

EXTENSIONS OF REMARKS

HONORING OUR VIETNAM
VETERANS

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. JONES of North Carolina. Mr. Speaker, I have just recently been contacted by students of the West Craven Middle School located within my congressional district in New Bern, NC. While I am contacted by groups all the time, I am especially proud and humbled by the remarks of the West Craven Middle School students. They show great concern and social consciousness for a group of Americans still overshadowed by past events. These Americans, our Vietnam veterans, have never been given the credit and thanks they so richly deserve.

Mr. Speaker, as celebrations continue over the success of our military forces in Operation Desert Storm, let us also remember the Vietnam veteran. I do not want to take away any credit or glory from our current soldiers or support personnel, I would simply like to take this time to rectify a past injustice. As these students so accurately point out, what better time to focus on the sacrifices made by our Vietnam veterans than during these celebrations. Let us truly make this a homecoming for all individuals who have fought to protect and preserve all that is sacred to our great Nation.

Mr. Speaker, for the benefit of this institution, I am including in my remarks a copy of the statement and suggested activities as submitted by the students of West Craven Middle School. I hope that all of my colleagues will pursue them carefully and make them available to their constituents across the country.

Thank you, Mr. Speaker, for allowing me to submit these comments.

The material follows:

WEST CRAVEN MIDDLE SCHOOL,
New Bern, NC.

DEAR REPRESENTATIVE JONES: The current wave of military support and patriotism being experienced throughout the United States is wonderful! This unsurpassed abundance of honor being bestowed upon our Gulf Crisis veterans is well deserved. The welcome home has been truly heartwarming.

In addition to our newest group of veterans, however, another group from our nation's recent history needs and deserves the special recognition which they never received when they returned home from a long and ugly war. This group, our Vietnam veterans, also served our nation with pride and great valor.

We, a group of concerned students and other citizens, feel that our Vietnam veterans should be officially honored and included in what President Bush has promised to be the "greatest Fourth of July ever." Please help us in spreading this message by taking whatever action you have available to you.

To aid supporters in promoting the "It's Never Too Late!" campaign and honoring

our Vietnam heroes, we included a list of suggestions for them, their friends, and interested organizations in letters mailed throughout the country. We have attached a copy of this list for your perusal.

Indeed, "It's Never Too Late" to say, "Thank you for serving our country. We appreciate you!" Please join us in shouting it across our nation.

Sincerely,

A. G. STUDENTS.

SUGGESTED ACTIVITIES

Please note that some are appropriate for an individual while others are more appropriate for a class, school, or community organization.

Write letters to newspaper editors requesting support.

Prepare and post in your school a roster of parents and grandparents who served in Vietnam. List the students names with them.

Make banners or posters to put up in stores and other buildings within the community.

Sponsor a Mail booth or display with a sign-up for the petitions.

Post a roster in the mall for accumulating a list of local veterans.

Have a Vietnam awareness pep rally and invite Vietnam veterans.

Invite guest speakers from local Vietnam veterans groups.

Sponsor a poster contest.

Make and enter a parade float.

Plan a reunion party or reception.

Distribute bumper stickers with the theme/slogan—"It's Never Too Late!"

Distribute buttons with the theme/slogan.

Put up billboards.

Design and print front yard signs similar to the ones used in political campaigns and distribute them for display.

Contact parade organizers in your community and request that open invitations be issued to Vietnam vets to march in parades.

Encourage a day for Vietnam history lessons throughout your school.

Ask newspapers to publish a list of Vietnam veterans living within your community. Their years and location of service could be included.

Request that your local T.V. station(s) and newspaper(s) publish stories related to Vietnam veterans.

Design and sell T-shirts with the campaign slogan.

Organize a dance for veterans and their families with Vietnam era music.

TACKLING THE NATIONAL DEBT
CRISIS

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. PORTER. Mr. Speaker, it took the United States from its founding until 1981 to accumulate a \$1 trillion debt—it took only 9 more years to increase that debt to more than \$3

trillion. Interest on the national debt is currently the fastest growing component of the Federal budget and, in recent years, interest payments on the national debt have been the third largest annual budget expenditure, exceeded only by Social Security and defense. Instead of taking necessary measures to cut Government waste, ensure fiscal restraint, and restore financial integrity, we continue to mortgage our children's and grandchildren's future with this enormous debt and its related interest payments.

In a recent edition of the Chicago Tribune, the president of the League of Cities, Sidney J. Barthelemy, professes amazement that in 1989 America's cities and towns spent \$100 billion less to run their operations than the national government paid on interest alone. How is it that our municipalities continually submit and adhere to balanced budgets, while our national government continues to incur increasing amounts of debt? It is clear that Federal elected officials must have the courage to address this crisis if we are to make any real, significant, and lasting progress.

Mr. Speaker, I commend Mr. Barthelemy's column to my colleagues' attention and submit it for the RECORD:

[From the Chicago Tribune, May 24, 1991]

HOW HUGE U.S. DEBT SQUEEZES US ALL

(By Sidney J. Barthelemy)

The American taxpayers ought to know where their money is going, but how many could answer this question: Would you rather pay (a) the entire cost of government for running every city and town in the United States for a year; or (b) the annual interest payment on the federal debt? (Hint: Value aside, we are talking strictly in terms of dollars, and it isn't even close.)

The Census Bureau's annual report on city government finances in 1989 just came out, and it calculated that cities and towns across the U.S. spent \$140.3 billion for general government operations that year. That covered all wages, salaries, contracted services, equipment purchases and general expenditures for everything from police, fire, trash and transportation to health, libraries, parks and sewage systems.

Meanwhile, back in Washington, the Treasury Department was paying that much, plus another \$100 billion, just to keep from defaulting on Uncle Sam's IOUs. In 1989 interest on the federal debt cost \$240.9 billion, which comes to about \$660 million per day.

In Chicago general government expenditures for the whole year amounted to \$2.721 billion in 1989. Think about it: What paid for an entire year of city operations barely covered four days' worth of interest charges on the federal debt!

That mountain of debt is one of the lasting and tragic legacies of the 1980s. Remember, that's the decade when austerity and accountability were supposed to be hallmarks of federal policy, and when every domestic program that wasn't totally eliminated suffered wholesale cuts to help fight the scourge of deficits.

So just how successful was the battle? To find out, one could try asking the same ques-

* 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.

tion for fiscal 1979. Which would you rather pay for all municipal government or interest on the federal debt?

The Census Bureau's report from 1979 showed cities and towns spent nearly \$65.6 billion that year on general operations. Meanwhile, Uncle Sam's checkbook only got depleted by \$60.3 billion for interest on the federal debt.

Municipal budgets slightly more than doubled over the past decade as local leaders wrestled with the yearly task of finding new local resources to deal with a growing array of governmental responsibilities. At the same time, the president and Congress were piling up deficits totaling more than \$2 trillion, and in the process quadrupling the cost of paying interest on our national debt.

What came from Washington's "borrow and spend" addiction of the 1980s is difficult for most Americans to comprehend. The money certainly didn't get spent in Hometown America. There were massive cuts in federal assistance for affordable housing, job training and environmental protection. Few resources were forthcoming to deal with the growing problems of drugs, crime, homelessness and poverty.

Yet the money was certainly spent somewhere; and because so much was borrowed instead of pay-as-you-go, the American taxpayers are now forced to pay an extraordinary amount each year just on finance charges. Much more than they pay for the services provided by all our local governments.

Of course, it wasn't intended to be that way at all. Year after year came pronouncements that the federal deficits would be brought under control. Year after year the deadline slipped.

The ultimate solution was supposedly discovered in 1985, when the Gramm-Rudman-Hollings plan for strict targets and forced cuts was adopted. We are now halfway through fiscal 1991, the year the federal budget was supposed to be balanced. Instead, the latest projection by the Congressional Budget Office is that we'll end up the year with a deficit of \$309 billion, by far the largest ever.

Just think. If our national government were to even come close to what every city and town must do, that is, balance revenues with expenditures, it would take every cent collected by the IRS on April 15, along with twice as much as all of our cities collect and spend in a year.

Several weeks ago, four leaders of the National League of Cities testified at a House Government Operations Committee hearing on redirecting national priorities to address some of the urgent problems in Hometown America.

