What shocked me most in the report is the widespread use of poison gas and nerve gas by the Government of Iraq against its own civilian population. But since Iraq is a ruthless totalitarian dictatorship, access to the places where these crimes against humanity were committed was completely restricted. Thus, the report can only estimate that about 8,000 innocent children, women, and men were killed by poison gas by the Iraqi regime. Furthermore, more than 1,000,000 people in Iraq were forcibly transferred from their homes and their villages were bulldozed in Iraq's campaign to suppress Kurdish efforts to win political autonomy.

I also find it intriguing that the media has not paid the slightest attention so far to the fact that in 2 days last October—in just 2 short days—the Government of Algeria massacred approximately 800 of its own civilian population while attempting to put down food riots.

Another country with serious human rights violations—again ignored by the media—was Sudan. Countless bits of corroborating evidence confirm that between 100,000 and 250,000 Sudanese died as a result of the unwillingness of both the Government and the rebel forces to allow food to reach starving people.

The State Department report also discusses—but again the media ignored—Syria, where there is a "pervasive denial of human rights, including widespread torture and denial of freedoms of speech, press, association, and the right of citizens to change their government." The media also said nothing about Saudi Arabia, a feudal kingdom where amputation is a standard form of criminal punishment, where the practice of Christianity is outlawed, and where conversion from Islam is punishable by death.

Mr. Speaker, I urge my colleagues to examine the full country reports with great care, because the extensive media coverage hardly gives an accurate, balanced view of this comprehensive report.
EXTENSIONS OF REMARKS

"Look at Canada. They sat back until their fleet was down to only two ships. Then, the Russians and others who were carrying their freight began to demand much higher rates, saying, 'Well, if you don't want it, we'll send it through the Panama Canal.' Now, Canada has a massive building program underway," said Reddish.

"Congress is going to do something about it," said James W. Corbett of Bar Harbor, MMA class of '69.

"Most other nations support and subsidize their merchant marines, ours isn't. In the event of a national emergency, a time when we're really needed, people are going to ask, 'What happened to our merchant marines? The answer is simply that we don't have one anymore.'"

A DIFFERENT LIFESTYLE

Corbett is a chief engineer for Crest Tankers, Inc., aboard a 600-foot tanker called S.S. Chablis. He has always worked aboard tankers. He likes the job; he's gone for three months at a time and then stays home for two months with his wife, Suzanne, and their three children.

"I prefer seeing different places. It's unpredictable. I go all over the world," he said. "I get a lot of money and a lot of time on the water. As a senior in high school, I wasn't sure what I was going to do. When the recruiters came to the high school, I signed up because I liked the travel and the good wages, so I applied and I was accepted."

He has seen many changes in his industry over the last 20 years. He believes that the shipboard environment is much more informal and relaxed than it used to be. It is less military in nature, while at the same time, the long-term job security and the sense of opportunity is gone.

SHIP TRANSPORTED BY TECHNOLOGY

The great ports of the world, led by cities such as Hong Kong, Rotterdam, New York, Port Elizabeth, Yokohama and Los Angeles-Long Beach, now function like huge airports with immense containerships, tankers and bulk carriers flowing in and out. This round-the-clock activity is subject to very tight scheduling, and it is monitored by computerized traffic control points.

Fantastic amounts of cargo can be loaded or unloaded at stunning speeds—measured in hours, not days. Rapid turnaround time is essential as cargo is in constant motion in order to achieve profitability. Gone almost entirely are the teeming ranks of stevedores. Machines have replaced muscle-power. Dockside, huge mobile cranes shuttle 20- or 40-foot containers around.

The shipping companies have changed as well. Some lines adapted well to the new technology and shift in trade patterns, but many more have simply disappeared, like American Export Lines and Gracie Lines. Two years ago, U.S. Lines sold a ship and a move that stunned the industry, Lester Smallidge mentioned that his company, Farrell Lines, has shrunk from 32 ships to five ships. The only ships that Farrell Lines has kept are those that have survived a prolonged shakeout in the industry."

It's tough on the men, too.

"I was very lucky. I was home a lot of holidays, a lot of summers," Reddish commented. "This kind of life is hard on the children. As for the wives, well, a woman has to be able to stand on her own two feet."

"Divorce and alcoholism are often part of the picture. Paula Lambert's husband, George R. "Butch" Lambert, of Bar Harbor, has been going to sea for years and yet, she still has a hard time adjusting every time he sets sail again."

"It's upsetting. When they sail, you have to go back to being independent. People just don't understand this industry," she said. "It's tough on the men, too."
"It's two completely different lifestyles," said Jim Corbett. He describes the ship as a "lonely lifestyle," very different from a home, filled with three kids. It still takes time for him to unwind.

Jim Cuneho and his family serve as a third mate. He graduated from MMA in 1988. He is either at sea or fishing, so he feels that leaving the whiskey out well for him. He also thinks that the job market is better now than it was four or five years ago.

He has a wife, Beth, and two kids, with a third on the way.

"My wife can adjust to my being away. It's like all of sudden she's everything. As far as the kids are concerned, my oldest seems to take it okay, but my youngest has a hard time for the first couple of weeks, then he gets used to it. I like the work. Once you're on the ship, you throw yourself into it."

Lester Smalldge sums up his feelings this way.

"The Merchant Marine has been very good to me—I've been in it for 32 years, but the romance is gone. There is not that much of a future in it now."

HON. CARDISS COLLINS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. COLLINS. Mr. Speaker, at the onset of the 101st Congress, I introduced H.R. 128, the "Handgun Registration Act of 1989" which would require the States to establish a handgun registration program. The bill specifies characteristics that such a program must include, such as penalties for serious and nonserious violations. Additionally, the bill directs a Federal handgun registration program to go into effect in States which fail to establish an adequate program.

This legislation has become necessary as our country has become addicted to guns. The victims are not often criminals, and, with increasing regularity, the perpetrators had not been criminals either. Often, the simple accessibility of handguns escalates arguments into accidents. Very recently a 6-year-old Virginia boy shot and killed his 8-year-old sister after she scolded him for playing with a gun. This is just one in a string of incidents where very young children are being shot and killed as a result of playing with guns.

The proliferation of firearms is highly visible in Chicago where the numbers of weapons on the streets and resulting crimes is constantly increasing. The Chicago Police Department reports that in 1988, over 14,000 firearms were confiscated, up from 12,602 the previous year, that 10,206 aggravated assaults by shooting were committed, up about 700 from 1987; and that armed robberies increased from 12,943 in 1987 to 13,090 in 1988. These numbers are dramatized by the raids at the beginning of this month on two homes which yielded 31 handguns, 18 other guns, 24 explosives, ammunition and cocaine.

Illegally acquired guns are terrorizing our cities' schools where many youths view them as a symbol of power and glamour. In Baltimore, 64 percent of city high schoolers said they knew someone who had carried a gun in the past 5 months. Sixty percent knew someone who had been shot, threatened, or robbed at gunpoint in their school And almost half of the male respondents admitted to having carried a gun at least once. The January bloodbath at Wilson High, here in the District, demonstrates the clear impact of the catastrophic consequences that can result.

Fear snowballs the problem. Now that classroom bullies carry guns, their victims and other classmates have started carrying them out of fear—-in actuality only putting themselves in greater danger. Typically, one classmate teases another about his weight, one makes a pass at another's girlfriend, or one will try to steal another's jewelry. But instead of being sent to the principal's office, they're being sent to the morgue. In 1985, alone, there were 27,000 handgun victims between the ages of 12 and 15.

The main factor contributing to this violence in schools is the availability of guns. Newsweek reported last year that "in recent years, city streets have become flooded with unregistered and untraceable handguns, available to anyone of any age with a bit of cash. In New York, revolvers can be bought on street corners, and some dealers are even willing to 'rent' a gun for an evening, deferring payment until the teen can raise money through muggings and robberies. Youth gangs in Los Angeles protect their turf with black market Uzi submachineguns and Russian-made AK-47 assault rifles."

This can no longer be ignored. Over 2 million guns are being manufactured and sold annually in the United States alone. Putting tighter controls on them is just common sense. The need for such controls is clearly demonstrated by a recent article in the Washington Post that described the situation in Portland, ME: Police in this city are not allowed to ask the applicant why he or she wants to carry a weapon. Even when the police know an applicant to be under the care of a psychiatrist, they are not allowed to speak with that psychiatrist. In short, "anyone with a driver's license, birth certificate, and $20 dollars * * * is able to walk into police headquarters, complete a form and gain the right to carry a concealed weapon."

What I am proposing is to require States to have a handgun registration program. This idea has already proven effective in other States: One year after New York passed a law requiring State and local authorities to register all handguns to serve a mandatory 1-year prison sentence, murders were down 20.6 percent. One year after a similar law took effect in Massachusetts, homicides in Boston dropped 57.5 percent.

Under the provisions of the bill, the States must—within a 2-year time period—establish a handgun registration program. Anyone found in serious violation of this registration requirement would be sentenced to not less than 12 years and nonserious violations would result in not less than 1-year sentence. In the event a State does not comply with the establishment of a registration program within the 2-year timeframe, a Federal handgun registration system would be imposed until the State legislature has established its own system. As incentives for the States to comply, the specifications for the Federal system are even more stringent than those of the required State systems, and certain forms of Federal assistance will be suspended including law enforcement funding and FBI training of State and local criminal justice personnel.

This bill would assist law enforcement officials in apprehending criminals who might evade more serious crimes. Second, it would deter criminal activity in the sale of black market guns and punish those caught with an unregistered handgun. Most importantly, it would reduce the amount of handgun homicides.

Mr. Speaker, this bill has nothing to do with banning handguns. Instead, it is concerned with reining in the untamed violence and bloodshed that is destroying our country.

PHYSICIAN ASSISTANT SERVICES NEEDED
HON. RON WYDEN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. WYDEN. Mr. Speaker, today I am joining with the distinguished senior Senator from Iowa, Senator GRASSLEY, in introducing legislation to provide Medicare part B coverage of physician assistant services in all practice settings not presently covered by statute.

This is an effort Senator GRASSLEY and I began several years ago which, while partially successful, still needs to be addressed. Congress has, on several occasions, approved Medicare part B coverage of physician assistant services in a wide variety of practice settings.

Present law currently recognizes PA services provided in hospitals, nursing homes, rural health manpower shortage areas, health maintenance organizations, competitive medical plans, rural health clinics, and for assisting at surgery. However, PA services provided in a physician's office located in nonrural manpower shortage areas or for house calls, are still not covered.

It is my hope and intention, Mr. Speaker, that the 101st Congress will address this inequity. Many low income urban and rural communities, with high Medicare eligible populations are served primarily by physician assistants. But because of inconsistencies between how State laws allow PA's to practice and what Medicare will cover, these beneficiaries are treated as second class citizens.

During both the 99th and 100th Congress, Senator GRASSLEY and I were joined by over 130 of our colleagues in the House and Senate in cosponsoring legislation similar to that being introduced today. Some areas were addressed. However, because the victory was not total, we are introducing this new legislation to cover those PA services not included in the OBRA provisions.

As with past efforts, payment for PA services would be on a discounted fee basis. Specifically, services provided by a PA in the Doctor's office or the patient's home would be covered at a rate not to exceed 85 percent of
the physician’s prevailing charge for that same service.

Payment would be to the employer of the PA, not to the PA and the employer would be required to accept assignment for the PA’s services. Because physician assistant independent practitioners, services would also have to be rendered under the supervision of a physician.

As sometimes happens, Mr. Speaker, considerable confusion has occurred on this issue with respect to the possible costs to Medicare of making such a change. When I first introduced this legislation approximately 3 years ago, the Congressional Budget Office determined that there would be no adverse financial impact on the Medicare Program and that such a change in law could possibly lead to long-term savings in the Medicare Program.

These findings were substantiated by an article in the spring 1987 issue of Health Care Financing Review, which included a report on a Medicare demonstration project established to examine the impact of covering PA services provided in urban clinics. This study found:

The Medicare savings on the inpatient and hospital side are expected to more than compensate for the increased expenditures for physician and ancillary services, suggesting potential overall savings to Medicare from the waiver program. This report substantiates the Congressional Budget Office’s determination on the original Wyden/Grassley bill that covering PA services would have no short-term budgetary impact and could lead to long-term savings in the Medicare Program.

Finally, Mr. Speaker, I should note that this past fall, the Secretary of Health and Human Services issued a report on impact of the PA provisions included in the 1987 Omnibus Budget Reconciliation Act, as directed by Congress. While the Secretary recommended no changes in the coverage available—either to expand or repeal—his report also points out that there have been no adverse effects.

I think our legislation represents a reasonable approach to our common concern about improving access to health care while restraining costs. Covering PA services under Medicare will help to improve access to care for millions of Medicare beneficiaries and lead to the long-term savings we are all trying to achieve.

I urge my colleagues to join me and Senator GRASSLEY in making the coverage of PA services a reality in all settings.

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

SECTION 1. MEDICARE PAYMENT FOR PHYSICIAN ASSISTANTS IN ALL SETTINGS.

(a) In General.—Section 1861(a)(2)(K)(i) of the Social Security Act (42 U.S.C. 1395x(a)(2)(K)(i)) is amended by striking “(i)” and all that follows through “health manpower shortage area.”

(b) Effective Date.—The amendment made by subsection (a) shall apply to services furnished on or after October 1, 1989.

EXTENSIONS OF REMARKS

TRIBUTE TO FLORENCE DOBROW

HON. ROBERT G. TORRICELLI
OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. TORRICELLI. Mr. Speaker, it is with admiration and respect that I rise today to pay tribute to Florence Dobrow, a 40-year resident of Fair Lawn, N.J. Florence, or Flossie, as she is affectionately known by her Fair Lawn friends, has held a special place in her community in terms as mayor, deputy mayor, and councilwoman since 1975.

Flossie’s activism on behalf of the citizens of Fair Lawn, and her sense of commitment to her borough, are qualities that we have all come to admire and respect. Indeed, we recognize in the many accomplishments of this fine friend and public servant.

Flossie, besides serving in town government for many years, has also played a part in many other community projects and boasts a long list of accomplishments. She has helped to initiate a free minibus route for seniors and others in town, along with helping to form senior citizens’ recreational centers. In terms of the environment, Flossie has been a true champion of this worthy cause as is evident in her work to have contaminated water wells purified, new water wells dug, the implementation of a new recycling program as well as a new yard waste program. She has also taken an active interest in the development of a new master plan for Fair Lawn.

Florence Dobrow is indeed a woman who deserves our respect and appreciation. It is with great honor and pleasure that I am able to pay tribute to her as she is honored for her years of dedication to the Borough of Fair Lawn as councilwoman. I wish her continued health and happiness in the many more productive years to come, and I am proud to call her my friend.

THE 1988 REPORT TO THE NATION—BOY SCOUTS OF AMERICA

HON. JAMES A. HAYES
OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. HAYES of Louisiana. Mr. Speaker, the president and chief scout executive of the Boy Scouts of America have submitted their report to the Nation for 1988. I am pleased to include that report in the RECORD, as follows:

THE 1988 REPORT TO THE NATION—BOY SCOUTS OF AMERICA

Scouting has been a participant in America’s community life for more than 79 years. Although the basic concept of Scouting is the same today as first conceived by Robert S. and Sidney-Powell at the beginning of this century, Scouting is concentrating on meeting the needs of today’s youth.

Hunger, drug abuse, child abuse, illiteracy, unemployment: We call these five critical issues the unacceptable of today’s society. Scouting is not standing idly by while our society is riddled with these challenges.

Scouting is making a difference in the lives of the people of this nation.

Scouting for Food, a 1988 national Scouting and Turn program, continued its well-deserved success as more than 60 million cans of food were amassed by Cub Scouts, Boy Scouts, and Explorers. This was the largest collection of canned goods in the United States. The food was turned over to local food banks for distribution to the hungry in November 1988. Assisting in loading and delivering the food were the National Guard, Army Reserve, and other organizations that have trucks.

The Drugs: A Deadly Game campaign, which began in 1987, continued to fight the most serious threat to the well-being of our children: Drug and alcohol abuse. BSA anti-drug materials were used by organizations nationwide. The “Boston Tea Party II,” a reenactment were drugs were symbolically thrown into Boston Harbor by Explorers attending the National Law Enforcement Explorer Conference, is typical of the Drugs: A Deadly Game program.