One participant urged a commitment of national will and resources to launch and carry out an "Operation Urban Storm" with the same resolve demonstrated in America's commitment to free Kuwait. Our nation faces some truly formidable peacetime threats to our future strength and security, and the current situation on the home front could be described as a light drizzle and a lot of haze.

But considering how Washington simply opened the national checkbook to meet an international threat in the Persian Gulf or to cover the outrageous cost of bailing out the S&L industry, one mayor gave an assessment that probably stunned his former colleagues in Congress.

It came from Mayor Don Fraser of Minneapolis, who ended a distinguished 16-year career in Congress to return to local govern-

ment in 1979. Responding to a comment by Chairman John Conyers (D-Mich.), Fraser, a staunch Democrat in the mold of Hubert Humphrey, said, "I would never have thought in the years I served here that I'd hear myself saying this, but I do believe we may need to adopt a balanced-budget amendment [to the Constitution]."

The seduction of borrowing to finance dubious tax cuts, scandalous S&L bailouts, unfettered entitlements and other programs with so little concern about paying for them has turned the United States from the world's largest creditor into its largest debtor or nation in the past decade alone. The annual cost of financing that debt is destroying our capacity to make the investments we need to secure our nation's future.

The leaders of America's cities and towns have worked hard and creatively over the past decade to meet the pressing needs of today and to prepare for the challenges of tomorrow. I find it hard to say the same about our national priorities. We are literally robbing our children by indenturing them to pay for the federal budgetary excesses of the 1980s.

Most Americans speak proudly and reverently about their parents and grandparents, whose life work seemed dedicated to leaving us something greater than they received. That purpose seemed a basic principle for our government too. Recently, however, our national leaders appear to have opted for a policy simply to pass along an accumulation of problems and an enormous debt they seem disinclined or unable to grapple with.

It's a test of will, and right now in Washington, we're flunking it badly.

ASHLAND COAL SCHOLARS

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. RAHALL. Mr. Speaker, remember graduation? High school graduation, not college, where one is on the brink of adulthood. Necessary important decisions concerning the beginning of your life have to be made. Future careers have to be decided with options weighed and outweighed. The balancing of options to some may be quite uneven, sometimes seeming to be tipped more toward the negative rather than the positive. But ultimately decisions are made, schools are selected, and the search turns from what to study at college, to "how am I going to pay for it?"

For five intelligent high school students whose family members are employed by Ashland Coal Inc., the scales are favorably tipped on the positive. Ashland Coal, Inc., is to be commended highly for its responsible and affirmative program, geared to serve its employees and their children through merit-based higher education scholarships. At a time when there is available student aid based on financial need, there is little aid available for students who have worked hard to achieve scholastically, and who merit tuition assistance.

In order to be eligible for scholarships, students must be children of Ashland Coal's employees and have earned high grade-point averages. The outstanding high school students are John Ghiz, Anthony Linville, Laura

Laymen, Garland Strunk, and Ronald Runyon. These outstanding students had the honored privilege of receiving scholarships yearly for up to 4 years of \$1,500. They are the 1991 Ashland Coal, Inc., scholars.

I commend you on your accomplishments, and I wish future successes in the years to come.

TRIBUTE TO MSGR. FRANCIS X. CANFIELD

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. HERTEL. Mr. Speaker, it is with great honor that I rise today to pay tribute to Msgr. Francis X. Canfield, who is retiring as pastor of St. Paul Parish in Grosse Pointe Farms, MI, on July 31, 1991. Monsignor Canfield is an exemplary individual whose spiritual and educational leadership has touched and changed the lives of many.

Monsignor Canfield's accomplishments rest on a foundation of extensive higher education. Beginning in 1941, he received a B.A. from Sacred Heart Seminary in Detroit. He continued his education in 1945 earning his M.A. in English literature at the Catholic University of America, in Washington, DC. In 1950, he completed a masters in library science at the University of Michigan, and went on to the University of Ottawa in 1951, where he received his Ph.D. in English and American literature.

Monsignor Canfield's intrinsic desire to learn was enhanced inside the classroom, and he was eventually inspired to teach. Through the years, he has awakened the interest and kindled the enthusiasm of his students. From 1946 to 1970, he taught English and history at the Sacred Heart Seminary, and spent his summers from 1955 to 1963 as a visiting lecturer of library services at the Immaculate Heart College in Los Angeles. Medical ethics is yet another of the many diverse topics in which Monsignor Canfield is learned, as he held the position of lecturer on that subject at Providence Hospital Nursing School in Detroit from 1952 to 1963.

Throughout his life, Monsignor Canfield has continued to strengthen the library, perhaps one of our country's richest resources. In 1948, he began his tenure as librarian of Sacred Heart Seminary where he stayed until 1963. He held the positions of chairman, vice-president, and president of the Harvard University and the University of Michigan units of the Catholic Library Association, an organization that promotes and encourages Catholic literature and library work through cooperation, publication, education, and information. He can also be recognized as founder and president of the American Friends of the Vatican Library. His extensive collection of writing acknowledgements includes contributor to the New Catholic Encyclopedia and the Catholic Bookman's Guide, various book reviews and articles in such works as Catholic Library World and the Catholic Education Review, and weekly column that appeared in the Michigan Catholic from 1949 to 1963.

Monsignor Canfield's spiritual leadership has touched people with comfort, compassion,

and moral guidance. He was named domestic prelate by Pope Paul VI in 1963, and in 1971 he was named pastor of St. Paul's Church in Grosse Pointe Farms, MI, where he has continued to pursue his pastoral mission to benefit the community. Throughout his life, Monsignor Canfield has always demonstrated his internal, selfless pursuit of the common good. My dear colleagues, I ask that you join me in honoring Monsignor Canfield for all of his achievements.

GRAND JUNCTION PROJECT
OFFICE

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CAMPBELL of Colorado. Mr. Speaker, today I am introducing legislation that will strengthen the Department of Energy's [DOE] environmental cleanup program by making the DOE's highly successful Grand Junction Project Office an independent area office under the direct supervision of the DOE's Office of Environmental Restoration and Waste Management.

Over the past decade, the Grand Junction Project Office has proved to be one of the DOE's most efficient and reliable operations. The Grand Junction Project Office currently manages programs in 21 States and Korea. Over the years, this office has developed expertise and technical skills that make it one of the DOE's crown jewels. The Environmental Protection Agency [EPA] has indicated that the Grand Junction Project Office was a key component in the cleanup of the Denver Radium Superfund Site—a site that captured the National Superfund Team of the Year Award in 1990. In short, the Grand Junction Project Office has been entrusted with some of the Federal Government's most difficult and complex environmental problems—and has, by all accounts, performed excellent work for the DOE and the Nation's taxpayers.

Mr. Speaker, my legislation will allow the Federal Government to fully utilize a valuable asset. The GJPO has the technical capabilities, laboratory facilities, management expertise and most importantly, the human resources needed to address important environmental restoration, geoscience, and energy resource management needs for the Federal Government.

Unfortunately, however, the current administrative framework of the DOE has hindered efforts to fully utilize the skills and engineering resources of the Grand Junction Project Office. An outdated and cumbersome bureaucracy has kept the GJPO reporting to the DOE's Idaho Operations Office, instead of reporting directly to the Office of Environmental Restoration and Waste Management. This arrangement has resulted in the waste of time and resources in an otherwise effective and efficient operation.

My legislation will also assure that the jobs of the current employees of the GJPO are protected. The men and women who work in the Grand Junction office have proved to be its greatest resource. In the last 20 years this of-

fice has nurtured and developed a highly trained and skilled pool of people possessing important talents. When the organizational structure of the office changes, the experience of these employees will be even more important. I want to make sure we are able to fully utilize this talent in tackling the myriad of environmental pollution and contamination problems facing the DOE and the Federal Government.

Mr. Speaker, the legislation I am proposing today is a step toward cutting out bureaucracy, fully utilizing resources that American taxpayers have already paid for, and getting on with the important task of cleaning up polluted and contaminated sites owned by the Federal Government.