Child abuse is something everyone would like to ignore. However, it is a very real concern through the nation and of the Boy Scouts of America and many of our nation’s children have been victims of abuse. The Boy Scouts of America is providing youth protection training to help leaders recognize and prevent child abuse. Intensive steps have been undertaken to screen potential leaders and reject those who are not acceptable as youth leaders.

The Boy Scouts of America also promotes good reading through Boy’s Life magazine, the Official Boy Scout Handbook, and thousands of other literature items for youth and adults, much of which is appropriate for nonmembers as well as members. Scouting publications are carefully written for the age and/or grade level of the youth or leader using them.

Scouting teaches goal setting and self-reliance and Scouts are expected to strive toward the highest goals they can achieve—to do their best. In Career Awareness Exploring, out teenagers combat unemployment and discover the world of work through instruction and experience. Strides made in combating drug abuse, illiteracy and child abuse improve performance in the workplace.

For the ninth consecutive year, the Boy Scouts of America has announced an increase in membership. An overall 1.3 percent gain was achieved over 1987. In 130,990 units there are 5,377,493 youth members and leaders. There are 313,703 Tiger Cubs, 1,355,642 Cub Scouts, 999,685 Boy Scouts, 57,008 Varsity Scouts, 361,783 Explorers, 695,229 Career Awareness Explorers, and 1,723,492 leaders.

As a result of the New-Troop Teleconference, 1,155 new troops have been organized. Hugh Downs, of ABC’s “20/20” program and long-time supporter of Scouting, hosted the teleconference held on March 10, 1988. Boy Scout recruiting skyrocketed to new highs with virtually every council participating in this colossal effort to organize new. Boy Scout troops. During this telethon event, local councils obtained commitments from potential chartered organizations to organize new Boy Scout troops and telephone them to indicate the local council center where they were tabulated by volunteer national representatives from chartered organizations.
The achievements recorded in this report by Carl Rowan that appeared in the Toledo Scout was a member of a patrol or den in his youth with handicaps. Presently the handsomely bequeathed Eagle Scout was elected our new national president.

The National Council of Honor also presented the following to recognize acts of bravery for lifesaving and meritorious action: 6 Honored Crossed Palm Honor Medals, 23 Honor Medals, 77 Heroism Awards, and 136 Medals of Merit. In 1988, 27,163 youth advanced to the rank of Eagle Scout and 12 Sea Explorers received the Quartemaster Award. The Distinguished Eagle Scout Award was presented to 86 outstanding men who had earned the Eagle Scout Award at least 25 years earlier, have excelled in their business or profession, and are exemplary citizens.

Scouting for the Handicapped continues to be a viable part of the Boy Scouts of America. It is geared to give Scout-age youth with handicaps the opportunity to be a part of Scouting so they can learn, grow, and develop to their maximum potential. Creative and innovative methods are being used to increase the opportunity for serving youth with handicaps. Presently the BSA is using three major support systems to deliver this program: mainstreaming, special organizations, and in-school Scouting for the Handicapped.

Scouting is a positive influence in today's world, while still adhering to Baden-Powell's original idea, Scouting has survived for 79 years because it is in tune with the times. The achievements recorded in this report represent only a small portion of the accomplishments of Scouting in 1988. The real impact of Scouting is seen in the adult, who was a member of a patrol or den in his youth. His life is better because he was a Scout.

DEFEAT OF THE PAYRAISE IS A FAILURE OF DEMOCRACY

HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. DINGELL. Mr. Speaker, in light of the continuing debate over the efficacy of the recently defeated pay raise for high ranking Federal officials, I thought my colleagues might be interested in a recent column written by Carl Rowan that appeared in the Toledo Blade on February 17, 1989. The headline of the article, "Defeat of the Payraise Is a Failure of Democracy," captures the essence of the article.

[From the Toledo Blade, Feb. 17, 1989]

DEFECT OF PAY RAISE IS A FAILURE OF DEMOCRACY

(By Carl Rowan)

When democracy works, with well-informed and well-intentioned people speaking their will, it is the best form of government ever devised by man.

When democracy fails because the people become steeped in demagoguery, their visions are blunted by ignorance and jealousy, or their spleens are inflamed by the cowardice and greed of elected and appointed officials, the results can become a social and political abomination.

The dead pay-raise plan for members of Congress, federal judges, and top officials of the executive branch is a monumental failure of democracy.

A lot of Americans are rejoicing that a "public uprising" defeated "outrageous" pay increases. They would not be celebrating if they understood that they have pushed this nation closer toward a situation where the Senate, and more and more the House, become the private domains of the wealthy or the not-so-wealthy who are willing to take millions of dollars from those buying influence in the White House, the Pentagon, the Small Business Administration, and elsewhere.

The celebrators will wake up to find not only that a cowardly Congress that won't vote for a pay raise become a corruptible Congress but that we could see an erosion of intellect, integrity, and independence in our judicial system. Oh, there will always be a surplus of people clamoring to become federal judges. But when the pay is outrageously low, those seeking the jobs are bound to lack competitiveness in the private world of law or have some suspect agendas from a simple lust for power to a desire in our judicial system.

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Middle-class people ought not exult over the events of the past two weeks, laboring under the illusion that the people are in control of governmental affairs. When democracy fails because the people are unable to generate the needed savings domestically, they must receive a net capital inflow from abroad.

Some troubled farmers in Iowa, airport skycaps in Washington, plumbers in Salt Lake City, Utah; A. Gerow Hodges, Birmingham, Ala.; Henry B. Murphy, Trenton, N.J.; John W. Thomas, Jr., High Point, N.C.; Robert F. Harbrant, Washington, D.C.; Ben M. Hauserman, Cleveland, Ohio; Charles M. Schulz, Santa Rosa, Calif.; and William A. Woolsey, Washington, D.C., are members of a patrol or den in their youth. Presently their life is better because they were a Scout.

EXTENSIONS OF REMARKS

February 23, 1989

The National Council of the Boy Scouts of America held its biennial meeting in San Diego, Calif., May 18-20. The meeting was attended by over 4,000 Scout leaders. Carl S. Hovland, chairman and chief executive officer of American General Corporation, Houston, Texas--and an Eagle Scout--was elected our new national president.

The Silver Buffalo Award for distinguishing service to Scouting by an adult was presented to members of the National Council of Honor to 18 individuals. The 1988 recipients were: Daniel W. Derbes, La Jolla, Calif.; John M. Gibson, Drummore, Pa.; Earl G. Graves, New York, N.Y.; Eugene F. Reid, Santa Barbara, Calif.; Roy W. Hawthorne, Minneapolis, Minn.; Marion D. Hanks, Salt Lake City, Utah; Reuben Hitchcock, Keswick, Va.; James F. Gary, Honolulu, Hawaii; William C. McCord, Dallas, Texas; Marshall M. Slocane, Spartanburg, S.C.; Nutt Valihn J. Peet, Salt Lake City, Utah; A. Gerow Hodges, Birmingham, Ala.; Henry B. Murphy, Trenton, N.J.; John W. Thomas, Jr., High Point, N.C.; Robert F. Harbrant, Washington, D.C.; Ben M. Hauserman, Cleveland, Ohio; Charles M. Schulz, Santa Rosa, Calif.; and William A. Woolsey, Washington, D.C.

The National Council of Honor also presented the following to recognize acts of bravery for lifesaving and meritorious action: 6 Honored Crossed Palm Honor Medals, 23 Honor Medals, 77 Heroism Awards, and 133 Medals of Merit. In 1988, 27,163 youth advanced to the rank of Eagle Scout and 12 Sea Explorers received the Quartemaster Award. The Distinguished Eagle Scout Award was presented to 86 outstanding men who had earned the Eagle Scout Award at least 25 years earlier, have excelled in their business or profession, and are exemplary citizens.

Scouting for the Handicapped continues to be a viable part of the Boy Scouts of America. It is geared to give Scout-age youth with handicaps the opportunity to be a part of Scouting so they can learn, grow, and develop to their maximum potential. Creative and innovative methods are being used to increase the opportunity for serving youth with handicaps. Presently the BSA is using three major support systems to deliver this program: mainstreaming, special organizations, and in-school Scouting for the Handicapped.

Scouting is a positive influence in today's world, while still adhering to Baden-Powell's original idea, Scouting has survived for 79 years because it is in tune with the times. The achievements recorded in this report represent only a small portion of the accomplishments of Scouting in 1988. The real impact of Scouting is seen in the adult, who was a member of a patrol or den in his youth. Presently their life is better because they were a Scout.

DEFEAT OF THE PAYRAISE IS A FAILURE OF DEMOCRACY

HON. JOHN D. DINGELL
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. DINGELL. Mr. Speaker, today I am reintroducing the World Trade Expansion, Development, and Financial Stability Act of 1989, a bill that addresses the international debt crisis.

Mr. PEASE. Mr. Speaker, I am reintroducing the World Trade Expansion, Development, and Financial Stability Act of 1989, a bill that addresses the international debt crisis.

Mr. CONGRESSIONAL TORRES, a distinguished member of the Banking Committee, is an original cosponsor.

THE REALITIES OF THE DEBT CRISIS

The first reality of the debt crisis is that it has thrust on a modestly sized nation, blighted by ignorance and jealousy, or their spleens are inflamed by the cowardice and greed of elected and appointed officials, the results can become a social and political abomination.

The dead pay-raise plan for members of Congress, federal judges, and top officials of the executive branch is a monumental failure of democracy.

A lot of Americans are rejoicing that a "public uprising" defeated "outrageous" pay increases. They would not be celebrating if they understood that they have pushed this nation closer toward a situation where the Senate, and more and more the House, become the private domains of the wealthy or the not-so-wealthy who are willing to take millions of dollars from those buying influence in the White House, the Pentagon, the Small Business Administration, and elsewhere.

The celebrators will wake up to find not only that a cowardly Congress that won't vote for a pay raise become a corruptible Congress but that we could see an erosion of intellect, integrity, and independence in our judicial system. Oh, there will always be a surplus of people clamoring to become federal judges. But when the pay is outrageously low, those seeking the jobs are bound to lack competitiveness in the private world of law or have some suspect agendas from a simple lust for power to a desire in our judicial system.

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The U.S. trade balance has also suffered. Severe import restrictions and aggressive export promotion by the debtor nations to generate large trade surpluses have seriously distorted international trade patterns. During the first 2 years of the debt crisis, imports of the 17 highly indebted less-developed countries dropped by 40 percent, and by 1986 they only slightly exceeded their 1978 level. Exports of U.S. products to Latin America have dropped by nearly 30 percent, from a high of $42 billion in 1981 to around $30 billion today.

The Overseas Development Council estimates that the United States lost 1.8 million jobs between 1980 and 1987 due to the decline of exports to developing countries.

A second reality is that the debt is unlikely to be paid in full. In secondary markets, which reflect the actual value of loans, most LDC loans sell at 40 to 60 percent of face value. Unable to generate the needed savings domestically, in anticipation of future losses, they have no incentive to forgive the amounts charged off; bank managers have a responsibility to their
shareholders to collect every penny of outstanding debt.

Finally, the Baker plan is not working. The Baker plan is based on the assumption that LDC's can outgrow their debt problems if they receive sufficient new lending from the developed world and undertake market-oriented reforms. Though well-intentioned, the Baker plan has not resulted in significantly increased lending, particularly to those countries that are going to lend new money to a heavily indebted LDC knowing that money lent at 100 cents on the dollar today may be discounted at 50 cents on the dollar in a few month's time.

THE URGENT NEED FOR A SOLUTION

Clearly, this is a problem that begs for a solution. A failed international monetary and credit mechanism, and the highly indebted developing countries—that is, debt relief—is inevitable. Rather than waiting for a crisis to drive this process, creditor countries should seek to manage it in the most orderly and economically beneficial fashion possible.

Increasingly, Congress is recognizing that we need to consider new options for managing the debt crisis. Senators Bradley and SARBANES and Representatives SCHUMER, LAFALCE and others have presented thoughtful, well-crafted plans for confronting the debt crisis. The 1988 Trade Act requires the Treasury Department to analyze the feasibility of establishing an international debt facility to serve as an intermediary between creditors and debtors, an idea that my bill promotes. Having received a 3-week extension from its February 23 deadline, Treasury will report its findings to Congress on March 16.

HOW THE PEACE PLAN WOULD WORK

My bill would establish an international debt facility in the International Monetary Fund, which would purchase debt from banks and pass discounts on to debtor countries. Because of the IMF's substantial reserves, an international debt facility would not require appropriated startup funds from the participating countries.

Specifically, my plan would require Treasury and IMF officials and economists to assess the real value of outstanding LDC debt based on the ability of countries to pay, that is, the secondary market value. In response, the banks would have two options: either increase their reserves to the level of the Secretary's estimate of discount—the difference between the face and real values of the loans—or sell LDC debt to the newly created IMF facility at the real value of the loan. If they participate, banks have the option of writing their losses off over 5 years and reaping a tax benefit.

The IMF facility would pass the discounts directly on to the LDC's. In negotiating a payment plan, the IMF would attach conditions to the loan, but the conditionality that I propose is less intrusive than that practiced currently. My plan would require LDC's to meet specific targets for balance of payments and reduction of capital flight. Only if these targets are not met would more traditional conditionality become effective.

ADVANTAGES OF THE BASE PLAN

There are numerous advantages to my plan. For the banks, the plans would remove bad debt from their books and replace it with debt of a reliable institution, the IMF. Management would be free to put the LDC debt problem behind it and move on to greener pastures. In addition, the banks would receive a tax benefit from the write-off of bad loans, with losses spread over 5 years.

Debtor nations would get a major, immediate reduction of their debt burden, allowing them to increase imports and spur economic growth. As long as the balance of payments and capital accounts are met, they also have flexibility in their economic policy choices, unlike current IMF conditionality.

The advantage to U.S. taxpayers is that no appropriations are required for the IMF special facility. Granted, tax revenues will fall as a result of this writing off losses, but if we do not resolve the debt crisis soon, the costs could be much greater. A global economic downturn could lead to an LDC moratoria on debt payments and greater losses both to banks and the IMF, which would affect taxpayers greatly.

U.S. exporters would also gain. If debt service is reduced, LDC's will have greater resources for importing U.S. products.

THE TIME FOR ACTION IS NOW

Time is slipping. We need to act now to resolve the debt problem. While the Bush administration stalls, Congress is taking the initiative on the issue. The Banking Committee, led by new Chairman HENRY GONZALEZ, made international debt the subject of the first congressional hearings of the year. In this opening statement, Chairman González described the debt crisis as a ticking time bomb, which threatens the international financial system, costs the United States jobs, and most importantly, exacerbates the poverty already rampant in the Third World.

Clearly, it is in our best economic and foreign policy interests to reduce Third World debt. I ask the support of my colleagues to make debt reduction a reality. Thank you.

PRICE-ANDERSON FINANCIAL ACCOUNTABILITY AMENDMENTS OF 1989

HON. GEORGE MILLER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. MILLER of California. Mr. Speaker, I am pleased to introduce legislation to extend a modest amount of financial liability to Department of Energy (DOE) nuclear contractors for accident damages caused by their own gross negligence or willful misconduct. This legislation will improve the safety of DOE nuclear facilities by giving DOE contractors a financial incentive to operate these facilities in a safe and responsible manner. The bill will also protect the American taxpayer from paying for accident damages caused by the carelessness of DOE contractors.

This legislation will close a gaping loophole in current law which exempts DOE nuclear contractors from any financial liability for damages that result from an accident they cause. To make matters worse, these contractors are not liable even if the accident is caused by their own gross negligence or willful misconduct. By contrast, commercial nuclear power-plant operators are liable for over $7 billion in damages regardless of whether they are negligent.

In a surprising public admission, one contractor gave the following description of a DOE nuclear contract to the Associated Press on September 11, 1987:

"You have nothing at risk, the Government provides everything, so the return on investment on that kind of business is essentially infinite."

This lack of contractor accountability contributes to the countless safety abuses committed by DOE contractors. These abuses have included: widespread and repeated violation of DOE safety rules and procedures; the failure to report serious safety problems to DOE; and, the release of significant amounts of radioactive into the environment.

At his February 22, 1989, confirmation hearing, Adm. James Watkins, the DOE Secretary-designate, agreed that DOE contractors need to be made more accountable for the results of their own actions. He stated, "I don't believe the accident * * * is solely the responsibility of the United States when the procedures the contractor agreed to were not followed. I'm talking about willful negligence. I'm talking about negligence."