SACRIFICE AND SERVICE OF SGT.
PHILIP ANDERSON

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. SHAW. Mr. Speaker, I rise today in recognition of Sgt. Philip Anderson, who was recently awarded the Purple Heart for his bravery in the face of injury in the Middle East. Philip resides in my home district of Fort Lauderdale, Broward County, FL, and served our Nation as a member of the 743d Maintenance Company in the Florida National Guard. Sergeant Anderson and his family recall for us the strength and greatness and willingness to serve which made our Nation great, and which recently brought Saddam Hussein to his knees.

The Purple Heart symbolizes our deep gratitude for Philip's willingness to protect our country's liberty with his life. Because of Philip, and soldiers like him, America remains steadfast—literally, the land of the free and home of the brave. No honor we bestow can precisely convey our appreciation for the sacrifice and service of Sergeant Anderson.

A CONGRESSIONAL SALUTE TO
ROY L. PAUL

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to an outstanding leader in Downey, CA. On Tuesday, July 2, 1991, former Downey Mayor Roy Paul will be honored for his distinguished service to the city of Downey. This occasion gives me the opportunity to express my deep appreciation for his many years of service to the citizens of southern California.

Education has always been an important part of Roy's life. He received his B.A. in psychology at the University of Southern California in 1971. Following a 4½-year stint in the U.S. Navy, Roy attended Western State University College of Law in San Diego. He obtained his law degree in 2½ years, and became a member of the California State Bar in 1977.

Another major interest in Roy's life has been politics. Having come from a family which has a long history of participation in local government, Roy seemed predestined for public service. In 1961, Roy's mother was the first mayor of Bell Gardens, CA. However, she was not the last Paul to hold that position. Roy followed in his mother's footsteps by also serving as the city's mayor. Roy also served as a member of the Bell Gardens City Council for 4½ years. Roy's commitment to local government continued when he was elected to the Downey City Council in 1986. He is currently the mayor of Downey, and also serves as the council delegate to the Los Angeles County Transportation Commission, the Contract Cities Association, and the Air Quality Management District.

In addition to his contributions to local governments, Roy has also sat as judge pro tem for courts in Downey, South Gate, and Los Angeles. He is a lieutenant commander in the U.S. Navy Reserves, and is an active hobbyist who has a single-engine pilot's license and enjoys surfing, scuba diving, swimming, off-roading, and target shooting.

On this special and most deserving occasion, my wife, Lee, joins me in extending our heartfelt thanks and congratulations to a truly remarkable individual who has devoted his talents and energies to improving the community. We wish Roy all the best in the years to come.

U.S. ACHIEVEMENT ACADEMY
COMMENDS WEST VIRGINIA STUDENTS

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. RAHALL. Mr. Speaker, congratulations to Jason Jordan and Jamie Kay Ferguson. Both of these Logan County, WV, students were recently honored by the U.S. Achievement Academy for excellence in academics. These two scholars are among a select few chosen each year for recognition by the USAA. Less than 10 percent of all American high school students are recognized by the academy.

Ms. Ferguson, of Logan Central Junior High School, was named a U.S. national award winner in history and government. She was nominated for the award by her history and government teacher, Jackie Tomblin. Mr. Jordan, a student at Omar Junior High School, was nominated for his award as an All-American Scholar in the field of American history by John Mullins.

To be selected by the USAA students must be recommended by teachers, coaches, counselors, or other qualified sponsors. These students should be congratulated on their mastery of very important subject areas—the future is in their hands. Jason, the son of John and Patty Jordan of Omar, WV, and Jamie Kay Ferguson, daughter of James K. and Thea Ferguson of Pecks Hill, WV, both deserve to be commended for their work.

SUPPORT OF THE UNDERWATER PIPELINE SAFETY REQUIREMENTS OF H.R. 1489, THE PIPELINE SAFETY ACT OF 1991

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. TAUZIN. Mr. Speaker, on March 19, 1991, my colleagues Congressmen SHARP, MOORHEAD, LEVINE, BEILSON, and I introduced H.R. 1489, the Pipeline Safety Act of 1991. I wish to take this opportunity to applaud the inclusion in H.R. 1489, language expanding on our work in the 101st Congress to promote maritime safety and cooperation between the various commercial and recreational users of our Nation's waterways.

On November 16, 1990, President Bush signed Public Law 101-599. This law addresses concerns my colleagues and I shared about underwater, unburied natural gas and hazardous liquid pipelines which posed hazards to navigating vessels and the marine environment. As the chairman of the Merchant Marine and Fisheries Committee's Subcommittee on Coast Guard and Navigation, I have a great concern for the safety of commercial and recreational vessels plying our waterways.

Following an accident on the afternoon of October 3, 1989, in which 11 men perished when the fishing vessel they were working on accidentally collided with an exposed, unburied natural gas pipeline off the coast of Texas, I discovered, to my surprise, that pipelines, once buried, are never required to be inspected to certify their proper burial. With the help of my colleagues on the Merchant Marine and Fisheries Committee, the Energy and Commerce Committee, as well as the valuable assistance and input of the Public Works and Transportation Committee, we ensured enactment into law, provisions requiring the expeditious inspection of Gulf of Mexico underwater pipelines and the establishment of a routine and systematic inspection program.

Keeping in mind that 1991 would be the reauthorization year for the Natural Gas Pipeline Safety and the Hazardous Liquid Pipeline Safety Acts, we sought to concentrate on emergency, preliminary measures only, with the intention of making greater and more in-depth progress in the context of 1991 reauthorization bill. Although, we did not address our concerns about pipeline facilities in inland waterways—rivers, bayous, canals—in the text of Public Law 101-599, H.R. 1489 seeks to require inspection and burial of underwater pipelines in shallow, inland, navigable waterways as well as the east and west coasts.

Mr. Speaker, I urge your support of H.R. 1489 and wish to express my gratitude to my colleagues on the Energy and Commerce Committee for their cooperation and responsiveness. I look forward to continuing our re-examination of underwater pipeline safety begun last year.

EXTENSIONS OF REMARKS

RULE ON H.R. 2212, HOUSE JOINT RESOLUTION 263, AND HOUSE CONCURRENT RESOLUTION 174, REGARDING MOST-FAVORED-NATION TREATMENT OF AND RELATIONS WITH CHINA

HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ROSTENKOWSKI. Mr. Speaker, pursuant to the rules of the Democratic caucus, I wish to serve notice to my colleagues that I have been instructed by the Committee on Ways and Means to seek less than an open rule for the consideration by the House of Representatives of H.R. 2212, regarding the extension of most-favored-nation treatment to the products of the People's Republic of China, and for other purposes; House Joint Resolution 263, disapproving the extension of nondiscriminatory treatment, most-favored-nation treatment, to the products of the People's Republic of China; and House Concurrent Resolution 174, concerning relations between the United States and the People's Republic of China.

LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mrs. SCHROEDER. Mr. Speaker, the Low-Income Home Energy Assistance Program [LEAP] is a lifesaver for poor and disadvantaged families. It is especially critical in Colorado, where winter storms bury the State under mounds of snow and temperatures plunge below freezing.

That is why it is so disappointing to see the administration slashing this program and to see the Labor-HHS appropriations bill cutting funding—though not nearly as much as the administration wants to cut it.

Most of the families that receive LEAP assistance in Colorado are families with children; 35,213 applicants reported children and two-thirds of these families are headed by single women living below the Federal poverty level.

In Colorado, we have seen a 27-percent reduction in the block grants over the last 6 years, while caseloads have increased by 21 percent.

To close the gap, Colorado has taken the initiative to raise private funds. The Colorado Energy Assistance Foundation contributed \$1 million for benefits and \$250,000 in software and computer equipment this year alone.

But enough is enough. We are looking at a 38-percent cut this year, which will cost Colorado nearly \$8 million.

I am tired of hearing talk about children and families and no action. Families in Colorado depend on this program to stay warm; and all they are getting from the White House is the cold shoulder.