I am extremely heartened by Admiral Watkins' statement in support of increased contractor accountability. I believe that this legislation presents an excellent mechanism to achieve this goal and am hopeful that Admiral Watkins will strongly support it when he becomes Secretary of Energy.

Admiral Watkins' statements on the contractor accountability issue present a stark contrast to the views expressed by former Secretary of Energy Herrington on this issue. From my perspective, recent events have made many of the arguments made by Secretary Herrington and others against contractor liability almost laughable.

In June 3, 1987, letter to Representative PHILIP R. SHARP, Secretary Herrington opposed increasing contractor liability on the grounds that it would disturb the "special working relationship" that DOE had with its contractors. It is now obvious that this "special working relationship" is a big part of the current problem at DOE nuclear facilities.

We now know that some contractors believed that this "special working relationship" permitted them to ignore DOE safety recommendations, release radioactivity into the environment, and to withhold crucial information from DOE.

In the June 3, 1987, letter Mr. Herrington also wrote, "... DOE's relationships with these contractors are founded on an understanding that the interests of the Department and its contractors in running these facilities are largely inseparable." This is a disturbing statement. The safety and environmental abuses committed by DOE contractors over the years certainly have not been in the interest of DOE and the Nation.

Under this legislation, if the Attorney General determines that a contractor has been grossly negligent or has engaged in willful misconduct, he is permitted to sue the con-
tractor for an amount equal to the annual price of their contract. This method of determining liability would shield small contractors from large liabilities. Currently, DOE nuclear contracts range in size from about $1 billion a year to less than $50 million per year.

Because the bill would change the business conditions under which DOE contractors operate by exposing them to potential liability, it permits renegotiation of contracts with DOE. However, it does not permit the contractors to abandon their current contractual obligations.

Finally, this legislation would bar any contractor guilty of gross negligence or willful misconduct from receiving any Federal contract for a 5-year period. A contractor could be ex­empt from this provision only if the President determined that the contractor's services were absolutely necessary for national security purposes.

It must be noted that this legislation does not in any way affect the Price-Anderson liability law as it applies to commercial nuclear powerplant operators. I support the compromises that were made on the commercial side of Price-Anderson in Public Law 100-408 and do not intend to change that portion of the law.

Unfortunately, the parties concerned with DOE contractor liability during the 100th Congress were not able to reach an acceptable compromise on the liability issue. In light of this fact and the abundant revelations about safety and environmental abuses by DOE contractors, I believe we must take another look at the contractor liability issue.

Mr. Speaker, the Price-Anderson Financial Accountability Amendments of 1989 will significantly improve the safety of DOE nuclear facilities by giving DOE contractors a financial incentive to operate these facilities safely. I strongly urge my colleagues to support this legislation.

EXTENSIONS OF REMARKS

The Democratic Party stands proudly behind its new national chairman, Ron Brown, the first black American to lead a major political party. Here in the House of Representatives, Congressman William H. Gray III, proved to be an outstanding chairman of the critical Energy and Commerce Committee during very difficult times. Lt. Gen. Colin L. Powell restored integrity to our foreign policymaking process as National Security Advisor to the President. Black Americans are now so commonplace within the hierarchy of our religious institutions, that the recent nomination of the Reverend Barbara Harris as Bishop of the Episcopal Church proved to be a landmark event because of Reverend Harris' gender, not her race. Black astronauts have ridden into space as mission specialists and flight offi­ciers on the space shuttle, and growing numbers of blacks are rising to positions of promi­nence and prestige throughout our economy and society.

While we can be justly proud of the important accomplishments of black Americans and while we welcome the progress that has been made in bringing black Americans into the mainstream of our Nation's economic and social progress, there is much that remains to be done. Despite the successes, we must not settle for the state of current affairs.

Recent Supreme Court decisions and the actions of the Justice Department in the past few years raise doubts about the willingness of our Government to confront the tough issues of discrimination in employment, Gov­ernment contracts, education, and housing. These issues continue to be a serious prob­lem for an important segment of our popula­tion.

We must continue to press forward to overcome the historical vestiges of racism and in­equality which still haunt our country. During the 100th Congress, we passed, over the threat of a Presidential veto, the Civil Rights Restoration Act. As we debated the issue, those of us here in the Congress heard loud and clear from the people back home that civil rights must not be rolled back.

During this Congress, we will continue to deal with issues of racial equality and affirmative action. We must remember that equal access to education, housing, and employment are among the basic principles from which we draw our national strength.

Ours is a nation that holds the promise of great rewards for an individual's best efforts, regardless of his or her family background, social status, party affiliation, or especially race.

Mr. Speaker, Black History Month is an oppor­tunity for us here in the Congress to refo­cus on the fundamental values set forth in our Constitution over 200 years ago, and to assess the extent that our practice, in fact, measures up to those beliefs. Black history is the recounting of the ongoing struggle of one group of Americans to attain what is rightfully theirs. This month, as we remember the trials and triumphs of black Americans, let us also recommit ourselves to continuing the struggle to see that all Americans—regardless of race, color, or religion—fully enjoy the rights and advantages of this great Nation.

"NATIONAL TRIO DAY," RECOGNIZING A PROGRAM THAT OPENS THE EDUCATIONAL DOOR FOR THOUSANDS OF STUDENTS.

HON. JOSEPH E. BRENNAN
OF MAINE
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. BRENNAN. Mr. Speaker, I rise today to bring attention to a nationwide program that has had a tremendous effect on disadvantaged youths across the country as well as in my own State of Maine.

February 26, is "National Trio Day." The trio programs, which include Talent Search, Upward Bound, and Student Support Services, have helped over 450,000 students in this country reach their intellectual potentials by assuring equal opportunity to postsecondary education.

I offer my sincere congratulations to the students who have participated in the trio programs, and I would like to commend the colleges, universities, and other institutions that have made such a success of the programs in 1988, and will continue to do so in 1989.

In Maine, Husson College, the University of Maine System, Unity College and Bowdoin College collectively assisted over 3,300 bright young students in their educational endeavors this past year alone.

I would also like to mention one student in particular, Mark Crosby, who received the 1988 trio achiever award in Maine. Academic experience, career success, and civil commitment were all considerations in his being chosen trio achiever for 1988, but other issues also played a part. Mark Crosby is a hard-working, committed individual. He is an inspiring role model for other students in Maine who may have doubts about their po­tential as students and achievers.

I remind my colleagues that our young people can and do make a difference in today's society. All students who possess the academic necessities should have the available opportunities to attend college, and to pursue their goals and aspirations. We in Con­gress must do our part to support successful educational initiatives such as the trio pro­grams.

I request my colleagues to recognize "Na­tional Trio Day," and to actively support the trio programs in their respective districts. Thank you.

THE TRANSPORTATION OF HAZ­ARDOUS MATERIALS, H.R. 53 AND 136

HON. CARDISS COLLINS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Ms. COLLINS. Mr. Speaker, with increasing frequency, the transportation of hazardous materials on our Nation's highways, roads, streets and railways has led to calamity. Liq­uids have exploded, posing serious conse­
EXTENSIONS OF REMARKS

People living in rural areas are often unable to obtain needed health and mental health care services because of a paucity of providers and Federal policies that exclude qualified providers from rural health centers. This concern grew when I learned of a recent 1988 six State survey of mental health providers, conducted by the National Center for Social Policy and Practice. In about 25 percent of the counties in the States surveyed, the only mental health providers available were clinical social workers. Most of those counties were rural.

I hope that my colleagues will join me in supporting this effort to make quality health care services available to our Nation's rural citizens.

H.R.-

A bill to amend title XVIII of the Social Security Act to provide for coverage of social worker services in rural health clinics under the Medicare program.

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

SECTION 1. COVERAGE OF SOCIAL WORKER SERVICES IN RURAL HEALTH CLINICS.

(a) IN GENERAL.—Section 1881(a)(1)(B) of the Social Security Act (42 U.S.C. 1395x(a)(1)(B)) is amended—

(1) by striking "or" before "by", and

(2) by inserting "or by a clinical social worker (as defined in subsection (hh))" after "Secretary".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to the period beginning after the first day of the first month that begins 60 days after the date of the enactment of this Act.

SAVINGS AND LOAN—FRAUD AND INTERVENTION

HON. PHILIP M. CRANE
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. CRANE. Mr. Speaker, in our effort to address the savings and loan [S&L] crisis, we need to thoroughly examine all the contributing factors to the present thrift difficulties in order that we craft an effective solution. It is in these thoughts in mind that I submit the following article from the February 15, 1989, Wall Street Journal. The article discusses some of the fraudulent practices and political intervention that contributed to the current S&L crisis.

[From the Wall Street Journal, Feb. 15, 1989]

THE BANK DICKS’ DEBTY LINEN
(By James Ring Adams)

The thrift crisis will get worse before it gets better. It may even spread from the savings and loan ghetto to the banking system. The Bush administration’s $100 billion ‘rescue,’ although worthy of praise for its intention to be effective and timely in confronting the real cause of the disaster, the political corruption of bank and thrift management.

In every agency confronted with a major failure, whether state or federal, the frontline supervisors have been frustrated and demoralized by an "in touch with..." approach. The political fund-raisers, corrupt bank and thrift owners and compliant senior regulators. The triangle rests on a constant flow of campaign contributions supplied directly from institutions whose collapse cost the deposit-insurance funds billions of dollars.

The problem goes well beyond the Reagan administration’s confused attempt at financial deregulation. It can’t simply be blamed on the weak training, low pay and inadequate staffing of the bank and thrift examiners. Supervisors had the information and, in most cases, the power to restrain the frauds and incompetents. What was lacking was the will to act, will that had been stymied by decades of political interference.

EPIDEMIC OF FRAUD

This failure of will has opened the banking system to an "epidemic" of fraud, to a spate of the House Committee on Banking, Housing, and Urban Affairs. Mr. Speaker, today I introduce two bills—H.R. 53 and H.R. 136— which address these concerns. The Hazardous Materials Transportation Safety Amendments of 1986, H.R. 53, adopts a wide variety of measures toward avoiding future problems, such as designating safe parking sites and requiring that transporters conform to certain safety standards. Additionally, emergency response efforts are promoted in the bill by facilitating emergency training and equipment and the creation of an emergency response trust fund. Railroad safety is also addressed and Federal Government technical assistance to the States is made available. H.R. 3677 exclusively deals with the designation of safe routes for the transportation of hazardous materials by directing the Secretary of Transportation to issue regulations giving guidance on this matter.

Mr. Speaker, these two bills take a sizable step in the right direction toward insulating our citizens from the consequences of hazardous materials. It is our responsibility to protect America from the need of suffering that exposure to these materials can cause.

INTRODUCTION OF LEGISLATION TO PROVIDE COVERAGE OF SOCIAL WORKER SERVICES IN RURAL HEALTH CLINICS UNDER MEDICARE

HON. RON WYDEN
OF OREGON
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. WYDEN. Mr. Speaker, today I am pleased to introduce, along with my colleagues, Mr. LEVIN, Mr. TAUKE, and Mr. SYKES, legislation to amend the Rural Health Clinic provision of the Medicare Act in order to provide citizens of rural America with access to qualified social worker services.

February 23, 1989

[From the Wall Street Journal, Feb. 15, 1989]
EXTENSIONS OF REMARKS

Butcher's banks identified their insider dealings as a fraud. But not until February 1989, when the bank exams took place until 1982. In the meantime, the Butchers became confidants of the Carter White House, major contributors to the National Committee and political powers in Tennessee. In an interview last year at the Federal Prison Camp in Atlanta, where he is now serving a 20-year sentence, a bank lawyer for Butcher admitted to this writer that he had helped name one member of the FDIC board. The barreled Empire as its biggest case), the S&L state thrift and then intervened in its interference for C.H. Butcher with the FDIC Board Chairman Edwin Gray began to see the extent of the problem became clear, the Butcher empire ultimately cost the insurance fund about $1 billion. FSLIC is now paying the price of its own capture, which first came to light with the 1984 failure of Empire Savings and Loan Association of Mesquite, Texas. At the time the biggest liquidation in FSLIC's history, the Butcher empire was the Bank Board to the network of insider construction loans and payoffs by developers that devastated the Texas thrifts. It also exposed the industry's cozy relationships with the Federal Home Loan Bank of Dallas, one of the 12 regional banks in the Bank Board system.

The chairman of Empire, Spencer Blain Jr., had also been president of the Texas Savings and Loan League, the industry lobbying arm, and in that capacity he had been appointed to the chairman of the Dallas Home Loan Bank. FSLIC examiners, employed by the Bank Board in Washington, legally had to rely on the supervisory staff of the Dallas Home Loan Bank to handle disciplinary actions against Texas thrifts. The examiners, overmatched as they were, did identify many of the problems, but they were ignored. When Bank Board Chairman Edwin Gray began to see the extent of the Empire problem, one of his first measures was to fire the chief supervisor at Dallas. Mr. Blain, once the leading industry representative at the Dallas Home Loan Bank, has been indicted for bank fraud.

The damage in these cases, and many others, was magnified tenfold and 100-fold by political intervention. Losses that easily could have been cut short at $100 million or less were allowed to climb into the billions. Appropriate notoriety surrounds House Speaker Jim Wright's pressures on FSLIC, including his attempt (with a bipartisan coalition including Texas Sen. Phil Gramm) to deny it the funds to close Texas thrifts. He denounces the attitude, however, for having so crudely made obvious what many others were doing with more subtlety.

Jim Sasser (D., Tenn.), a ranking member of the Senate Banking Committee, ran interference for C.H. Butcher with the FDIC board. Donald Riegle (D., Mich.), the current Banking Committee chairman, took dozens of contributions from a large cut-of-state thrift and then intervened in its federal examination. He denied wrongdoing, but under pressure from the Detroit News returned more than $76,000 in contributions. In 1986, when FSLIC moved to close the FirstSouth thrift in Pine Bluff (which supplied the biggest case), members of the Arkansas congressional delegation wrote letters in protest. After the size of the problem became clear, the congressmen sent a letter of letters, asking to get the embarrassing first letters back.

Even though President Bush is earmarking $86 billion to chase the perpetrators of S&L fraud, his plan does little to control the political interference that has allowed them to flourish. Even though both FSLIC and the FDIC have improved their methods as each struggled with its disasters, they can't be expected to cope with congressional pressures. The only viable solution is to enlist public opinion by throwing open the regulators' attempts at regulation. END TO SECRETARY URGED

The FDIC at one time wanted to make public its final examination reports, only to back down under industry protest. But a few voices are calling for a total end to bank secrecy. In a letter to the FSLIC regulator, says that bank examination reports should be released to the public as soon as they're written. They have never claimed confidentiality (legally) At the least, the public should know the numerical ratings that the examiners give their banks or thrifts. All interventions by public officials—letters, phone calls, or personal meetings—should be kept in an open file, by law, so that the press and political challengers can track the fixes.

These are measures that violate deeply ingrained habits of regulatory secrecy, habits that date to the trauma of Depression-era bank runs. But a depositor's confidence is more likely to fall when he can't tell the good banks from the bad, or the wolves from the watchdogs. The best cure for the current plague of fraud and political influence is public exposure.

FREE VACLAV HAVEL

HON. PETER H. KOSTMAYER
OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. KOSTMAYER. Mr. Speaker, last week 30 Members of the House joined in writing to President Gustav Husak of Czechoslovakia urging him and his government to immediately free the imprisoned Czech playwright, Vaclav Havel.

The following editorial from the Philadelphia Inquirer of Wednesday, February 22, 1989, reiterates many of the points made in the letter to President Husak, as well as those I made in addressing my colleagues on this subject the same day, on the floor of the House.

The aging Stalinists who run Czechoslovakia may silence an eloquent and courageous playwright for a few months, but they can never still the rising clamor for freedom which is stirring people throughout Eastern Europe. Mr. Speaker, I urge my colleagues to join those of us in the United States and around the world who are making life a little more difficult for the Czechoslovakian Government.

We must continue to press this case until Vaclav Havel is free.

From the Philadelphia Inquirer, Feb. 22, 1989

STUCK IN TIME IN CZECHOSLOVAKIA, REPRESSSION LIVES ON

In Czechoslovakia, where writers have a special moral standing, the playwright Vaclav Havel has long been the conscience of his nation. His ideas of how ordinary people can retrieve their dignity from communist control have inspired opposition leaders from South Africa to Hungary. The only public homage to the playwright is the "Prague spring," their fears better than Mr. Havel, whose plays have been banned at home, even as they've been hailed abroad. In Philadelphia, the Wilma Theater is scheduled to stage a Havel play in May.