POLITICAL AND ECONOMIC SITUATION IN THE PEOPLE'S REPUBLIC OF CHINA

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CAMPBELL of California. Mr. Speaker, I rise today to discuss the political and economic situation in the People's Republic of China. Ever since the Tiananmen Square massacre, the Communist old guard has used particularly ruthless tactics to suppress the prodemocracy movement. The ruling cadre has engaged in murder, torture, and illegal imprisonment to deliver a significant blow to the supporters of democracy. Nevertheless, the democracy movement is still a potent force in China. Once the old guard has passed away, the supporters of democracy will hopefully cast away the last remnants of communism.

While this transition is not inevitable, it is, in my view, highly likely for the following reasons. The ideology of communism is dying in China. Most Chinese citizens simply do not believe in the party any more because it has been unable to build a society that enables its citizens to attain personal and economic freedom. In response to these failures, and as part of an effort to preserve the Communist system, party leaders initiated a number of crucial social and economic reforms during the last decade. While the social reforms leave much to be desired, the economic reforms have unleashed a grassroots reform of the economy that has proven to be so strong that the hardliners have been unable to crush it.

Many people think that economic reform was killed on the night of the Tiananmen Square massacre. But in actual fact, Government reactionaries have been trying to strangle the economy since 1988. The economy has survived because the economic reforms of the last decade have changed China in ways that its leaders had never anticipated. Over the last 10 years the Government has ended the commune system and allowed free markets for farm products to develop in the countryside. Similar reforms were also implemented in the cities as collectives and privately owned businesses were allowed.

Just before Mr. Deng launched his reforms, state-owned businesses accounted for nearly 80 percent of China's industrial output. Last year the figure was 54 percent. In every category, state-owned businesses are declining relative to the private sector as private firms, collectives, and farms outperform their state-owned counterparts. The strong performance of the private sector has helped China sustain rates of economic growth in the double digits during much of the eighties. Even after the crackdown, economic growth hovered around 5 percent. The private sector has become too powerful and too important to the health of the country for the reactionaries to kill.

It is the private sector that gives me hope for the future of China. As party functionaries come to depend more and more on the successes of private farmers and businessmen to keep the country going, the state-controlled sector will further wither away and the credibility of the Communist system will likewise con-

tinue to erode. A close look at the recent history of such countries as Chile, Hungary, and Taiwan shows that economic freedom does promote political freedom. The ability of reactionary elites to maintain authoritarian control is decreasing as the private sector is flourishing and political freedom, based on capitalism, is becoming a reality in these countries.

American policy vis-a-vis China stands at a crossroad. America can return to its isolationist past by denying MFN to China; or it can seek to reinforce the success of the private sector on the mainland. We should remember that the most brutal period of recent Chinese history, the cultural revolution, occurred at a time when the Communists pursued a policy of isolationism and economic self-sufficiency, partially in response to the Western policy of isolationism. Today, the most reactionary elements in the Communist party look forward to a return to this period in Chinese history because it will give them something they want—complete control.

I hope that we will follow the path of diplomatic and economic engagement. Foreign trade and investment have supported the economic forces that have driven political change—forces that have decreased state control and increased personal freedom. By maintaining MFN, we ensure an active commercial presence in China. This helps us introduce such ideas as free enterprise, democracy, and freedom of expression and the promotion of human rights. By granting MFN, we also help keep China in the international system and we give our policymakers an opportunity to continue to have some political influence with the mainland. President Bush summed it up well when he recently said, "MFN is a means to bring the influence of the outside world to bear on China." We in the Congress would do well to support his position.

Later this summer the House will choose which path to follow. I will stand by the President and oppose any effort to revoke MFN. Efforts to condition renewal of MFN are likewise ill-advised because they could have the same effect—an elimination of trade relations with China. The effect on Hong Kong, possibly the greatest beneficiary of trade between the West and China, would also be devastating.

We are all appalled by the human rights abuses in China. We must pursue a policy that will push the Chinese Government to embrace a position that supports the development of democracy and respects human rights without crippling the private sector. As part of an effort to support this policy, I am introducing the China Sanctions and Incentives Act of 1991. This bill is straight forward—it requires the President to impose noneconomic sanctions on China as long as it continues to pursue its existing policies. When it has reformed its policies by meeting concrete goals, the President will eliminate the sanctions and reward the mainland with additional economic ties. This dual approach will enable us to use all of our resources, in a positive manner, to achieve our policy objectives. China will be rewarded for progress—but progress won't be made impossible by draconian sanctions now.

Mr. Speaker, I hope that this bill will receive fair consideration in our legislative body. It is an approach that is consistent with our demo-

cratic philosophy of empowering the people, the farmers, the small businessowners, and the workers, who will ultimately determine the fate of China.

SACRIFICE AND SERVICE OF SPECIALIST TONY COOK

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. SHAW. Mr. Speaker, I rise today in recognition of Specialist Tony Cook, who was recently awarded the Purple Heart for his bravery in the face of injury in the Middle East. Tony resides in my home district of Pompano Beach, Broward County, FL, and served our Nation as a member of the 743d Maintenance Company in the Florida National Guard. Specialist Cook and his wife recall for us the strength and greatness and willingness to serve which made our Nation great, and which recently brought Saddam Hussein to his knees.

The Purple Heart symbolizes our deep gratitude for Tony's willingness to protect our country's liberty with his life. Because of Tony and soldiers like him, America remains steadfast—literally, the land of the free and home of the brave. No honor we bestow can precisely convey our appreciation for the sacrifice and service of Specialist Cook.

A CONGRESSIONAL SALUTE TO GARY LARSON

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ANDERSON. Mr. Speaker, today I rise to pay tribute to a man who has served his community with great distinction. I would like to take this opportunity to acknowledge the outstanding achievements of Mr. Gary Larson.

Thursday, June 27, the San Pedro, CA, Chamber of Commerce is holding its 86th annual installation banquet. The guests of honor on that evening will include outgoing president Gary Larson, and his wife Lynn. The community of San Pedro will acknowledge the tremendous leadership and direction Mr. Larson provided during his tenure.

Mr. Larson's success should come as no surprise to anyone familiar with his distinguished professional career. After graduating from Harbor College with a liberal arts degree, Gary went on to the University of Southern California where he earned his real estate brokers license. Following in the footsteps of his father and grandfather, Gary worked as a successful builder/contractor and in 1986 founded the San Pedro Bay Co., a real estate development and management firm. Gary's specialty and the focus of his company is the rehabilitation, restoration, and preservation of historic structures. Currently, the San Pedro Bay Co. manages \$11.3 million in commercial, industrial, and residential real estate. Over the last 5 years, Gary's commercial and residential

projects total over 250,000 square feet, with a value in excess of \$22 million.

Two of his most recent projects include the restoration of the historic John T. Gaffey Building and the Arcade Building, both in downtown San Pedro. For the latter, Gary received the San Pedro Revitalization Corporation and Councilwoman Joan Milke Flores Business of the Year Award for 1988.

In addition to his position with the San Pedro Bay Co., Gary serves as the managing general partner of Larson Investments, a general partner of Asset Resource Management, and the manager of Larson Properties. His list of seats on community groups is equally impressive, including being on the board of directors for the San Pedro Peninsula Hospital Foundation, and the founding member of the San Pedro Reclamation Committee, among others. His record of service and dedication to the San Pedro community is truly inspiring.

My wife, Lee, joins me in extending this congressional salute to Mr. Gary Larson. We wish him all the best in the years to come.

NATIONAL JOB SKILLS WEEK

HON. CARL C. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. PERKINS. Mr. Speaker, today I am introducing a joint resolution to designate the weeks starting October 27, 1991 and October 11, 1992 each separately as "National Job Skills Week." In so doing I am continuing a tradition started in the House by Mr. MARTINEZ, former chairman of the Education and Labor Subcommittee on Employment Opportunities, and in the Senate by Mr. GORE.

For the past 5 years, National Job Skills Week has focused attention on the need to upgrade the skills of the American work force. As the new chairman of the Employment Opportunities Subcommittee, I am very pleased to propose to my colleagues that we carry on this tradition for another 2 years. The resolution that I am introducing today is identical to those approved in years past, which have enjoyed bipartisan support.

Mr. Speaker, every year the gap between the skills that employers demand and the skills that workers can provide grows bigger. It is imperative that all Americans work together to close this gap. This task is one of the greatest challenges that has ever faced our Nation. We must succeed in this effort in order to maintain a standard of living and an economic vitality that have been the envy of the world.