So the government jailed Mr. Havel, refusing to acknowledge that the time for brute repression has passed. One thousand establishment intellectualse—have been holding their tongues for years—signed a petition before the sentencing asking for the playwright's release. The government responded by firing the editor of a cultural journal. But that approach is sure to arouse only more dissent—and, irony of ironies, might inspire the Kremlin to support the cause of Czech intellectual freedom.

More than that, the European community—whose economic assistance the Czech government badly needs—is likely to register its displeasure. After all, the Czech regime just signed a new East-West accord that is supposed to guarantee personal and political freedom.

Jailing Vaclav Havel is a desperate act by a regime that won't recognize that both superpowers want a new, freer status for Eastern Europe. Prague's leaders may be able to smother the truth for a while. But history's dustbin is waiting.

RUSHDIE'S BOOK—A SYMBOL OF FREEDOM OF EXPRESSION

HON. TED WEISS
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. WEISS. Mr. Speaker, I join today with the international chorus of writers, artists, and government leaders in condemning the actions of the Ayatollah Khomeini of Iran regarding the book "The Satanic Verses" written by Salman Rushdie.

It is imperative that, as a free society, we speak out when one of our important values, in this case freedom of expression, is threatened. Yesterday, in New York and other cities around the Nation, writers gathered to protest the death threats against Mr. Rushdie, his publisher, and the booksellers that display "The Satanic Verses." From those meetings came the important message that the battle for free expression is everybody's battle, and if one author is threatened, all people are threatened.

The columnist Christopher Hitchens reminded all of us yesterday of the prophetic words of the 18th century man and 20th century enfant terrible, Heine, writing, commenting on book burning in Germany in the 1800's, that "where books are
burned, men will be burned." We are all familiar with the history that followed Heine's chillingly accurate statement, and which must never be allowed to repeat.

The United States must stand in solidarity with Mr. Rushdie and the international writing community against this immoral and lawless attack on freedom of expression. I invite my colleagues to join in sending a letter to President Bush expressing our concerns on this matter, the text of which I would like to include in the RECORD.

Mr. Speaker, the safety of Mr. Rushdie and the principle of freedom of expression is clearly an American interest, and indeed a world interest. Let us join the many members of the international community to protect these interests and preserve artistic freedom.

FEBRUARY 1989.

HON. GEORGE BUSH
President of the United States, The White House, Washington, DC.

DEAR Mr. PRESIDENT: We are writing to express our dismay over the Ayatollah Khomeini's soliciting the murder of author Salman Rushdie. We also deplore the threats against booksellers and publishers who trade in the book.

While the government of Iran has been engaged in various acts of extreme behavior for many years, until now it has not attempted to patrol the expression of the international artistic community through death threats and intimidation. All cultures and freedom-loving people have an interest in stopping this most recent example of Iran's disrespect for the norms of international behavior.

We must stand together with the international writing community in condemning this incident. On February 22nd, in public meetings in New York and other cities around the United States, American writers expressed their solidarity with Mr. Rushdie. It is crucial that we join them in this important cause.

With them, we urge you to recall the prophetic words of the German author Heinrich Heine, "where books are burned, men will be burned."

In recent weeks, many members of the international community have expressed their disapproval of the Ayatollah's actions in various ways. We believe it is important to work closely with all nations who have publicly declared their outrage and to assure, in every way possible, the safety of Mr. Rushdie. Clearly, his safety is an interest shared by the United States along with everyone who seeks to preserve artistic freedom.

Therefore, we respectfully request that the government of Iran be put on public notice that it is the United States' intention to postpone indefinitely any possibility of normalized trade or diplomatic relations until the threats have been rescinded and the safety of the author, publishers, and sellers of "The Satanic Verses" has been assured.

Thank you for your attention to this important matter.

Sincerely,

EXTENSIONS OF REMARKS

H.R. 141, TO AMEND TITLE XVIII OF THE SOCIAL SECURITY ACT TO PROVIDE FOR COVERAGE UNDER PART B OF THE MEDICARE PROGRAM FOR ROUTINE PAPANICOLAOU TESTS

HON. CARDISS COLLINS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mrs. COLLINS. Mr. Speaker, I rise today to speak on behalf of H.R. 141, a bill I introduced on the first day of the 101st Congress which would provide or coverage of routine papanicolaou tests under part B of the Medicare Program. A papanicolaou or pap smear tests cells to provide for early detection of cervical and endometrial—known as uterine—cancer. The bill would extend Medicare coverage to routine pap exams performed not more frequently than once every 6 months.

The proposed law is part of a continuing movement of change from covering a Medicare patient who is seriously ill to paying for tests for the early detection of diseases. Last year, the Senate version of the Medicare Catastrophic Coverage Act counted a wide range of preventive services toward the catastrophic cap.

These services included: glaucoma screening by tonometry, cholesterol screening, a pap test, mammography screening, an immunization or booster for tetanus, influenza, or bacterial pneumonia, an occult blood stool test, and tuberculosis sensitivity testing.

The final version of the Catastrophic Coverage Act included coverage for mammography or breast cancer screenings for women over age 65. I am pleased with this partial success and urge Congress to consider covering other cancer detection tests such as the one in H.R. 141.

Statistics show that early detection and treatment prevents the spread of cancer and dramatically improves the survival rate of the patient. The death rate for women diagnosed with cancer of the uterus has dropped 70 percent during the last 40 years due to the general use of pap tests and regular check-ups to discover the cancer or precancer conditions in their early stages.

Women whose cancer is detected at the earliest stages are likely to live longer. The 5-year survival rate among women who are diagnosed with cervical cancer at any stage is 66 percent. The survival rate jumps to 80 to 90 percent if the cancer is detected at stage 1, which is when the carcinoma has not spread past the cervix.

Most significantly, virtually 100 percent of women whose cervical cancer is discovered in its earliest stage will live 5 years or longer. And by common definition, a uterine cancer patient who survives 5 years without a recurrence is cured of that cancer.

The lab fees for pap tests are relatively inexpensive compared to other cancer screening tests. The Medicare Program could save money by covering pap tests, instead of allowing gynecological cancers to go undetected and paying for treatment that demands much higher fees at a late date. This approach also would save medical resources, which are at a premium in our society.

Mr. Speaker, pap tests do matter for women across this country. We can save Medicare money and women's lives by enacting my bill, H.R. 141.

THE MEDICAL CARE CRISIS IN SOUTHERN ILLINOIS

HON. GLENN POSHARD
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. POSHARD. Mr. Speaker, across the Nation and in my southern Illinois district, hospitals are in trouble. They are suffering from rising medical equipment costs, soaring insurance rates, and increasing patient loads.

I am very concerned that many of my constituents are not receiving the medical care they need and others have to drive for miles to receive treatment. During the February district work period, I held a series of 20 town meetings throughout my area and I had a chance to talk with many southern Illinoisans. In every one of those meetings, health care was the No. 1 concern.

From Vandalia in the north to Cairo in the south, veterans, the elderly, and families are all concerned about the quality and availability of medical care. I certainly share their concern, as do the men and women who operate hospitals in Illinois' 22d District. We are all worried that unless Medicare and Medicaid reimbursements to hospitals are increased, more hospitals will close and medical services will further deteriorate.

Recently, one of the major daily newspapers in my district, the Southern Illinoisan, ran a story on Medicaid and area hospitals and I am including the article in the RECORD to demonstrate the seriousness of the health care crisis in southern Illinois:

MEDICAID TURNS HOSPITALS, CLINICS INTO VICTIMS, TOO

(By Beth Haller)

As influenza swept the Carbondale area recently, 31-year-old Loretta Mathis of Carbondale developed a pretty serious cough. So two weeks ago she went to the Carbondale Clinic to see a doctor.

Mathis, however, could not receive care. She is on Medicaid and had just been introduced to the new clinic policy on public aid patients.

In the spring of 1988, the clinic stopped accepting new Department of Public Aid patients. For Mathis, this meant a trip to Memorial Hospital of Carbondale's emergency room for treatment of her cough.

Kay Sherman of Carbondale ran up against the same policy when she tried to see the new clinic allergist for a skin rash. She couldn't book a routine appointment with the gynecologist there, either.

"Now, I don't know what's going to happen to me," she said. "It was quite a shock when I found out I couldn't get in there. That's the one place we were all able to go."
It meant leaving physicians we trusted, too.

"I had several doctors at the clinic, none of whom I can go back to," Sherman said.

The clinic's policy still allows for new public aid patients to be seen at the clinic, but the hospital won't accept those as emergency cases or have been referred by another physician or Memorial Hospital. The clinic houses 36 physicians and 16 specialists.

The clinic's policy was set by the Carbondale Clinic's board of directors to control the flow of Medicaid patients there came after losses of millions of dollars in Medicaid payments.

"The reimbursement rates are lower than half the normal fee," explained William Harris, administrator of the clinic. 

"The clinic receives no reimbursement at all from the state. When the Department of Public Aid hits the middle of its fiscal year, it sometimes runs out of funds and no longer reimburses until the General Assembly appropriates new funds."

The Illinois Hospital Association has done this practice "borrowing illegally from the hospitals of Illinois." The hospital association joined a federal suit against the state over the reimbursement issue last spring. A federal judge has set an average payment cycle of 80 days was anticipated.

Harris said sometimes the clinic must wait four to six months for reimbursement. But the clinic like many others in the area, Harris said, has a practice called this "the ripple effect throughout the health care system can have on a hospital."

"It is the reason the hospital is bordering on operating in the red," he said. In the past 10 years, the hospital has gone from 9 percent public aid patients to 20 percent public aid patients.

The hospital will write off $3.9 million in Medicaid when the 1988-89 fiscal year ends March 31.

"If everyone did their fair share, it wouldn't be so catastrophic," Maroney said, citing those physicians who will not care for Medicaid patients.

"And better reimbursement from the state will help, too."

"It is unfortunate that the state is the principle problem, but the hospital and doctors must handle the problem," he said.

Harris of the Carbondale Clinic believes the Medicaid problem keeps physicians from Southern Illinois.

"The net effect is not only to provide limited care but to drive doctors out of the state of Illinois," he said.

"But no matter what the problems, Maroney said, "The clinic still sees about 80 new Medicaid patients per month. The goal is to get the number of public aid patients seen at the clinic down to 9 percent of its total patient load, he said.

Harris does not see the percentage dropping any lower than that.

"We can't ethically and morally close the doors to those people," he said.

But the clinic's new policy has had a ripple effect throughout the health care community because it compounds an existing problem.

Some physicians in Southern Illinois will not take any public aid patients, and this puts a burden on those who do.

Shawnee Health Service and Development Corp. operates four health centers in Southern Illinois—Carterville, Grand Tower, Murphysboro and the Adolescent Health Center in Carbondale.

George O'Neill, executive director of Shawnee Health, reports a 22 percent increase in Medicaid recipients at the clinics during 1988.

The clinics are seeing a number of patients who previously had health insurance, but now have nothing.

"This is a byproduct of the turndown in the economy," O'Neill said.

Other county statistics aptly illustrate the rise in public aid recipients. As the total number of births remains steady, many counties are showing marked increases in people on public aid. In Franklin County, for example, 40 percent of all the births are to women on public aid.

The situation is coming to a crisis point," O'Neill said.

Clara McClure, community support program coordinator for Jackson County Community Mental Health Center, fears that if her clients cannot go to the clinic or find another physician that will take them, they will not be treated in the emergency room, causing an overload there.

"I think it's going to get worse before it gets better," she said.

The community support program serves primarily people with major mental illnesses, many of whom are on public aid. Most of the program's clients have gone to the Carbondale Clinic, McClure said.

Mathis, who has had to take her cough to the emergency room, said that in the future she probably will try to get medical care for herself and her two teen-agers at the Murphysboro Health Center. But transportation can be a problem.

"I have some transportation, but it's not dependable," she said.

George Maroney, administrator of Memorial Hospital, can attest to the strain the torrent of public aid patients to its emergency room can have on a hospital.

"If everyone did their fair share, it wouldn't be so catastrophic," Maroney said, citing those physicians who will not care for Medicaid patients.

"And better reimbursement from the state will help, too."

"It is unfortunate that the state is the principle problem, but the hospital and doctors must handle the problem," he said.

Harris of the Carbondale Clinic believes the Medicaid problem keeps physicians from Southern Illinois.

"The net effect is not only to provide limited care but to drive doctors out of the state of Illinois," he said.

"Illinois' neighbors, Kentucky, Indiana and Missouri, all have higher reimbursement rates for Medicaid patients, Harris said.

"But no matter what the problems, Maroney said, "The clinic will always treat Medicaid patients."

"We will treat all patients."

A TRIBUTE TO MRS. SHIRLEY M. FIGENSHU

HON. VIC FAZIO
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to Mrs. Shirley M. Figenshu, who retires today after more than 37 years in the Federal service. Mrs. Figenshu has been serving for the past year as executive assistant to the commander of the Sacramento Air Logistics Center, McClellan Air Force Base, in Sacramento, CA. McClellan AFB is the largest Federal sector employer in Northern California.

Originally from Ohio, Mrs. Figenshu joined the Federal service at McClellan AFB as a clerical typist in August 1951. In July 1955, she was promoted to duties as an accountant in the accounting and finance division, beginning a 36-year period of outstanding service in what would later become the comptroller directorate.

In 1978, she received a bachelor of science degree in business administration from the California State University at Sacramento. In 1982, she was awarded a masters degree in management from California State University. Following graduation from the Professional Military Comptroller School in 1976, she was selected as chief, systems and procedures office, in the accounting and finance branch.

In 1981, she assumed duties as the chief of operations and maintenance section, and 1 year later she was named budget officer for McClellan Air Force Base. In January 1985, Mrs. Figenshu was selected to be the deputy comptroller, Sacramento Air Logistics Center, a position she held for 3 years until she became the executive assistant to the commander.

As deputy comptroller for one of the largest organizations in the U.S. Air Force, Mrs. Figenshu was responsible for over a $3 billion budget, a payroll of over 17,000 civilian and military personnel, and an organization on the threshold of a major transition. As such, Mrs. Figenshu was responsible for prioritizing all issues brought to the commander and vice commander for their action—a particularly difficult undertaking in 1988, with the budget reductions and threats of critical work force furloughs that McClellan experienced. She coordinated all important interfunctional programs to ensure that the policies of the center commander were implemented. Mrs. Figenshu was the first woman to serve as executive assistant at McClellan and the first to serve in that position on a permanent basis at any Air Force Logistics Command Base.

Mrs. Figenshu's achievements go beyond her work at the base, and into the Sacramento community. She served as chairman of the Combined Federal Campaign Federal Sector Coordinating Committee and the Sacramento Symphony Fund-Raising Committee. She was a key member of the Officers' Club and Civilian Nonappropriated Fund Advisory Committees, and she led the 1987 McClellan Aviation Museum membership drive. Mrs. Figenshu is a member of the American Society of Military Comptrollers, Association of Government Accountants, Institute of Cost Analysts, Air Force Association, Federal Managers Association, McClellan Management Association, and the International Training in Communications Organizations.

During her public service career, Mrs. Figenshu was named McClellan's Civilian of the Year in 1965; Air Force Association Outstanding Civilian of 1977; Sacramento Federal Women's Council Supervisor of the Year 1980; McClellan's Outstanding Business Woman of the Year in 1984; the American Society of Military Comptrollers' Outstanding Budget Officer for 1985; and the Sacramento Federal Women's Council Manager of the Year in 1988. In 1987, her ability to develop and implement management initiatives earned her the Air Force Logistics Command Distinquished and Honorary Equal Employment Opportunity/Affirmative Action Award. Over the years, she has also received numerous sustained superior performance awards.
I know my colleagues join me today in sincere congratulations and appreciation to Mrs. Shirley Figenshu on the occasion of her well-earned retirement from Federal service. Her devotion, skills, and extraordinary contributions to the public sector are a shining example to all in our country's service. I would like to extend my best wishes for the future to Mrs. Figenshu and her husband, Jack.

H.R. 867

HON. ROBERT T. MATSUI
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. MATSUI. Mr. Speaker, on February 6, 1989, Congressman Downey, Congressman Miller, and Congressman Roybal joined with me to introduce these bills, which, taken together, would make the Supplemental Security Income [SSI] Program fairer and more responsive to the truly needy it is intended to serve. The following is a section-by-section summary of the provisions of the second bill in this SSI reform package, H.R. 867.

SUMMARY OF "SSI TECHNICAL AMENDMENTS OF 1989"—H.R. 867

TITLE I. CHANGES IN THE TREATMENT OF INCOME AND RESOURCES

Section 101. Treatment of workers' compensation and unemployment compensation as earned income for SSI purposes. This provision changes the way in which workers' compensation and unemployment compensation benefits are treated. Instead of treating these benefits as unearned income, the benefits will be treated as earned income. The result of this change is a more helpful treatment of the benefits because earned income is subject to more substantial discharges than unearned income. There is a $20 income disregard for unearned income, while with earned income, the statute provides that the first $65 plus 1/3 of the remainder is deducted.

Section 102. Eligibility determinations for certain months in the cases of individuals with weekly or biweekly income. In cases where a person has earned income and he or she is paid on a weekly or biweekly basis, problems currently arise when there is a fifth weekly payment or a third biweekly payment in the month. Currently, the SSI benefit of the person (for the child or spouse who is receiving SSI and who has income deemed from other family members) will be reduced or terminated as a result of the extra payment. This provision will require the Secretary to avoid this problem by considering the annual income of the person and using the average monthly amount in calculating the amount of the SSI benefit.

Section 103. Disregard of certain in-kind benefits. This provision will permit an SSI recipient to receive a domestic air, bus or train ticket, without having it counted as income and resulting in a reduction in the person's SSI benefit. The Secretary currently counts the value of the ticket as income unless it was paid for on the credit card of another person.

EXTENSIONS OF REMARKS

Section 104. Reduction in time during which the income and resources of separated couples must be treated as jointly available. Currently, if a husband and wife who are an eligible couple separate, the statute requires the Secretary to treat them as if they are still together and sharing their income for six months after the separation. This works a hardship on the spouse who has little or no other income in her name. This section amends that an individual, and a spouse will be treated as individuals for SSI purposes after they have been separated for one month. If the Secretary determines that the person is faced with a financial emergency, the Secretary is required to waive the one month rule and pay benefits immediately.

Section 105. Disregard of certain interest and dividend income. Effective January 1, 1990, the Secretary would disregard $120 per year of interest and dividend income in determining eligibility for SSI. This disregard would increase by $12 each year after that until it reached $180 in 1995.

Section 106. Increase in face value of life insurance policies whose cash value is disregarded and increase in allowable burial fund. This provision increases the amount of the face value of life insurance policy which a person can have and not have the cash value of the policy counted for SSI purposes. The face value is increased from $1900 to $2500.

In addition, the law currently provides an alternative to the life insurance rule which permits a person to have a burial fund which does not exceed $1500. This figure would also be increased to $2500. The amendment would also provide that the rules which apply to recovery or waiver of overpayments generally in the SSI program will apply in cases where the person mistakenly uses a portion of the burial account.

TITLE II. SPECIAL PROVISION RELATED TO SSI FOR THE MENTALLY ILL

Section 201. Continued SSI suspension status for certain residents of public mental institutions. Under present law, beginning with the first full month that an individual is a resident of a public mental institution, an SSI recipient will lose eligibility for benefits. (There is an exception for certain cases where the individual is expected to stay for more than twelve months.) An individual who loses eligibility for this or other reasons is placed in a suspension status for up to twelve months. Such an individual may reapply for SSI benefits, if after the suspension period ends, the individual is able to maintain a residence. An individual who loses eligibility for this or other reasons is placed in a suspension status for up to twelve months. Such an individual may reapply for SSI benefits if he or she is once again eligible for benefits within the twelve-month period. This provision changes the rule to provide that the time during which a person is a resident of a public mental hospital will not count toward the twelve-month suspension status limit.

TITLE III. CERTAIN INDIVIDUALS CONSIDERED TO BE RECEIVING SSI BENEFITS FOR PURPOSES OF MEDICAID ELIGIBILITY

Section 301. Retention of Medicaid when SSI benefits are lost upon entitlement to Social Security benefits. Currently, when a person is receiving SSI disability benefits, the Secretary requires the person to apply for all other benefits—including Social Security—for which the person may be eligible. Certain individuals may not be eligible for Social Security disability benefits because of the definition of disability or "recency of work" requirements. However, they may be eligible for SSI disability benefits and thus Medicaid. Two groups of disabled SSI recipients lose their SSI and Medicaid at age 62: individuals who become eligible for early retirement benefits at age 62; and individuals who become eligible for a spouse's benefit at age 62 on the Social Security record of an insured worker who is eligible for disability or retirement insurance benefits.

Despite the fact that such individuals are disabled, they have no health care coverage under Medicare until they become age 65. This provision will permit these individuals to be considered to be receiving SSI benefits so that their Medicaid eligibility can continue until they turn 65 and become eligible for Medicare. Such individuals will continue on the SSI rolls in a non-cash payment status and SSA will be responsible for determining ongoing eligibility.

Section 302. Retention of Medicaid for certain additional disabled adult children. Under current law, any SSI recipient who first becomes entitled to Social Security disabled adult children's benefits on or after July 1, 1987, and as a result is no longer eligible for SSI, is deemed to be eligible for SSI so that he or she can continue to receive Medicaid. This provision will extend this same benefit to former SSI recipients who lost their SSI eligibility when they began to receive disabled adult children's benefits, if they first became entitled to the disabled adult children's benefits on or after January 1, 1981 (and before the current provision's starting date, July 1, 1987). However, they will not be eligible for Medicaid benefits under this provision until July 1, 1989.

Section 303. Amendments affecting individuals considered to be receiving SSI for purposes of the Medicaid program. This section addresses the problem which currently exists when a person loses SSI cash benefits but is in one of the categories of people who are deemed to be still receiving income from the Social Security Administration. Under current law, any individual who loses SSI cash benefits because of the stricter rules for determining eligibility for SSI will lose Medicaid. There may be a gap in their coverage until they actually go to the state Medicaid office and apply for benefits or their benefits may end if, for whatever reason, they fail to file that application.

This section provides that these individuals will be presumed to have filed a Medicaid application and that their eligibility for Medicaid will continue unless a determination is made that they are not eligible for Medicaid. For a determination of Ineligibility to apply back to the date of the change in status, the determination must be made within 45 days of the change of residence. If it is made after that date, the decision will be effective prospectively only.

This section also clarifies that the provisions in current law which protect categories of people eligible for Medicaid from loss of Medicaid when they begin to receive Social Security benefits apply in all states, including those states which have chosen the "section 109(b)" option under Medicaid.
Salute to Donaldsonville, Louisiana's 'Parents As Partners' Program

Hon. Clyde C. Holloway
In the House of Representatives
Thursday, February 23, 1989

Mr. Holloway. Mr. Speaker, I rise here today to highly commend children, parents, teachers and those committed to working for educational excellence through Donaldsonville, LA's Parents As Partners Program. Yes, the program is about teaching. It is also a program from which communities across our Nation can learn. This highly successful program should serve as an example of the can do attitude and dedication to excellence so important to a good education.

Mr. Speaker, I am proud to report that the success of Parents As Partners, founded by Louisiana State University professor Patricia Matthews, has recently attracted the attention it deserves. The Washington Post, in a front page story published in its Tuesday, February 21, edition, described the program, along with the many contributions made to its success by parents, children, church leaders and civic minded citizens of the Donaldsonville, LA, area.

The program's story is one of love and concern. Parents As Partners teaches parents how to read to their children. Its goal is to improve the literacy rate among poor families. Families attend classes together; the parents read to their children while class mates serve. Then, classmates and teachers commend them on their reading strengths while advising how to improve those skills. Everyone is involved—a proven method of success.

Professor Edwards' efforts to establish the program weren't easy. As The Washington Post described, and I quote:

"Her first task was the most difficult: persuading low income parents to participate. Her method was controversial but successful. With help from (Donaldsonville Elementary) School's assistant principal, Marva Matthews, she first persuaded community leaders to take an interest in the program and pressure parents to attend. Matthews and Edwards used a Saturday night and Sunday morning approach. The two most important community leaders they enlisted were Ray Jacobs, owner of a popular Donaldsonville tavern, Jonelle's, and the Rev. William Hogans, Pastor of St. Catherine's, a predominantly black Roman Catholic church. Jacobs, who hosts a popular local talent show in his bar, started telling mothers who patronized the establishment that they no longer would be welcome unless they put as much time into learning how to read to their children as they spent enjoying themselves at the saloon. He took his commitment one step further, driving women to the weekly class and participating himself. He is one of two men who regularly attend class. The average of 30 to 40 women. Father Hogan, a Josephite priest who has served black Catholics during his entire priesthood, preached about the benefits of the reading program during his Sunday sermon, saying literacy is an important tool of faith."

Mr. Speaker, I am proud to represent Donaldsonville. The emphasis which the people of Donaldsonville have placed on their children's education, and on their children's future, deserves our admiration. Among other things, the people of Donaldsonville are sending a message to the children. The message is, a good education is not simply a fundamental necessity, a good education is everyone's concern.

Mr. Speaker, I would like to thank the parents, grandparents, teachers and volunteers who have made Parents As Partners such a resounding success.

I reserve special thanks for Professor Patricia Matthews, founder of Parents As Partners and Marva Matthews, assistant principal of Donaldsonville Elementary School. Their concern for the families and children of Donaldsonville should serve as a valuable lesson to us all.

Providence Savings Bank Marks 150th Anniversary

Hon. Frank J. Guarini
Of New Jersey
In the House of Representatives
Thursday, February 23, 1989

Mr. Guarini. Mr. Speaker, on February 27, 1989, the Providence Savings Bank, New Jersey's oldest mutual savings bank, will celebrate its 150th anniversary. Gov. Thomas Kean and the New Jersey Legislature, which granted the Provident its original charter in 1839, will cite the bank for its outstanding contributions to the economic growth of New Jersey at a joint session of the legislature to be held in the Senate on Monday, February 27.

The Governor's proclamation will recognize the Provident as the first savings bank in the State, a thrift institution which literally started New Jersey saving and which has, in effect, been imitated ever since, Kenneth F.X. Albers, chairman and chief executive officer, and the bank's board of managers, distinguished members of the State's business community, will be on hand to witness the commemorative ceremony.

The Providence opened for business in Jersey City in October 1843 with first day's deposits of $227.00. Ten years later, bank growth warranted the erection of its own building at Plymouth and Washington Streets. On December 31, 1848, the bank listed 34 offices throughout the State with assets of over $1.4 billion. The bank has just paid its 290th consecutive semiannual dividend and, since 1839, not one depositor has ever lost one penny at "The Old Beehive," the bank symbol of thrift and industry for a century and a half. It is a record few banks in the country can equal.

The Provident makes no foreign loans, but does invest in the bank's operations. More than ever, the bank can be highly successful while reducing financial difficulty, the Provident continues to be a financially strong institution, a direct result of the bank's own unique principle "to maintain the highest degree of safety and to pay the highest dividends consistent with that aim."

In today's rapidly changing financial markets, the Provident, as a member of the First Nationwide Network of Independent Financial Institutions, is uniquely set up to provide New Jersey savers with a myriad of opportunities to handle their finances intelligently. In addition to CD's, savings, and checking accounts, Providence customers have access to mutual funds, trust advisory accounts, and other traditional bank services. Moreover, the bank's enviable 150-year-old safety record seems to say, "If you bank in New Jersey, you can bank on The Provident."

The history of the bank is so interesting. The three were born at the same time—the city, the county, and Jersey City. Jersey City was incorporated in 1838. Two years later, in 1840, Hudson County—until then a part of Bergen—was created as a separate entity by the State legislature. In 1839, the year between these two events, the Provident Institution for Savings was granted its charter.

Presidents of the Bank—1839-1975

John F. Ellis, 1839-1841
Dudley S. Gregory, 1841-1874
Andrew Clark, 1874-1886
David Smith, 1886-1889
Isaac L. Vanderbeck, 1889-1894
Freeman A. Smith, 1894-1896
Edmund W. Kingsland, 1896-1910
George F. Perkins, 1910-1916
James B. Throckmorton, 1916-1940
George R. Beach, 1941-1956
Karl A. Schwotzer, 1957-1958
William Neumann, 1959-1967
Kenneth F.X. Albers, 1968-

Provident was the first bank of any kind in Hudson County and the first savings bank in the State of New Jersey. John F. Ellis was the bank's first president, but it was not until the administration of his successor, Dudley S. Gregory, in 1843, that the bank opened for business.

The delay was due in part to the public's distrust of all banks at the time. The panic of 1837, and the widespread distress of the ensuing years, in which hundreds of commercial banks collapsed, had caused ruin to thousands of businesses and individuals. The idea of a "mutual savings bank" in which "the income and profit thereof shall be applied and divided among the persons making deposits therein" was a new one.

When Mr. Gregory became president of Provident, John Tyler was President of the United States, and the Nation was fast approaching war with Mexico. During Mr. Gregory's 33-year administration of the bank, Tyler
was succeeded by Presidents Polk, Taylor, Fillmore, Pierce, Buchanan, Lincoln, Johnson, and Grant. The Mexican War came to an end, slavery proved to be an issue that could not be resolved peacefully, and America was plunged into the agony of its great Civil War. Lincoln was assassinated, the Union was saved, and the Nation entered a period of unprecedented growth and change. The railroads forged a connection between the east and west coasts with Jersey City as its eastern terminus—and America became a great industrial Nation.

In Mr. Gregory's final year as president, another major event shook the nation: the panic of 1873. Many fortunes were lost in this disaster, but the Provident survived and prospered. If any one man may be said to have been the architect of the Provident Savings Bank, that man was Dudley S. Gregory. More than anyone else, he built the bank and made it strong and established the precepts from which it has never deviated. Mr. Gregory played an important role in the growth of the community as well, serving for some time as mayor of Jersey City. When he retired, after 33 years, the bank boasted assets of $3,500,000—no mean sum in the year 1874.

In 1910 the makeup of the population of Jersey City and Hudson County—and the makeup of the bank's depositors—had undergone a profound change. This was the great age of immigration. From Ireland, from Italy and Germany and from the nations of Eastern Europe a great wave of immigrants came to the United States. As they waited in Ellis Island, one of the great sights the newcomers could see most clearly was Hudson County. Many liked what they saw and many stayed.

The corporate headquarters is a four-sided clock tower which is 30-foot high and has a 30-foot high clock tower which is operational and illuminated from within. The four-sided clock has been in Jersey City landmark for many years, and has been recently restored to its original beauty.

Kenneth F.X. Albers, a career banker since 1948, joined Provident Savings Bank in October 1968 as vice president, assistant to the president. He became president and chief executive officer in January 1968 and chairman of the board and chief executive officer in February 1983. Under his leadership the Provident has continued to grow.

I ask my colleagues here in the House of Representatives to join me in extending congratulations to Kenneth F.X. Albers and all those affiliated with the Provident Savings Bank on its 150th anniversary and best wishes for its continued success and prosperity.

ESTONIAN INDEPENDENCE DAY
HON. BENJAMIN A. GILMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. GILMAN. Mr. Speaker, tomorrow, Americans of Estonian descent will note with both joy and sorrow, the 71st anniversary of Estonia.

More than 20 million Americans go hungry each month. The National Good Turn "Scouting for Food" in November produced 75 million cans of food which were turned over to local food banks for distribution to those in need. A similar project is scheduled for this year.

Other programs in 1988 on the national level included a videotape training series for scout leaders, the introduction of Cub Scout resident camping, emphasis on encouraging more Boy Scouts to reach first class rank, national conferences for Explorer past presidents and Law Enforcement past presidents, and a nationwide satellite New Troop Teleconference with commitments to organize new Boy Scout Troops.

In my home State of Kentucky, more young people than ever were served by Scouting in western Kentucky. This is the sixth straight year that this has occurred, and over 4,700 boys and girls participated in Scouting in 1988. The summer Scouting program continues to improve and last year 747 Scouts went to camp, with over 1,000 preregistered for camp this summer. The office trading post was enlarged by 36% to better serve better.

Thirty-one Scouts in western Kentucky attained the rank of Eagle Scout last year. This is a record number, and I would like to especially commend these young people.

The year 1988 was another banner year for Scouting, not only in western Kentucky, but all across the Nation. At this time I would like to congratulate everyone associated with the Boy Scouts of America for their accomplishments and I wish them continued success in all their future endeavors.