A recent report by the American Society for Training and Development and the U.S. Department of Labor entitled "America and the New Economy" sums up the changes that are occurring in the workplace and the adaptations that will be required of American workers. The report states that—

Human responsibilities and skill requirements are increasing and becoming less job specific, job assignments are becoming more flexible and overlapping, and employees are spending more time interacting with one another and with customers.

The report further states that—

The demand for state-of-the-art products and services requires flexible, integrated work organizations that can get innovations off the drawing board and into the hands of consumers quickly.

In this new economy, which requires workers to take on a wider variety of tasks and to respond to changing consumer demands, American workers must have better technical skills as well as a sound basic skills training in reading, writing, and arithmetic. Workers also need good interpersonal skills to function effectively, both in groups and individually with customers. In short, maintaining our Nation's competitiveness will require workers to develop more technical know-how and more generalized problem-solving and people skills.

All Americans must work together to close the skills gap. Educators must work to give current and future workers a solid basic education as well as good technical and interpersonal skills. Employers must invest in worker training and provide a workplace that is conducive to cooperation and creativity. And workers must be committed to producing quality goods and services that will maintain America's strong presence in the global marketplace.

Millions of educators, employers, and workers are already responding to the demands of the new economy. I commend their efforts and urge that National Job Skills Week be used to highlight the many changes underway in America's workplace, to focus attention on private and public job training efforts, and to bring attention to present and future work force needs. Thank you, Mr. Speaker, for this opportunity to present this important resolution, which I invite my colleagues to join in co-sponsoring.

FURTHER CRACKDOWN IN BALTIC STATES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. HOYER. Mr. Speaker, word has just reached me that Soviet military units occupied for several hours the telephone and telegraph exchange in Vilnius, the capital of Lithuania, as well as communications facilities in the city of Kaunas. Normal communications between Lithuania and the outside world were interrupted by this action, in which both army and internal affairs troops were reportedly involved. While it appears that the occupying forces have now withdrawn, today's events were a provocative display of pressure on the Lithuanian people.

I wish to express my grave concern and even alarm over these developments. The democratically elected leadership in Lithuania is seeking to restore Lithuanian independence in accordance with the will of the Lithuanian people. Despite pledges by the Soviet Government to negotiate with the Baltic States in good faith, the last several weeks have seen an upsurge in violence and attacks on customs posts, involving several fatalities.

Mr. Speaker, the Soviet military action in Vilnius in January of this year resulted in the

deaths of 14 people. The Soviet seizure of Lithuania's television and radio center remains in effect, as I can testify, having visited the site in February. Today's action is the latest outrage in a series of actions designed to intimidate the democratically elected leadership of Lithuania and break the spirit of its people.

I call upon the Soviet authorities to put an end immediately to this coercion against the Baltic States which have been occupied since 1940. It is time for President Gorbachev and the Soviet leadership to begin good-faith negotiations with the Baltic States.

A CONGRESSIONAL TRIBUTE TO THE ROBINSON HIGH SCHOOL BAND

HON. TERRY L. BRUCE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. BRUCE. Mr. Speaker, in less than 2 weeks the high school band of Robinson, IL, will be making its first trip to Washington, DC. They have been chosen to represent the State of Illinois in the annual National Independence Day Parade, here in our Nation's Capital.

This is a great honor, not only for the young men and women who serve in the band, but for the citizens of Robinson as well. The success of the organization is truly a community effort. The band has performed at numerous local events and has played for the Governor of Illinois on his visits to the Robinson area. The members of the community have supported the band in their substantial fund raising efforts which have allowed them to purchase new uniforms and to travel here to Washington, DC.

Also, the Robinson High School Band has begun to compete in field and parade competitions. Under the quality leadership of Director Michael Emmerich and school Principal Phil Trapani, the band has excelled and continues to improve into a top class ensemble.

The dedication and commitment the individual band members have demonstrated deserves special mention. I want to take this opportunity to personally congratulate the members of the Robinson High School Band on their numerous honors and achievements. They have worked long and hard for the honor of representing Illinois in the National Independence Day Parade.

Mr. Speaker and fellow members, please join me in welcoming the Robinson High School Band to Washington, DC, and wishing them the best of luck in their upcoming performance.

TRIBUTE TO NOAH GEVEDEN

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. HUBBARD. Mr. Speaker, I take this opportunity to pay tribute to one of Kentucky's most prominent citizens, Noah Geveden, who died March 13, 1991, at Western Baptist Hospital in Paducah, KY, at the age of 82.

Noah Geveden was born in 1908 and grew up in Carlisle County, KY. He attended Murray State Teachers College, now Murray State University, and after graduation he returned to Carlisle County where he became a teacher at the Glass School. Later, he moved to Louisville and worked for the Federal Land Bank. While in Louisville, he attended law school at night at the Jefferson School of Law, which is now the University of Louisville School of Law.

Following his graduation from law school in 1936, Noah Geveden moved to Wickliffe, KY, in 1937, where he continued to work for the Federal Land Bank. Later that year, he married Bertis Billington. The couple had been married 53 years at the time of his death.

In 1942, Noah Geveden was drafted into the military. In 1946, after returning to Wickliffe and Ballard County, he was elected Ballard County attorney. He did not seek reelection in 1950. In later years, he also served as city attorney for the cities of Wickliffe, Barlow, Kevill, and LaCenter.

From 1961 to 1963, Noah Geveden represented the first legislative district of Kentucky in the State general assembly, a position now held by his son, State Representative Charles Geveden of Wickliffe.

In discussing his father, Charles Geveden, a former Commonwealth attorney for Ballard, Carlisle, Hickman, and Fulton Counties, said, "He was a completely honest and ethical man. He set a great example for his children and others in the community to follow."

Even when he was not serving in public office, Noah Geveden remained active in this community. He was a member of the First Baptist Church of Wickliffe for 40 years. He served as church treasurer for 35 years and was active in all church activities.

Noah Geveden was well liked and will be missed by all who knew and loved him.

In addition to his lovely wife and son, Noah Geveden is survived by his daughter Jean Geveden Thompson, also of Wickliffe.

My wife Carol and I extend our sincere sympathy to the family of the late Noah Geveden.

HONORING OUR RETURNING SOLDIERS ON MAIN STREET THIS FOURTH OF JULY

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CARR. Mr. Speaker, now that the parades in Washington and New York are behind us—great celebrations of the American spirit that they were—it is time to truly welcome home America's fighting men and women—back home to the communities from which they came, with old fashioned, flag-waving, mom and pop parades.

Those men and women who were able to march behind their commanding general down Pennsylvania Avenue to the White House or down Broadway in New York were indeed fortunate. We simply do not give parades like that anymore, and God willing we will not need to again soon.

But the real measure of America's new spirit will be taken this Fourth of July, when the vet-

erans of the war in the gulf join their comrades from Panama and Grenada, from Vietnam and Korea, from the European and Pacific theaters in World War II.

These will be the parades that bind up the wounds not only of those who suffered in Saudi Arabia, Kuwait, and Iraq, but also of those who suffered at Da Nang and Inch'on. These will be the rallies that bring us all together as a Nation to remember all of those who have risked all, and especially those who did not return.

All the New York ticker tape and all the fancy Washington fireworks—none of it can measure up to the resounding cheers of old friends and neighbors, or the warm embrace at parade's end of family. These are the parades and the rallies that are the real reward for the selfless service of our brave soldiers.

It is with the greatest pleasure that I take these few minutes of the Congress' time to honor all the veterans of highland and heartland, and of all Michigan and America.

A TRIBUTE TO LOUIS L. MILLER

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. HERTEL. Mr. Speaker, I rise today to pay tribute to Louis L. Miller in recognition of his many years of service to the Democratic Party.

Lou Miller graduated with a bachelor of arts degree in political science in 1972 and a master of science in urban affairs in 1974 from the University of Wisconsin-Milwaukee. He also served as a teaching assistant in the Department of Urban Affairs under the direction of Dr. Michael Barndt. His educational background in urban affairs worked to strengthen his commitment to community service.