BILL TO PROHIBIT PURCHASE OF SOVIET URANIUM ENRICHMENT SERVICES BY U.S. UTILITIES
HON. MARILYN LLOYD
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mrs. LLOYD. Mr. Speaker, I have today introduced a bill indicating that nuclear electric power utilities in the United States should not purchase uranium enrichment services from the Soviet Union.

The United States operates a Uranium Enrichment Program through the Department of Energy, and it is intended to be fully self-sufficient through revenues it generates from the customers it serves. In the past, the demand for uranium enrichment services has been substantially reduced causing a significant retracement in the Government’s program and the closure of one of the Government’s three uranium enrichment plants in the United States.

In desperation for hard currency, the Soviet Union does not apply fair trade practices. The Soviet Union does not operate its uranium enrichment business on the principles of a free market society. They offer their enrichment services at a discount from whatever level is established as the price of enrichment services in the United States. While this may be beneficial for the short-term to purchasers...
of uranium enrichment services in the United States, in the long term it is detrimental to the national security and other interests of the United States.

Mr. Speaker, I can remember when the United States objected to the Europeans purchasing natural gas from the Soviet Union. We did that because we feared they would become reliant upon the Soviet Union and reluctant to support the policies of the United States when they contradict those of the Soviet Union. When United States citizens become dependent upon the Soviet Union for the supply of fuel for nuclear powerplants, it provides a potential lever to influence United States policies.

In the long term, it is also potentially detrimental to have domestic electric utilities and others procure Soviet-enrichment services because such purchases impair the ability of the United States to continue its Uranium Enrichment Program, which the United States operates for the benefit of electric ratepayers.

The United States operates its uranium enrichment program solely on a cost recovery basis. No profit is obtained for the Government. As the number of customers which are supplied by the Government declines, the unit price of the enrichment services goes up to the detriment of all U.S. utility ratepayers. Although competition with European suppliers of enrichment services has also diminished the market for the U.S. enrichment services, the competition based on free market principles has been healthy for the domestic program. This competition has lowered near-term costs and focused the efforts within the program on supplying the least cost enrichment services over the long term.

However, the Soviet Union is an unfair competitor and enrichment service sales to United States citizens detract from the national energy security of the United States. For these reasons, Mr. Speaker, I urge my colleagues to join me in cosponsoring this legislation and expressing the sense of the Congress that dealing with the Soviet Union for these services is something that should be avoided by all domestic customers of the United States Government’s Uranium Enrichment Program.

DESIGNATING THE CALIFORNIA AND PONY EXPRESS TRAILS AS COMPONENTS OF THE NATIONAL TRAILS SYSTEM

HON. NORMAN D. SHUMWAY OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. SHUMWAY. Mr. Speaker, today I am introducing legislation which amends the National Trails System Act to designate the California National Historic Trail and the Pony Express National Historic Trail as components of the National Trails System. As drafted, this legislation reflects, pursuant to Public Law 98-405, the final recommendations of the eligibility and management assessment for the California and Pony Express Trails prepared by the National Park Service at the Department of the Interior which were formally submitted to Congress on January 30, 1989. These two trails closely parallel one another for a portion of their length across the Great Plains region, become a single pathway.

The Pony Express Trail ran between Saint Joseph, MO, the western terminus of the railroads in 1860, and extended to Sacramento, CA, for a total distance of about 2,000 miles. Upon arrival in Sacramento, the letters and important dispatches were delivered by steamer to anxious recipients in San Francisco. The route left Missouri and followed the well-traversed Oregon Trail through Kansas and along the Platte River in Nebraska. Before leaving Nebraska, the route dipped south into South Pass, WY. At Fort Bridger, WY, the Pony Express Trail left the emigrant trail and swung south to Salt Lake City, UT, before running due west across the salt desert and badlands of Nevada, over the Sierra Nevada Mountains, and down into Sacramento.

Pony Express service began on April 3, 1860, and continued until October 24, 1861, when the first transcontinental telegraph line was completed. During the Pony’s 16 months of glory, 216 runs were made each way for a total of approximately 500,000 miles. The mail was lost only once.

Although the Pony Express was a financial disaster for its proponents, it proved that correspondence could be delivered in 8 to 12 days over the central route. Like the transcontinental telegraph and railroad which succeeded it, the Pony Express provided an improved communications link between the widely separated eastern and western segments of the country. It heightened the demand for expedient transcontinental linkage prior to the outbreak of the Civil War. In fact, the fastest time recorded by the Pony Express occurred in November 1860 when news of President Lincoln’s election victory was carried from Fort Kearny, NE, to Fort Churchill, NV, in 6 days. It is interesting to note that the Pony Express route is generally followed by the Interstate highways and airplane flight paths of today.

The historical significance of the California Trail is no less impressive. The trail was one of the major thoroughfares used by settlers and prospectors in their movement to the West during the mid-1800’s. The trail breaks from the Oregon Trail—already included in the National Trails System—at the Raft River, in Idaho, and heads southwest toward Sacramento, CA. There were many branches and side trails which were all heavily utilized, particularly by prospectors. First and foremost, though, the California Trail was the main emigration artery to California and eventually, the Gold Rush. In fact, more than 125,000 men, women, and children trod this trail to settle or prospect on the west coast in 1849 alone.

Mr. Speaker, my legislation is a simple, straightforward confirmation of what the many bipartisan proponents of the original study provisions included in H.R. 3787 considered during the 98th Congress already knew: that the acknowledgment of these two trails is a national priority in order to preserve our American heritage. I strongly urge my colleagues to support this legislation and see to its swift enactment.

EXTENSIONS OF REMARKS

February 23, 1989

CONGRESSIONAL SALUTE TO HON. WALTER J. JASINSKI ON 40 YEARS OF SERVICE TO PACKANACK LAKE, NJ, FIRE CO., NO. 5 AND THE WAYNE TOWNSHIP FIRE DEPARTMENT

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. ROE. Mr. Speaker, it is with the greatest admiration that I rise today to salute a truly outstanding civic leader and public servant from my hometown of Wayne, NJ, whose community is truly a better place for his unremitting and dedicated efforts in all aspects of civic life.

I am speaking of the Hon. Walter J. Jasinski, the former mayor of Wayne Township who, on March 3, 1989, will be honored for his tireless and devoted efforts to protect his community through 40 years of outstanding service to Packanack Lake Fire Company No. 5 and the Wayne Township Fire Department, with a testimonial dinner at the Regency House in Pequannock, NJ.

Mr. Speaker, I know this event will be a great source of pride for Walter Jasinski’s multitude of colleagues and friends, but most especially to his loving family; his wife, Ruth; his sons, John, David and Jim Jasinski; his daughters, JoAnn Shoemaker and Katie Odom; his daughters-in-law, Sharon, Nancy and Marilyn Jasinski; his sons-in-law, Ritch Shoemaker and Randy Odom, and his nine grandchildren, Tyler, Reed, Hope, Danny, Christopher, Andrew, Ryan and Travis Jasinski, and Sally Shoemaker.

Mr. Speaker, the litany of Walter J. Jasinski’s accomplishments, achievements and contributions to his community is, indeed, legend among those who have been fortunate enough to know him. A highly respected engineer by profession who was educated at Tri-State University, Carnegie Tech and the University of Wisconsin, Walter Jasinski has worked to protect his community through his tenure from four decades of service to the Wayne Township Fire Department and Packanack Lake Fire Company No. 5.

During his long and fruitful tenure, he has served the company in a multitude of capacities, including as Fire Commissioner, president, assistant chief of Fire Company No. 5. He has continued his long association with the fire department, currently serving as its assistant treasurer and delegate to the North Jersey Volunteer Fireman’s Association.

Mr. Speaker, taken alone, Walter Jasinski’s service to the Wayne Township Fire Department would be enough to make anyone proud. But that is only part of the story of his contribution to his community. For a 20-year period beginning in 1964, Walter Jasinski served Wayne as a member of the Township Council (1964-77) representing the municipality’s third ward, and as mayor (1977-84).

Among his many other offices, activities and memberships that have provided a great benefit to the people of Wayne Township, Walter Jasinski served as Wayne police commissioner; as a member of the Wayne I-287 River
EXTENSIONS OF REMARKS

HON. TIMOTHY J. PENNY
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989
Mr. PENNY. Mr. Speaker, today I am introducing a campaign finance reform bill that limits spending for House campaigns and curbs the PAC influence by providing for partial public financing of congressional campaigns.

Clearly, the cost of congressional campaigns has escalated dramatically. In 1986, $210.3 million was spent by House candidates in general elections. Thirty-seven percent of this came from PAC's, up from 29 percent in 1980. Since the last major campaign reform initiative was undertaken, individual participation has declined and reliance on political action committee money has increased significantly. It is time to take steps to reverse this unhealthy trend.

My bill would give taxpayers the option of indicating a contribution of $1 or more on their tax return form, similar to the Presidential campaign checkoff. It is important to note that the money would come from the individual at no cost to the Federal Treasury. Taxpayers would have the opportunity to designate that their dollar fund Democratic candidates, Republican candidates, or all participating candidates. Candidates who choose to participate in this program would be limited to spending $300,000–$350,000 for challengers—no more than half of which may come from PAC's. In addition, my bill would restore the tax credit for political contributions for up to $50 per individual or $100 for a joint return as a way of encouraging small individual contributions.

Mr. Speaker, the bill follows:

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

SECTION 1. AMENDMENT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971 RELATING TO LIMITATION ON TOTAL CONTRIBUTIONS TO HOUSE CANDIDATES WHO AGREE TO ACCEPT AMOUNTS FROM THE HOUSE OF REPRESENTATIVES CAMPAIGN TRUST FUND.

(a) IN GENERAL.—The III of the Federal Election Campaign Act of 1971 (2 U.S.C. 301 et seq.) is amended by adding at the end the following new section:

"SEC. 324. A general election candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress may, in such manner as the Commission shall prescribe by regulation, agree to accept amounts from the appropriate account of the House of Representatives Campaign Trust Fund with respect to such election totaling in excess of $300,000 ($350,000 if the candidate is not a incumbent of the office involved), of which not more than one-half may be accepted from a nonparty multicandidate political committees or from separate segregated funds of corporations, labor unions, and national banks."

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to elections occurring after the 1988 election.

SEC. 2. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986 RELATING TO CONTRIBUTIONS TO THE HOUSE OF REPRESENTATIVES CAMPAIGN TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 60 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end thereof the following new section:

"SEC. 6097. CONTRIBUTION.

"(a) IN GENERAL.—With respect to each taxpayer's returns for the taxable year of the tax imposed by chapter 1, such taxpayer may include with such return a cash contribution for each account established in the House of Representatives Campaign Trust Fund.

"(b) MANNER AND TIME OF CONTRIBUTION.—A contribution under subsection (a) may be made with respect to any taxable year only at the time of filing the return of tax imposed by chapter 1 for such taxable year. Such contribution shall be made on the 1st page of the return.

(c) CLERICAL AMENDMENT.—The title of parts for such subchapter A is amended by adding at the end thereof the following new item:

"Part IX. Contributions for the House of Representatives Campaign Trust Fund."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1989.

SEC. 3. AMENDMENTS TO THE INTERNAL REVENUE CODE OF 1986 RELATING TO THE HOUSE OF REPRESENTATIVES CAMPAIGN TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 60 of the Internal Revenue Code of 1986 (relating to trust fund code) is amended by adding at the end thereof the following new section:

"SEC. 6051. HOUSE OF REPRESENTATIVES CAMPAIGN TRUST FUND.

"(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the "House of Representatives Campaign Trust Fund", consisting of such amounts as may be appropriated or credited to such trust fund as provided in this section or section 6060(b).

"(b) ACCOUNTS.—The trust fund shall consist of accounts as follows:

"(1) The amounts in such account shall be divided equally among such candidates, the amounts in such account shall be divided equally among such candidates.

"(2) One account for each major party (as defined in section 324(b)(1)), in such manner as the Commission shall prescribe, as much as the Commission shall prescribe.

"(3) One account for each major party (as defined in section 9002), if, not later than May 20 of the taxable year involved, such party submits to the Federal Election Commission petitions signed by at least 20,000 registered voters from each of at least three-fourths of the States and the District of Columbia and declaring that the signers desire the party to be eligible for payments under section 324 of the Federal Election Campaign Act of 1971. The amounts in such account shall be divided equally among the candidates of such party.

"(4) One account for each new party (as defined in section 9002), if, not later than May 20 of the taxable year involved, such party submits to the Federal Election Commission petitions signed by at least 20,000 registered voters from at least three-fourths of the States and declaring that the signers desire the party to be eligible for payments under section 324 of the Federal Election Campaign Act of 1971. The amounts in such account shall be divided equally among the candidates of such party.

"(c) TRANSFER OF CONTRIBUTED AMOUNTS.—There are hereby appropriated to the House of Representatives Campaign Trust Fund amounts equivalent to the amounts received in the Treasury pursuant to contributions under section 6097.

"(d) EXPENDITURES.—Amounts in the House of Representatives Campaign Trust Fund shall be available to carry out the purposes of section 324 of the Federal Election Campaign Act of 1971. Expenditures from the Fund shall be made, in such manner as the Federal Election Commission may prescribe in such regulations as it may adopt not later than September 1 of the year of the election, certifies to the Commission that such candidate and the authorized committees of such candidate have made contributions, during a 2-year election cycle, aggregating not less than $25,000, in contributions of $100 or less from individual contributors.

"(b) CLERICAL AMENDMENT.—The title of sections for such subchapter A is amended by adding at the end thereof the following new item:

""SEC. 9511. House of Representatives Campaign Trust Fund.""
EXTENSIONS OF REMARKS

February 23, 1989

Mr. GRADISON. Mr. Speaker, today I am reintroducing legislation designed to correct a serious inequity in the Federal Tort Claims Act. I am pleased to be joined again in this effort by a bipartisan group of cosponsors, including my distinguished colleague, Representative TOM LUKE.

As you know, in recent years there has been considerable controversy and litigation concerning the role of the Federal Government in the unnecessary exposure of citizens to risks associated with a number of safety and health hazards. In numerous instances, there is considerable documentation of negligence or supervision, to seek to hide from its own safety and awareness of the hazards.

Unfortunately, citizens pursuing their cases in the courts have found that the Federal Government can escape any liability for violating its own safety and health standards by exercising a discretionary function defense. This highlights the current jurisdiction of the United States Court of Claims, under section 2680(a) of title 28, United States Code, the Federal Government effectively able to avoid responsibility.

The case of Shuman versus United States is illustrative of one area where the Federal Government has been found to be liable under its discretionary function defense. The case of Shuman versus United States, in spite of the discretionary function defense offered by the Government, the court unanimously held that the Government was partially liable when the Food and Drug Administration wrongfully approved the vaccine. The Court determined that the Government could not shield itself from liability for all acts arising out of its regulatory programs. However, the court did find that the Government could be insulated from liability in select cases, but only when it was able to exempt itself from liability. Private contractors, in similar cases, have been found liable and ordered to compensate plaintiffs.

In its previous term, the Supreme Court considered two cases which were affected by the general issue of Government liability. In Berkowitz versus United States, in spite of the discretionary function defense offered by the Government, the court unanimously held that the Government was partially liable when the Food and Drug Administration wrongfully approved the vaccine. The Court determined that the Government could not shield itself from liability for all acts arising out of its regulatory programs. However, the court did find that the Government could be insulated from liability in select cases, but only when it was able to exempt itself from liability. Private contractors, in similar cases, have been found liable and ordered to compensate plaintiffs.

The second case, Boyle versus United States, focused on the relative liability of a contractor when a product— in this case, a helicopter—was manufactured to Government specifications. Although the Government was able to maintain its exemption from liability in the case, the Court held that the Government had created the risk which led to a pilot's death and that it was unfair to make the contractor liable.

These examples reflect the uncertainty over who is responsible and who shall bear the appropriate burden for liability in similar situations. In my view, the Federal Government should not be able to hide from its responsibilities and obligations in this area. The legislation I am introducing would make it possible for citizens who are injured as a result of the Government's violation of occupational safety and health standards, or by its negligence in workplaces under its control or supervision, to seek to recover damages for these injuries.

I want to stress that the legislation makes no judgment about the merits of the numerous cases currently pending before the courts. It merely asks that the Government be able to prove its case on the merits. If the Government...
EXTENSIONS OF REMARKS

HON. LAWRENCE J. SMITH
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. SMITH of Florida. Mr. Speaker: It is an honor for me to call to the attention of my colleagues the selection of my very good friend, Maurice Connell as the recipient of the Greater Hollywood Chamber of Commerce's 1988 Community Service Award. The award to be presented at a dinner on February 11, 1989 in Hollywood, FL, is given annually in recognition of long and continued service to the community.

Maurie epitomizes the American ideal—that you can accomplish anything you want with hard work and perseverance. His life's accomplishments are a tribute to that belief. An excellent baseball player at the University of Toledo, he went on to try out with the Detroit Tigers. Later, Maurie served his country in the Army as an officer in the Pacific in World War II. Upon returning from the war, Maurie decided to try his hand at three quite different enterprises—a high school basketball coach, a partner in a Ford agency, and in the insurance business. However, Maurie was always drawn to politics, and abandoned his other pursuits to serve as right hand man to former Ohio Gov. Mike DiSalle and followed DiSalle to a position in the Kennedy administration.

At the age of 68, Maurie has not slowed down his hectic pace, serving as president of Maurice J. Connell Enterprises, an intergovernmental consulting firm. He is also the grant coordinator for the city of Hollywood. In this capacity, Maurie has acquired over $100 million in public funding for parks and land for municipal parking and sewers. In recognition of Maurie's contributions, the Hollywood, FL, City Commission dedicated the Maurice J. Connell parking facility on Hollywood Beach on June 6, 1986. While securing grants for Hollywood takes a great deal of his time, he continues to be a prominent leader in the community, serving on a variety of boards, including the Orangebrook Country Club, Memorial Hospital, Chaminade-Madonna College Preparatory School, the Greater Hollywood Chamber of Commerce, the Kiwanis Club, and the Rotary Club. In addition, while most people use the game of golf for recreation, Maurie uses it as an opportunity to organize charity events for the chamber of commerce, the Sheridan House for Girls, and the Celebrity Tournament of Pembroke Pines.

Maurie's life has taken him to many different venues and to many different occupations. Through it all, Maurie has never lost his good humor or his uncanny ability to tell a story. While there is no doubt that Maurie has gained success through his interpersonal skills, he is a competitive man who knows how to achieve what he sets out to accomplish. He is admired and loved by everyone who knows him.

It truly is an honor to call Maurie Connell my friend and I am sure that my colleagues join me in congratulating this extraordinary man on his recent honor.
LYME DISEASE DEMANDS NATIONAL ATTENTION

HON. SAM GEJDENSON
OF CONNECTICUT
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. GEJDENSON. Mr. Speaker, I would like to call to the attention of my colleagues the importance of a quickly spreading infectious illness called Lyme disease. As an original co-sponsor of the “Comprehensive Lyme Disease Act,” I am one of the bill’s sponsors. 

Lyme disease is transmitted by the deer tick. Early symptoms of the disease include a skin rash around the bite and flu-like symptoms such as fever, headaches, body pains, and fatigue. These symptoms can persist for up to a year. The disease is spread through the bite of infected ticks. The disease is treatable, but if left untreated, can cause long-term complications, such as arthritis, heart problems, and neurologic symptoms.

Therefore, I urge my colleagues to take precautions against Lyme disease. I hope to see bipartisan support for enhanced research into a cure. The seriousness of this illness was first brought to my attention by a constituent of mine, Karen Forschner of Tolland, CT. Mr. Speaker, I would like to congratulate Karen for her persistence and hard work in the field of Lyme disease. Karen is the director of the Lyme Borreliosis Foundation in Tolland. The foundation serves as a national information and referral center for those who fear they are affected by the disease or those who would like to find out more about this illness. Karen’s interest in Lyme disease was sparked after she contracted the disease while pregnant. Unfortunately, her baby developed severe disabilities as a result of Lyme disease. Karen now devotes her time to promoting public awareness and helping others affected with this problem.

Lyme, CT, the town where Lyme disease was first discovered in 1975, is in my district. But my concern does not stem from a purely parochial interest. Lyme disease has been reported in over two-thirds of the States in our country, and has even permeated the Halls of Congress. Our former colleague, Berkey Bedell, who represented Iowa’s Sixth District for 12 years, contracted the disease while fishing in Virginia and was forced to retire early from Congress due to complications from the disease.

Lyme disease is transmitted by the deer tick. Early symptoms of the disease include a skin rash around the bite and flu-like symptoms such as fever, headaches, body pains, and fatigue. About a month after being bitten by the infected tick, 20 percent of the patients suffer from weakness on one side of the face or dizziness and fainting, caused by the slowing of the heart rate. Arthritis also plagues many Lyme disease patients. In its most severe form, the disease is characterized by chronic fatigue, short-term memory loss, and numbness or shooting pain in the limbs.

Public awareness of the symptoms of the infected tick bite is extremely important. If diagnosed early, the disease appears treatable. That is why education is vital if we are to minimize the effects of this rapidly growing and painful disease. The Comprehensive Lyme Disease Act, offered by Representative HOOCHBRUECKER, would provide funding for research and treatment, allocated by the National Institutes of Health, as well as grants through the Centers for Disease Control to promote public education. The American people must know what to look for if they are to take precautions against Lyme disease.

Lyme disease is not just a Connecticut problem. Although our State has taken a lead in researching this disease, it has become a national problem which demands national attention. I urge my colleagues to learn all they can about this disease and to cosponsor Mr. HOOCHBRUECKER’s bill.

CONGRATULATING THE SCOTTSLUFF JR. HIGH SCHOOL BAND AND ITS DIRECTOR GEORGENE DIERS

HON. VIRGINIA SMITH
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mrs. SMITH of Nebraska. Mr. Speaker, I rise today to pay tribute to the Scottsluff Junior High School Band and its director, Georganne Diers, of Scottsluff, NE, on the band’s selection as the winner of the Sousa Foundation’s “Sunder Cup.”

This prestigious award is given each year in recognition of outstanding excellence in concert performance by a junior high school band. It was awarded to only one junior high school band from the entire country this year. Only nine junior high bands in the entire nation have won this honor during the 5 years the program has been in operation.

This honor was extremely well deserved, and I congratulate the hardworking, talented, and bright young students who made it possible for this award to be theirs.

The reward reflects the value of Nebraska’s educational system and Mrs. Georganne Diers, the band’s director, deserves a great deal of credit and thanks for her efforts. She is an admired, respected, and genuinely well-liked teacher who has been inspiring youngsters in the Scottsluff school system since 1948. Over the past 41 years, hundreds and hundreds of students have had the opportunity and privilege to learn from this remarkable woman.

It is clear that the education Nebraska students receive is good preparation for the challenges of the future. Nebraska students have consistently scored exceptionally high marks in college entrance examinations and have won top prizes, such as the “Sunder Cup,” in national competitions. I have no doubt that the high quality and value of Nebraska’s educational system is, in large part, due to teachers like Georganne Diers.

Teaching is one of the most challenging careers a young person can choose. I believe teachers have the most fundamental, important, and difficult jobs in our country. Georganne is an example of “the best.”

Her efforts have contributed to making Scottsluff Junior High School a leader in Nebraska, and the Nation, in the drive toward excellence in education. She has worked hard and succeeded in striving for raising academic standards and goals and setting higher expectations for her students.

I am very proud to claim her as my constituent and join her family, friends, students, and colleagues in wishing her the best of luck for many more successful and productive years in the Scottsluff school system.

And I am privileged to boast of the achievement of the young people in the Scottsluff Junior High School Band. They have my congratulations and admiration.

A TRIBUTE TO JAMES P. CAPITAN

HON. BILL SCHUETTE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. SCHUETTE. Mr. Speaker, it is with admiration and respect that I rise today to pay tribute to James P. Capitan, mayor of Owosso, MI. Mr. Jim has been named the “1989 Citizen of the Year” by the Owosso-Connuma Area Chamber of Commerce for his contributions to the community over a period of many years.

A native of Owosso, Jim graduated from Owosso High School in 1943 and attended Michigan State University. He joined his brother Alex in the family business which was founded in 1903. Alex has retired and now lives in Arizona. Jim has been married to his wife, Maxine, for 39 years and they have three children: Mrs. Joseph (Nancy) Gingras of Union City, MO; Tom of Ionia, MI, and Rich, who is a senior at Owosso High School. Jim’s wife Maxine was the foster daughter of the late William A. Seegmiller, an Owosso attorney who served as mayor and postmaster of Owosso.

The mayor’s first venture into politics was his election to the Shiawassee County Board of Supervisors in 1970. He was board chairman in 1973 and finance chairman in 1971, 1972, and 1974.

In 1980, Jim was appointed to fill a vacancy on the Owosso City Council and was elected mayor in 1983.

Jim and his family are members of Owosso’s First Congregational Church where he was a member of the board of deacons and Maxine served for 20 years as the director of Christian education.

Jim is a member of the Owosso Masonic Lodge and has been active as a fundraiser for the Shiawassee United Way and the Shiawassee chapter of the American Red Cross.

I am proud of the work that Jim has done for the people of Owosso. I am pleased to call Jim a friend and to have had the pleasure of working with him. On behalf of the citizens of Shiawassee County who have benefited from his many years of public service, I want to extend my congratulations on this outstanding award.

“NATIONAL DUCKLING MONTH” RESOLUTION

HON. W.G. (BILL) HEFNER
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. HEFNER. Mr. Speaker, I want to call to my colleague’s attention a resolution I am introducing today to proclaim May “National Duckling Month.”

Duckling is a centuries-old delicacy that is rising in popularity in the United States among...
EXTENSIONS OF REMARKS

LEGISLATION TO CLOSE LOOP-HOLES IN FEDERAL TRANSPORTATION

HON. CURT WELDON
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. WELDON. Mr. Speaker, I am pleased to be joined by nine of my colleagues in introducing legislation which will close a loophole in Federal transportation policy. I am amazed that there is no statute which prevents a railroad employee from leaving the scene of an accident.

The bill I am introducing today will prevent a railroad employee from leaving his post after an accident unless relieved by the proper authorities or unless the safety of the worker is jeopardized by remaining at the post.

I offered this bill last year, as H.R. 4067. It was incorporated into the Railroad Drug Abuse and Prevention Act of 1988, which was passed by the House. The Senate, however, failed to act on the bill before adjournment of the 100th Congress.

This is not a punitive measure. It does not increase the punishment for those who cause an accident. The bill, instead, is designed to better protect the rail traveler. Further, the bill could substantially increase rail safety. If railroad workers know that they cannot run from the scene of an accident, they may be less likely to use alcohol or drugs while at work.

Like many of my colleagues, I am a frequent rail traveler. This small amendment to Federal transportation policy will help improve the safety of a system on which so many Americans rely everyday. I hope that we can work quickly to make this important change in Federal transportation law.

RAISE THE MINIMUM WAGE TO $4.35

HON. GERALD D. KLECKZKA
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. KLECKZKA. Mr. Speaker, today I have introduced legislation to raise the minimum wage. The Congress must act quickly to raise the wage of the poorest paid workers. Full-time, year round minimum wage workers earn only $6,968 per year. Since the wage was last increased in 1981 inflation has eroded its purchasing power by over 30 percent. Increasing the wage would save millions of Americans from poverty while reinforcing the values of hard work and self-reliance that we so greatly value.

Inflation has had a particularly devastating effect on minimum wage workers who support families. Currently the yearly earnings of a minimum wage worker with two children provide a standard of living more than 24 percent below the poverty line. Increasing the wage would help these families to pull themselves out of poverty.

The growth of low wage jobs across the country and in my home state of Wisconsin makes it particularly important that we raise the minimum wage. It is certainly true that our economy has expanded in the last few years and many new jobs have been created. But the fact remains that in Wisconsin since 1979 there has been a net loss of high wage jobs and a positive explosion in the numbers of low wage jobs.

An astonishing 73 percent of the increase in employment in Wisconsin from 1979 to 1988 was in the low wage sector of the economy. For instance, more than one fourth of the increase in jobs was in the retail trade industry which paid an average of just $9,350 per year. How can anyone raise a family on this? It's impossible.

Given the enormous growth in low wage jobs it is particularly important that we raise the minimum wage. The key to U.S. economic success has always been the large U.S. middle class. Its purchasing power has stimulated increases in productivity and consumer demand. Unless we raise the minimum wage, the proliferation of low wage jobs will continue and the wages of middle class Americans could be undercut. Raising the minimum wage can help guarantee a bright economic future for all Americans.

Just over 50 years ago Franklin Roosevelt asked the Congress to enact our first minimum wage law. In his message to Congress Roosevelt said “Our Nation so richly endowed with natural resources and with a capable and industrious population should be able to devise ways of insuring to all our able-bodied working men and women a fair day's pay for a fair day's work.” This is no less true today than it was 50 years ago. We must raise the minimum wage.

HONORING COAST GUARD PETTY OFFICER KELLY M. MOGK

HON. SILVIO O. CONTE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. CONTE. Mr. Speaker, I rise today to honor Aviation Survivalman Third Class Kelly M. Mogk for her citation for heroic achievement as a rescue swimmer aboard H-65 helicopter 6515 on the morning of January 3, 1989.

Kelly was born June 7, 1966 in Minneapolis, MN. She graduated from high school in 1984 before entering the Coast Guard. In October 1986 she completed emergency medical technician training, thereby becoming fully qualified for all rescue swimmer duties. She had the distinction of being the first woman graduate from the Navy’s rescue swimmer school in Pensacola, FL.

Mr. Speaker, Kelly Mogk on January 3, 1989 committed a truly heroic act. While serving as a rescue swimmer aboard H-65 helicopter 6515, an urgent distress call was received from an F-4 Phantom which had just ditched 35 miles west of Tillamook Bay. The pilot and navigator had ejected. After battling violent winds and breaking waves, Petty Officer Mogk eventually reached the downed pilot. With the pilot barely conscious, suffering compound fractures of both
legs, a broken shoulder, and severe hypothermia, Petty Officer Mogk freed the pilot from his entanglement.

While the wounded pilot was taken out of danger and flown to the nearest hospital, Petty Officer Mogk was left waiting in the sea for the next available helicopter. She was returned to Antonia where she was treated for exhaustion and hypothermia.

Mr. Speaker, I would like to commend Petty Officer Mogk for her courage, judgment, and devotion to her duty. She is just a fine example of the Coast Guard's motto Semper Paratus which means "always ready." Without her being "always ready," those downed airmen may not have survived to continue to serve their country. Kelly Mogk has portrayed the dedication and excellence that has been continuously exhibited by the U.S. Coast Guard.

LEGISLATION PROHIBITING OPEN ALCOHOL CONTAINERS IN VEHICLES

HON. BYRON L. DORGAN
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. DORGAN of North Dakota. Mr. Speaker, today I am introducing legislation to encourage States to take a stronger stand against drunk driving. As you may know, 24,000 people are losing their lives to drunk driving each year. As the most widely abused drug in America, alcohol continues to kill an average of 65 people per day on our streets and highways. That is why I feel such an urgency about promoting effective countermeasures to deal with the problem.

Do you know that it is possible to drive—following a reasonably direct route—from the New Hampshire-Canadian border south to Pensacola, FL, and then west to Reno, NV—approximately 4,000 miles, drinking all the way?

In 15 States you can actually drink while driving without violating the law. In 23 States passengers can drink in the car. Allowing open containers in automobiles is senseless.

This is why I am introducing legislation to require States to enact laws prohibiting open alcohol containers in vehicles. Similar to the law setting 21 as the legal age for purchasing alcohol, this bill would withhold 5 percent of the State's highway funds if it does not comply.

Sure withholding State highway monies is a serious penalty, but drunk driving is a serious nationwide problem; a problem that must be addressed now.

WELCOME TO 40 NEW U.S. CITIZENS

HON. TOM SAWYER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. SAWYER. Mr. Speaker, I rise today to extend a warm welcome to 40 residents of my district who took the oath of allegiance as U.S. citizens on November 18, 1988, in Akron, OH.

These 40 new Americans have come from Europe, Asia, South America, Canada, India, and the Middle East. All enrich our Nation with the cultures and traditions from which they came. I would like to include their names in this RECORD so that my colleagues can join me in offering our congratulations to each of them on this special occasion:


There are few in this world who are able to choose the Nation to which they will pledge their allegiance, yet these individuals have chosen to become citizens of the United States of America. As a nation, the United States has always drawn its greatest strengths from the many diverse backgrounds and traditions of its people, and I am sure that these new citizens will add to the strength and prosperity of the Nation we all share.