Lou has been a strong dedicated leader in his community for over 30 years. From serving as fire and police commissioner for the city of Milwaukee to extensive work with the U.S. Postal Service, Lou Miller has devoted his life to being an active participant in local, county, and State government activities. His dedication continues through his current position as president and owner of Financial Data Systems, Inc. in Detroit, MI.

His extensive political background is exemplified by the many positions he has held over the years. During the last quarter century he has used his extensive political expertise at all levels in democratic campaigns, from membership to management. In 1988 Lou Miller was honored as one of Michigan's Delegates to the National Democratic Convention. He has held many elected offices including treasurer of the Oakland County Democratic Party from 1984-86, chair of the Oakland County Democratic Party from 1986-90, and currently officer-at-large of the Michigan Democratic Party.

Mr. Speaker, I stand today to recognize Louis L. Miller for his continued commitment to the Democratic Party. I ask my colleagues to join me in honoring him for his dedication to service and community.

HOSPITAL INDIGENT CARE ASSISTANCE ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. STARK. Mr. Speaker, I am today re-introducing the Hospital Indigent Care Assistance Act. This is a bill to provide critical financial support to the Nation's safety net hospitals burdened by the costs of uncompensated care.

Thirty-four million Americans are without health insurance. When illness strikes, these individuals are often unable to receive physician care in the community. Instead they must either receive emergency or outpatient care from a hospital or delay care until they must be treated as an inpatient. In either case, the hospital ends up footing the bill.

Lack of health insurance coverage often means that proper care is delayed until the problem is serious. Research shows that uninsured persons are less likely to have children appropriately immunized, less likely to receive prenatal care, and less likely to see a physician if they have serious symptoms.

For families without adequate health insurance coverage, any encounter with the health care delivery system, no matter how minor or seemingly routine, presents serious financial consequences. The unsurprising result is that these families do not seek appropriate health care when they need it. Instead, these wait until the problem is so serious that hospitalization is required.

In 1989 U.S. hospitals provided approximately \$10 billion in uncompensated care. Virtually all of that care was given by public and not-for-profit hospitals.

While public hospitals have about 21 percent of all hospital beds, they provide 55 percent of all charity care. In large metropolitan areas these hospitals account for only 6 percent of beds, but provide 22 percent of charity care.

However, this is not simply a question of support for public hospitals. Slightly less than half of the Nation's 100 largest metropolitan areas have public hospitals. Most of the Nation relies upon voluntary, not-for-profit hospitals to act as the safety net for the poor and uninsured.

The problem is that the ability of public and voluntary safety-net hospitals to cope with indigent care is stretched to the breaking point. In the past, hospitals employed amounts charged to private patients in excess of the costs associated with those patients to finance care of the indigent.

Unfortunately, the hospitals providing the bulk of indigent care have few charge-paying patients to whom the cost of caring for the indigent can be shifted. In addition, as employers and private insurers have pushed for discounts and rate reductions in order to contain their costs, the continued ability of many hospitals to finance indigent care has been seriously eroded. The financial problems of these hospitals have been further stressed by the short-sighted policies of many States in establishing Medicaid payment rates at unreasonable low levels.

Signs of this stress are increasing. In the late 1970's and early 1980's many States made great progress in developing trauma networks. In the 1990's these networks are falling apart as many hospitals end their participation in trauma networks. This is often characterized as an emergency-care problem, but it isn't; it is an indigent care problem. The reason these hospitals are taking this step is because the trauma system brings them more indigent patients than the hospital can handle financially.

Clearly, the whole system of health care financing demands reform. I believe the time has come to enact comprehensive reform—and to enact it soon. I have introduced H.R. 650, the MediPlan Act of 1991, which would provide every American with comprehensive, cost-effective health coverage.

I have introduced the MediPlan Act because I do not believe that piecemeal approaches based in the private sector will achieve our common goal of universal coverage. I also believe strongly that only a universal approach in the public sector can achieve containment of skyrocketing healthcare costs.

Until a broad plan is enacted, however, I believe it important that we explore other, short-term, approaches which may help alleviate some of the problem. One thing we can do is to stabilize the finances of our Nation's safety-net hospitals.

We must act to assure continued access to necessary medical care for those who cannot afford it. The Hospital Indigent Care Assistance Act of 1991 will focus a limited pool of funds to the hospitals which have demonstrated their commitment to care for the less fortunate in our society. I urge my colleagues to join me in supporting this important step to patch our Nation's tattered social safety net.

A summary of the bill follows:

HOSPITAL INDIGENT CARE ASSISTANCE ACT OF 1989—SUMMARY

I. HOSPITAL INDIGENT CARE TRUST FUND

The Trust Fund is funded through a one percent excise tax on the amounts paid by employers for health benefits. The tax would provide approximately \$1.5 billion to the fund in 1992.

II. HOSPITALS ELIGIBLE FOR SUPPORT

A. Hospital Eligibility.

A hospital is eligible for support if: More than 10% of inpatient days are attributable to Medicaid, or more than 10% of total charges are uncompensated care charges; and,

The hospital has patient care revenues less than patient care operating expenses.

B. Allowable Indigent Care Costs:

Indigent care costs are defined using existing Medicare allowable cost definitions and methods plus labor and delivery service charges and costs.

III. ADJUSTMENTS FOR STATE AND LOCAL SUPPORT OF INDIGENT CARE

Allowable indigent care costs are decreased for hospitals that receive state or local tax support for patient care by one half of the dollar amount of the tax support.

For hospitals in a state with a Medicaid program that provides benefits above the national average, the allowable indigent care costs are increased in proportion to the Medicaid program's contribution to reducing hospital uncompensated care.

IV. DISTRIBUTION OF FUNDS

Each eligible hospital receives up to fifty percent of allowable indigent care costs in

the first year. Thereafter, the percentage is adjusted to reflect available funds in the fund. No eligible hospital will receive more payment than is necessary to assure that the hospital breaks even on patient care.

V. STUDY

The bill provides for a two-year study of the impact of indigent care on hospitals.

VI. EFFECTIVE DATE

The legislation would be effective October 1, 1992.

SANDINISTAS CONTINUE TO LIVE AMID ILL-GOTTEN WEALTH

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. BEREUTER. Mr. Speaker, throughout a decade of absolute rule, the Nicaraguan Sandinistas portrayed themselves as the party of the common man. They condemned the former landholding class as enemies of the people, and seized the assets of the wealthy. By this and other acts of misrule, the Sandinistas destroyed the once-thriving Nicaraguan economy.

In February 1990 the Sandinistas were repudiated in nationwide elections, and Violeta Chamorro assumed the Presidency. However, before leaving office the departing Sandinistas voted to give themselves title to many of the assets that they had seized. The Ortega brothers and their cronies now live in villas that they have deeded to themselves, drive seized limousines, and work out of confiscated buildings.

The democratically elected government of Nicaragua is attempting to recover these ill-gotten gains, and the Sandinistas are threatening to riot in the streets if they are not permitted to keep their spoils. Such behavior clearly demonstrates the corruption that has infested the Sandinista movement, as the difficulties faced by President Chamorro in bringing democracy to Nicaragua.

Mr. Speaker, a June 24, 1991, editorial in the Lincoln Star correctly labels the behavior of the Sandinistas as craven. The editorial notes that the behavior of the Sandinistas continues to pose a grave threat to the fragile Nicaraguan democracy. This Member commends the editorial to his colleagues.

SANDINISTA DEMANDS THREATEN NICARAGUA

Craven is a word that suits the Sandinistas' demands they be allowed to keep property confiscated and given to them when their party misruled Nicaragua.

These items—from cars and computers to luxury homes—were given Sandinista party activists under a law hastily implemented after former Sandinista leader and Nicaraguan President Daniel Ortega lost the February 1990 election but before his successor, Violeta Barrios de Chamorro took office.

The Sandinistas want to keep these ill-gotten gains so badly that they've taken over radio stations and government buildings. Ortega is threatening a return to war if the bill before the General Assembly is passed into law, blaming war, of course, on the government and not his sympathizers' disruptive actions.

Meanwhile the political council of Nicaragua's unwieldy 14-party governing co-

alition met to consider filing criminal charges against the former president.

Awkwardly enough, the police and armed forces are still controlled by Sandinistas and hardly subordinate to civilian authority. In a conciliatory gesture, Chamorro left Sandinistas in positions of power after her election. The wisdom of that move has long been questioned by rightist Nicaraguans, many of them former Contra rebels.

Chamorro's job has never been easy. She inherited a bankrupt economy, a country devastated by 10 years of civil war and hotwire political factions pulling her in both directions.

If one side isn't criticizing her, the other is.

Democracy is a fragile commodity in Nicaragua.

Ortega is clearly wedded to power and its benefits, and has confused his personal gain with the welfare of the Nicaraguan people. It is a common theme among Latin American leaders, and one explanation for the areas' backwardness and poverty.

If democracy now fails in Nicaragua, we'll know where to place blame. It falls to the Sandinistas.

TRIBUTE TO JOSEPH W. SUMMERS

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. JACOBS. Mr. Speaker, when a man like the Honorable Joseph W. Summers dies, we are tempted to believe the old saying that only the good die young.

The following from the Indianapolis Star and the Indianapolis News are eloquent hints at the distinguished public service and private life examples given to us by Representative Summers.

We shall not merely miss him. We shall be severely deprived because of the loss of his blazing talent and generous heart.

[From the Indianapolis News, June 11, 1991]

REPRESENTATIVE JOSEPH W. SUMMERS

The late Rep. Joseph Summers took on his fight with cancer the same way he approached the rest of life.

The Indianapolis Democrat kept on battling and maintained his sense of humor even in the midst of the trials of the cancer that took his life last week.

Friends and political foes enjoyed his company in the General Assembly, even in the midst of disagreements. He had a direct way of speaking to an issue, and people wound up appreciating his forthrightness.

"He was universally compassionate," summed up a close friend, Center Township Trustee Julia Carson. "He didn't have press conferences about what he did, he just did them."

"Joe Summers' tireless fight for the less fortunate in our society was matched only by his valiant effort against the disease that took his life," added Gov. Evan Bayh.

He will be missed both in the area he represented in the inner city of Indianapolis and in the General Assembly.

But his friends and family can take comfort in the kind of life he lived and the contributions he made both to Indianapolis and the entire state.

[From the Indianapolis Star, June 14, 1991]

"SO LONG, JOE"

(By Susan Hanafee)

Joseph W. Summers—family man, churchgoer, funeral director and politician—would have liked his memorial service.

There were tears and laughter, prayers and songs, solemnity and showmanship Thursday.

There were ministers and funeral directors, both preaching about the life and times of Summers with such zeal that it was difficult to tell them apart.

There were politicians who had spent months in angry debate over a budget and redistricting sitting shoulder-to-shoulder.

There were male and female, black and white, all with only one agenda—to remember their friend.

"Joe would not want us to mourn," said Summers' long-time pal William W. Clark, a pastor and fellow funeral director. He delivered a rousing eulogy, characterizing the two-hour service as a celebration.

"Joe is leaning over the balcony in heaven and smiling at us," he told the crowd.

More than 1,200 gathered at Light of the World Christian Church. Afterward, they formed a three-mile procession to Crown Hill Cemetery.

Friends and associates began congregating early for the 11 a.m. services to honor the 61-year-old Summers. He died June 6 after a four-year battle with lung cancer.

In the church lobby they spoke of his honesty, his loyalty, his pride in his family.

State Rep. William A. Crawford, an Indianapolis Democrat, said the large turnout was a measure of the man. "You couldn't look at Joe with anything but respect," he added.

Sixteen speakers, including Gov. Evan Bayh and Summers' daughter, Vanessa J. Barnes, addressed the crowd.

Speakers described the Summers spirit that prevailed despite the discomfort of his disease.

"Joe was held hostage by pain," Clark said. "But he never surrendered."

O'Neil Swanson, who often called Summers to comfort him during his illness, said: "He ended up encouraging me."

However, most remembered the quiet, yet persuasive strength of the man who became a Democratic precinct committeeman before he was old enough to vote.

He had served in the House since 1976, representing a central city area where many low-income families live.

"Joe fought for the more vulnerable members of our society," Bayh said.

"Joe Summers loved us and we loved him," he added. "Tonight, there will be a new star in the firmament and heaven will be a brighter place."

The governor ordered the U.S. and Indiana flags flown at halfstaff for two days on some state properties in Summers' honor.

In the eulogy, Clark characterized Summers as a man who loved to be on center stage and who was not afraid to take a chance to make a difference.

He recalled a visit to the city by former Alabama Gov. George Wallace. Summers wanted to picket the Claypool Hotel where Wallace was staying; he was told to stay away.

But Summers refused to ignore the visit of Wallace, a man he considered the epitome of "racial evilness," Clark said.

The day after he and others carried banners in protest of the visit, their picture appeared in newspapers across the country.

"Joe said 'See, they were wrong,'" Clark said.

Summers kept "100 balls in the air and 200 irons in the fire" but he never forgot he was a funeral director, Clark added.

Once, about 20 years ago, when Clark was preparing to leave town, Summers told him he didn't care where he went or what he did, "just don't develop amnesia about who your funeral director is."

Rep. Hurley C. Goodall, a Muncie Democrat and chairman of the Indiana House black caucus, also described Summers as a man of courage who walked where others feared to tread.

"So long, Joe," he concluded. "Rest in peace."

THE CHATTAHOOCHEE INDIAN
HERITAGE CENTER AT FORT
MITCHELL, AL

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. RAY. Mr. Speaker, of all the sad, regrettable, conscience-stirring stories in the development of our great Nation, perhaps none is more sad or more regrettable than the story of the great trail of tears that stained this land in the 1820's and 1830's.

A proud, highly civilized and gifted people were taken from their homes and forcefully settled in a west they had never seen.

They were marched westward, a direction that held special terror to the Indians, for to the Indian the West represents blackness, the place where the sun dies every day.

In 1833, just before the largest removal of the Indians began, a census was conducted. It listed every household head of the Indian nation. In all, some 8,065 Indians lived along the Chattahoochee.

Today, on the site of Fort Mitchell, AL, a point of origin for the Creek Indian "trail of tears," the Historic Chattahoochee Commission is raising funds to build an Indian heritage center, a museum without walls on 9 acres of Fort Mitchell Park. Douglas Purcell is executive director of the Historic Chattahoochee Commission, and a member of the Board of Directors of the Chattahoochee Indian Heritage Association.

I had the pleasure this spring of meeting with several board members; former Congressman Jack Brinkley, my predecessor; Beverly Greer, John Lupold, Mr. Purcell, and Fred Sessell.

They told me that thus far they have raised \$85,000 toward a goal of \$700,000. They suggested that they would like to get help from the U.S. Army for in-kind assistance with the grading and engineering on the site. This probably comes under the National Guard or the Corp of Engineers, or perhaps from a public spirited private construction company.

Former Congressmen Brinkley asked for limited assistance in congressional appropriations. These are details to be considered after a site plan has been developed and the directors have consulted with the Bureau of Indian Affairs.

Details will come later. The point I wish to make today is to advise the Congress about the beginning of this important, historic project. It is to be located just across the Chattahoo-

chee River from the Third Congressional District of Georgia, which I am honored to represent.

Let me add one more point. Very few good Americans are proud of the treatment of the natives of this proud land. The treatment of the Indians is a scar on our proud history. If this Indian Heritage Center at Fort Mitchell, AL, can right just a small bit of the wrong done here it will be a worthwhile project and one that I am proud to support.

MILITARY PERSONNEL AND THE
GULF WAR

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, June 26, 1991, into the CONGRESSIONAL RECORD:

MILITARY PERSONNEL AND THE GULF WAR

Military analysts would agree that United States service men and women performed their duties with great skill and professionalism in the Persian Gulf War, and were largely responsible for U.S. and allied success. My visits with returning veterans in the Ninth District have prompted me to think about several important personnel issues.

WOMEN IN COMBAT

Over 33,000 U.S. military women served in key combat-support positions throughout the Gulf. They performed in medical and administrative jobs, as well as a host of non-traditional assignments, including airlifting supplies and personnel, maintaining weapons systems, and serving as intelligence specialists. Women accounted for 6 percent of the U.S. forces in the Gulf region (they are 11 percent of total U.S. forces). Five women were killed in combat and two were taken prisoner of war.