A TRIBUTE TO UKRAINIAN INDEPENDENCE

HON. JIM SAXTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. SAXTON. Mr. Speaker, last month, Ukrainian-Americans celebrated the 71st anniversary of the proclamation of Ukrainian independence. It is indeed an honor for me to pay tribute to the unwavering spirit of the Ukrainian people. I would like to take this opportunity both to plead support for the Ukraine and its peoples and to encourage the Soviet leadership to relax its iron fist and grant individual's rights to freedom of religion and cultural practices.

The history of Ukrainian cultural suppression has been brutal. In an effort to centralize all aspects of Soviet life, Josel Stalin, outlawed Byzantine-rite Ukrainian Catholices, and violently ordered the Ukrainians change their culture under the umbrella of the forcibly created Soviet life.

As you can see, Mr. Speaker, life in the Ukraine has gone through many cycles of oppression. The American people do not forget the notorious famine and purges and other episodes of failure during the reigns of Josel Stalin and his successors. Despite this subjugation, the dream for freedom of the men and women of the Ukraine has demonstrated its unshaken determination to survive. It has lived through seven decades of domination.

The marking of the Ukrainian 70th anniversary should energize all in encouraging the Bush administration to address freedom and amnesty issues with the Soviet Government. If the Soviet Union is indeed genuine in its efforts of glasnost and perestroika, then, I believe the individual's right to freedom of culture and religion must undeniably be observed.

DR. DEWAYNE WHITTINGTON:
AN INSPIRATION

HON. ROY DYSON
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 23, 1989

Mr. DYSON. Mr. Speaker, Congress has always recognized the value of education in America. With this in mind, I rise today to honor one of the leaders from Maryland's First District, Dr. Harrison DeWayne Whittington. Dr. Whittington is superintendent for Somerset County schools, and the first black superintendent on Maryland's Eastern Shore. He is an inspiration to all of the students in the county and to all of us who appreciate dedication to public service.

Known by family and friends as a modest man, Dr. Whittington doesn't boast about his accomplishments, but lives by his aunt's advice: "Let the world I speak to me." His works speak loudly. He has led or served on 29 education-related committees and 45 community organizations, while still finding time to be active in the Shiloh United Methodist Church. He has received 39 honors and awards, including Community Leader of America, Personalities of the South, and the Martin Luther King Achievement Award.

Dr. Whittington's dedication to community service is exemplified by his efforts with Shore Up!, Inc. Shore Up! is a community action involved in service projects such as the Head Start Program, full assistance for low-income families, employment, and food distribution. In his 15 years with this organization, Dr. Whittington has been a powerful advocate for children and youth. He was instrumental in getting facilities for the food assistance program, and for distributing this food to some 3,500 Somerset County residents. As a member of the training and employment advisory council, he has used his business knowledge to help participants find and keep jobs, jobs that might never have been found without his help.

But for all of these accomplishments, Dr. Whittington is most known as an educator. He has served as title 1 coordinator, director of Federal programs, coordinator of special programs and supervisor supporting services, and assistant superintendent for Somerset County Schools. In 1974, he was coordinator of human relations for the Maryland State Department of Education. He has added to his credentials by being named superintendent of Somerset County Schools.
The Baltic Republic of Estonia reaffirmed its recent assertion that it has the right to veto Soviet law. This clearly underscores its intention to seek greater independence in cultural and religious freedom.

Estonia has led the way in calling for more political and economic autonomy for the three Baltic Republics. We all remember that the Baltic Republics, Estonia, Latvia, and Lithuania had but a brief moment in the light of freedom. Their independence between the world wars was brutally ended when the Soviet Union annexed those countries in 1940. The Estonian people have never abandoned their struggle to regain that lost liberty.

I want to commend the Estonian community of Detroit and Michigan for keeping the flame of hope alive. They never forgot the sufferings and the aspirations of their friends and relatives in that closed police state. To a large degree, the progress of new businesses that have been made in winning greater freedoms for the Estonian people is due to the support of the Michigan Estonian community and its commitment to liberty for all people.

I urge all of my colleagues in the Congress, as well as the administration, to keep up the pressure for greater freedoms in the Soviet Union. We must support the legitimate nationalistic aspirations of the Estonian people.

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FAMILY LIVING WAGE ACT OF 1989

HON. THOMAS E. PETRI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Thursday, February 23, 1989

Mr. PETRI. Mr. Speaker, today I introduced the Family Living Wage Act of 1989. The Family Living Wage Act would increase the earned income tax credit [EITC] and vary it by family size. Its objectives are to supplement wages according to need, as determined by family size, to help people support families by working rather than on welfare, and in particular to help with the costs of child care, which are heaviest for preschool children.

Under current law, low-wage workers with children will receive, in 1981, a maximum earned income credit of about $1,000 per year which can be added to their regular paychecks as “reverse withholding” if they don’t have enough tax liability against which to take it. As their incomes rise from $11,000 to $21,000, the credit is reduced to zero.

Starting in 1991, the Family Wage Act would provide workers at or near the minimum wage a base credit of $1,050 per year plus $700 per preschool child and $350 per school age child, for up to four children. The maximum credit, for a family with four preschool children would be $3,850 per year which is equivalent to an extra hourly wage of $2.08. A low-wage worker with two preschoolers would receive $2,450, equivalent to a wage of $1.32. These amounts are fully indexed to inflation.
Those who care for their own
the greatest economic sacrifices. Any program
favor of
the highest income
people
unfair.

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approach to
anyone
all families

by achieving that objective with
children, it and

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those who use
relatives or other unpaid sources of care, those
who pay small amounts for care, and some
who pay substantial amounts for care but
have large families. A minority of families will
be somewhat worse off but still receive
significant benefits.

This
against people who care for their own children
in favor of
dual earner couples and others who
pay other people to care for their children.
Those who care for their own children forgo
income to do so, work just as hard as those
who work outside the home, and often make
the greatest economic sacrifices. Any program
to help people with children that discriminates
against those who work in the home denies
the value of that work and is fundamentally
unfair. Since the current dependent care
credit is not only unfair in this way but also
highly regressive—most of its benefits go
to the highest income families, it is far better
policy to eliminate it and fold its cost into the
EITC as is done by the Family Living Wage
Act.

Of course, the bill can help families with any
of the costs associated with having children,
not just the need to look after them, and its
benefits are not limited just to families with
preschoolers, for whom the child care need is
greatest. By directly supplementing the wages
of low-income workers with children, it
achieves the broader objective of providing
general help to these families based on
economic need as determined by family size. It
takes the additional objective of increasing
in the minimum wage but does it in a
far better and more targeted way, while avoiding
the job losses and inflation associated with
minimum wage increases. In particular, it
helps millions of families heads already earning
more than $4,65 per hour or any other level to
which the minimum wage might be raised. A
minimum wage boost, by contrast, helps

mainly young, single, entry level workers who
still manage to find jobs. It is a far cruder tool.
The child care issue and the minimum wage
issue are both concerned with the same basic
objective, helping low-income working families
with children. By achieving that objective with
child care directly and the Family
configuration as provided in the Family Living
Wage Act, we also achieve another goal—
helping low skilled family heads earn more
working than they would receive on welfare,
and thereby helping them get into the
work force. This is a classic example of a
principle that one's basic income should be
what he or she can earn working, and then if society determines that more is
needed, society should supplement those
earnings.

By enabling some people to make off
welfare into the work force, the bill should help
us achieve significant savings in welfare costs.
Exclusive of any such savings, the bill's net
cost is projected at about $3 billion per year,
which will be more than budget purposes as
starting mostly in fiscal year 1982. The overall
cost of the EITC will move up from about $8.3
billion under current law to about $13.3 billion,
with $4 billion of the increase paid for by the
repeal of the child care credit. About $2 billion saved from the dependent care


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"(A) IN GENERAL.—The credit percentage is
the percentage equal to the sum of—
(i) 15 percent,
(ii) 5 percent for each school age qualify­
ing child, plus
(iii) 10 percent for each preschool age
qualifying child.

(B) NOT MORE THAN 4 CHILDREN TAKEN
INTO ACCOUNT.—Not more than 4 children
shall be taken into account under subpara­
graph (A), and preschool age qualifying
children shall be taken into account before
any other children are taken into account.

(2) PHASEOUT PERCENTAGE.—

(A) PHASEDOWN TO MINIMUM BENEFIT.—

(i) IN GENERAL.—The phaseout percentage
is the percentage determined in accordance
with the following table:

If the combination of qualifying children
taken into account under paragraph (1) is

The phaseout percentage is—

<table>
<thead>
<tr>
<th>Child Age</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-4</td>
<td>10</td>
</tr>
<tr>
<td>5-11</td>
<td>15</td>
</tr>
<tr>
<td>12-17</td>
<td>20</td>
</tr>
<tr>
<td>18+</td>
<td>25</td>
</tr>
</tbody>
</table>

(ii) SYMBOLS USED IN TABLE.—For purposes
of clause (1)—

(I) S means school age qualifying child, and

(ii) P means preschool age qualifying child.

(3) MINIMUM BENEFIT FOR TAXPAYERS
WITH INCOMES BELOW $40,000.—Except as
provided in subparagraph (C), subparagraph
(A) shall not apply so as to reduce the credit
allowed by this section to a taxpayer to less
than the minimum benefit determined in
accordance with the following table:

If the phaseout per cent applicable to the
taxpayer is—

<table>
<thead>
<tr>
<th>Taxable Income</th>
<th>Minimum Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0-9,999</td>
<td>$250</td>
</tr>
<tr>
<td>$10,000-19,999</td>
<td>$500</td>
</tr>
<tr>
<td>$20,000-29,999</td>
<td>$750</td>
</tr>
<tr>
<td>$30,000-39,999</td>
<td>$1,000</td>
</tr>
<tr>
<td>$40,000-49,999</td>
<td>$1,250</td>
</tr>
<tr>
<td>$50,000-59,999</td>
<td>$1,500</td>
</tr>
<tr>
<td>$60,000-69,999</td>
<td>$1,750</td>
</tr>
<tr>
<td>$70,000-79,999</td>
<td>$2,000</td>
</tr>
<tr>
<td>$80,000-89,999</td>
<td>$2,250</td>
</tr>
<tr>
<td>$90,000-99,999</td>
<td>$2,500</td>
</tr>
<tr>
<td>$100,000-119,999</td>
<td>$2,750</td>
</tr>
</tbody>
</table>

(C) PHASEOUT OF MINIMUM BENEFIT.—If
the aggregate gross income (or, if greater,
the earned income) of the taxpayer for the taxable
year exceeds $40,000, the minimum
benefit determined under subparagraph (B)
shall be reduced by 15 percent of such
excess.

(5) SPECIAL RULES FOR INDIVIDUALS WHOSE
ONLY CHILDREN HAVE ATTAINED AGE 16.—For
purposes of this section, in the case of an
individual who is an eligible individual solely
by reason of children each of whom has
attained age 16 as of the close of the taxable
year—

(A) the credit percentage shall be 14 per
cent,

(B) the phaseout percentage shall be 10
percent.

(C) "$11,000" shall be substituted for
"$8,000" in subsection (a)(2)(B), and

(D) subparagraphs (B) and (C) of para­
graph (2) shall not apply.

(b) QUALIFYING CHILD, ETC., DEFINED.—

Subsection (a) of section 32 of such Code is
amended by adding at the end the following
new paragraph:
February 23, 1989

(2) Qualifying Child.—  
"(A) IN GENERAL.—The term 'qualifying child' means any child (within the meaning of section 151(c)(3)) of the eligible individual if—  
"(i) such individual is entitled to a deduction under section 151 for such child or would be so entitled but for paragraph (2) or (4) of section 152(e), and  
"(ii) such child has the same principal place of abode as such individual for more than one-half of the taxable year.

"(B) Preschool Age Qualifying Child.—The term 'preschool age qualifying child' means any qualifying child who has not attained age 6 as of the close of the taxable year.

"(C) School Age Qualifying Child.—The term 'school age qualifying child' means any qualifying child who has attained age 6 but not age 16 as of the close of the taxable year.

(c) Advance Payment Provisions.—  
(1) Subsection (b) of section 3507 of such Code is amended by striking "and" at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting "and", and by inserting after paragraph (3) the following new paragraph:  
"(4) states the number and ages of qualifying children (as defined in section 32(c)(3)) of the employee for the taxable year.

(2) Paragraph (2) of section 3507(c) of such Code is amended—  
(A) by striking "14 percent" in subparagraphs (B)(i) and (C)(i) and inserting "the credit percentage",  
(B) by striking "subsection (b)" in subparagraph (B)(i) and inserting "subsection (a)(2)", and  
(C) by adding at the end the following new sentence: "For purposes of this paragraph, the credit percentage shall be determined under section 32(b) on the basis of the number and ages of qualifying children specified in the earned income eligibility certificate and the determination of the amounts referred to in subparagraph (B)(ii) shall be made on the basis of the number and ages of qualifying children so specified."  
(3) Clause (i) of section 3507(c)(3)(A) of such Code is amended by inserting before ", or" the following: "(changing the percentages applicable to the employee under section 32(b) for the taxable year)".

(d) Conforming Amendments.—  
(1) Paragraph (2) of section 32(f) of such Code is amended—  
(A) by striking "subsection (b)" each place it appears in subparagraphs (A) and (B) and inserting "subsection (a)(2)"; and  
(B) by adding at the end the following new sentence: "Separate tables shall be prescribed for each of the phaseout percentages specified in the table contained in subsection (b)(2)(A)(I)."

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(2) Paragraphs (1) and (2) of section 32(l) of such Code are amended to read as follows:  
"(1) IN GENERAL.—In the case of any taxable year beginning after 1991, each amount referred to in paragraph (2) shall be increased by an amount equal to—  
"(A) such amount, multiplied by  
"(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins by substituting '1990' for '1987' in subparagraph (B) thereof.

"(2) AMOUNTS.—The amounts referred to in this paragraph are—  
"(A) the credit percentages used for purposes of subsection (a),  
"(B) the $8,000 amount contained in subsection (a)(2)(B) and the $11,000 amount contained in subsection (b)(3), and  
"(C) the $40,000 amount contained in subsection (b)(2)(C).

(e) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 1990.

SEC. 4. ELIMINATION OF PROPOSED CHANGES IN TREATMENT OF EARNED INCOME CREDIT IN DETERMINING CERTAIN WELFARE BENEFITS.  

Paragraphs (1) and (2)(A) of section 402(c) of the Family Support Act of 1988 are repealed.

FAMILY LIVING WAGE ACT

Summary: Restructure existing earned income tax credit (EITC) as follows: In 1991, for families with children, provide refundable credit against up to $7000 of annual earned income at percentage rates differentiated by family size as follows: base credit—15% ($1050 maximum base); each pre-school child (age 0 to 5)—extra 10% ($105 maximum); each school age child (6 to 15)—extra 5% ($350 maximum).

Four child limit; maximum benefit for families with 4 preschool children is $3800 ($1050 base plus $700 for each child).

Reduce credit by 10% (for lowest credit level) to 17% (for highest credit level) of the amount of total income that exceeds $8000.

Minimum credit of $200 per pre-school child and $100 per school-age child extends from mid-twenties up to $40,000 income, then phases out at 15%.

Repeal current dependent care credit (which is highly regressive and unfair to people who forgo outside income in order to work in the home).

Index phase-in percentages and phase-out starting point for inflation.

Phase-out of only children are over 15 receive only current law EITC.

Cost: $3 billion, starting in FY '92.

Minimum benefit plateau accounts for $2 billion, and costs about the same as retaining the dependent care credit for those families, but spends that money fairly across all families in the relevant income range, not just the minority currently eligible for the dependent care credit.

Purposes: Increase work incentives for welfare families according to the need for incentives, as determined by family size and welfare payment size.

Achieve the same objective as minimum wage increases (to help low skilled workers support families) directly and efficiently, targeting help to those who need it in proportion to their need, including millions already earning more than a $4.65 minimum (reached under H.R. 2 in 1992), without the inflation and job losses associated with minimum wage hikes.

In particular, help families with the costs of child care (heaviest for preschool children), independently of whether others are paid to provide care or one family member forgoes income in order to provide care, and concentrating that help at the lowest income levels while retaining maximum parental freedom to make appropriate arrangements for care.