Women are currently prohibited by law from serving in combat in the Air Force, Navy, and Marine Corps. Service policy, not Federal law, bars women from Army combat positions. Defenders of current policy say that it has worked well to-date, and should not be changed. It is also argued that: women are not as strong or aggressive as men; their presence would impair the effectiveness and cohesion of all-male combat units; women would have to be included in any future draft, and could be involuntarily reassigned to combat missions; and a civilized society would not tolerate women fighting and dying in combat.

The outstanding performance of women in the Gulf War has raised questions about combat restrictions. First, modern high-tech warfare distinguishes less between the frontlines and the rear, where women personnel were once considered safe from attack. Women died in combat even though their missions were technically noncombat. Second, today's battlefield places increasing emphasis on technical skills. There is no evidence to suggest that women would be unable to operate sophisticated weapons systems in combat as effectively as men. Third, women cannot advance to the highest ranks without combat experience.

I find merit in these arguments. Women deserve the opportunity to serve in combat

missions if they meet service requirements and qualifications. The House, with my support, voted last month to repeal the statutory prohibition against women flying combat missions. I am concerned by the House's decision to leave intact the ban against women serving in nonpilot positions on combat ships. I believe that efforts can be made to accommodate women on these vessels without necessarily creating habitation problems. The House provision, if approved by the Senate and the President, would give the four services discretion in assigning permissible combat missions to women. The proposed law would not compel women to serve in the Armed Forces or in combat missions. All men and women in the services have enlisted of their own choice.

RESERVE VERSUS ACTIVE DUTY

Since the Vietnam era, the United States Armed Forces have relied increasingly on the reserves to meet their mission requirements. Reserves are cheaper to maintain than active forces, and can be called up on short notice to fulfill combat and support functions. Today, reserves comprise over 50 percent of total Army personnel. The Gulf conflict was the first full-scale test of this "total force" approach. Roughly 20 percent of the forces serving in the Gulf were reserves. Their responsibilities included flying combat and military airlift missions as well as providing vital support functions. In general the call-up of reserve units proceeded smoothly; reserves performed well throughout their deployment to the region; and they enjoyed widespread public support. There was no public call for a draft.

The role of Army combat reserve units has spurred the most examination. The Defense Department decided not to activate Army National Guard combat brigades until late last year. It was argued at the time that the maximum 180 days of call-up authority would limit the effective use of these brigades. Others speculated that the Defense Department preferred to use only active-duty divisions. Once activated, the reserve units experienced serious readiness problems; required more training than some anticipated; and were never deployed to the Gulf. The Secretary of Defense prefers a significantly smaller reserve component, and a far smaller role for combat reserve forces in future conflicts. Congress generally supports more modest reductions in the size and readiness of the reserves—in line with those proposed for active forces—and favors using reserves for rapid-deployment missions. I agree that reserves can fulfill combat missions, provided they train in smaller units with their active-duty counterparts, carry the same equipment, and are mobilized more quickly.

ALL VOLUNTEER FORCE

The Gulf War has raised anew questions about representation of minorities and the poor in the All-Volunteer Force. Some have said that these groups are disproportionately represented in the armed services—in part because of limited career opportunities outside the military—and would therefore suffer proportionately higher casualties in an armed conflict. For example, black youth comprise 14 percent of the recruitment age population of the United States, but 22 percent of newly enlisted recruits and 26 percent of Army recruits. These statistics have often been cited in support of instituting a draft, which, some argue, would ensure a more representative military.

A recent congressional report concluded that the present system does not unfairly

burden the poor. There is little difference in the family income of recruits compared to the general population, except for the richest 10 percent. It also concluded that the Services do not unfairly burden minorities with the fighting. Black casualties were 15 percent of the total in the Gulf conflict; that figure might have been slightly higher had the war involved more ground combat, and slightly lower had it entailed more air and sea combat. Hispanics and Asians are underrepresented in the Services. Furthermore, the study noted that a draft would not necessarily produce a fully representative military force, as the individuals who volunteer and reenlist would likely reflect the racial make-up of today's force. Finally, the study found that a draft could compromise the quality of recruits. The current force has more high school graduates than the youth population generally and scores better on standardized armed services tests than the general population.

BOSTONIANS MOVED A MODERN MIRACLE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. FRANK of Massachusetts. Mr. Speaker, one of the great pieces of news which the world received this year was the successful movement of Ethiopian Jews to the State of Israel. This was a great moment for the people of Israel who were able to demonstrate again to the world the essential reason why the existence of a Jewish state is so important. It was a great moment for Ethiopian Jews who were given a chance to join other Jews in a society in which they will be fully respected and face no discrimination. It was a proud moment as well for the United States, and especially for President Bush, who did so much at the critical moment to facilitate this humanitarian operation.

Among those who were entitled to take a great deal of pride in this operation are a number of Americans who worked very hard for a long time to alleviate the plight of Ethiopian Jews. No one in this country worked harder and more diligently over a sustained period on behalf of this cause than Barbara Gaffin, now associate director of the Jewish Community Relations Council of Greater Boston. Barbara Gaffin began her work on this issue more than 10 years ago. In fact, in 1981 she went to Ethiopia as part of a fact-finding mission of the Jewish Federation of Greater Los Angeles. She has not stopped since then. Freedom for Ethiopian Jews has been high on her agenda and she is entitled to great pride at the role she has played in its ultimate success.

Earlier this month Barbara Gaffin presented a history of American-Jewish efforts on behalf of Ethiopian Jews in the Boston Jewish Advocate. Her account is a modest one, and understates the critical role she played in this. I am pleased to note that she was aided to some extent in this by her husband, Douglas Cahn, who was my administrative assistant for most of the time that I have served in the House. I am very proud myself that through Doug, I was able to respond on a number of occasions to Barbara's request for assistance in

her work, and I join Barbara and Doug and a lot of other people in this country in feeling especially gratified that this particular chapter in Jewish history has ended so well.

Mr. Speaker, as an example of some of the good work that is done and is too often unchronicled, I ask that Barbara Gaffin's article about this be printed here.

[From the Jewish Advocate, June 7, 1991]

BOSTONIANS MOVED A MODERN MIRACLE

(By Barbara Gaffin)

Last week, the State of Israel rescued nearly 15,000 Ethiopian Jews from Addis Ababa. Flown in the belly of overstuffed 747 cargo jets, these Jews, who trace their ancestry to the Queen of Sheba and King Solomon, arrived in Tel Aviv with nothing more than the clothes on their backs but with their ancient Jewish heritage intact. Indeed, the ingathering of these people gives renewed meaning to modern Zionism's goal of providing a Jewish homeland.

The movement to rescue Ethiopian Jews did not begin this past weekend, however. It was the culmination of years of dedicated efforts, both public and private, made by individuals and groups who, in a few cases, risked their lives to help save this nearly forgotten people.

Long before this most recent airlift began, the seeds of this campaign were planted. Activists in Boston, throughout the U.S., and Israel worked to publicize the plight of Ethiopian Jews and create the public and private will to guarantee that our government would respond.

In 1979, when I began working at Jewish Community Relations Council of Greater Boston (then known as the Jewish Community Council), only a handful of people around the country were familiar with or responding to conditions in Ethiopia. Heightening awareness was not an easy task. Few people were interested. Information was hard to come by.

In 1981, when I had the opportunity to travel to Ethiopia in a fact finding mission of the Jewish Federation Council of Greater Los Angeles, I went. Even though I was told we would never be able to meet with Jews in the villages, my colleagues and I persisted. After travelling illegally for three days by horseback and mule through Ethiopia's Simien Mountains, not only were we able to speak with Jews, but we were able to bring two Ethiopians Jewish students to Israel and with them, important information previously unknown to foreigners.

In 1982 I spent the summer living and working with new olim at an absorption center in Beersheva, an opportunity not afforded others because of the secrecy surrounding the escape route of the Ethiopians. I returned to Boston to provide Jewish community members with fresh ideas for their involvement.

Quietly when necessary, publicly when useful, our efforts move forward. The JCRC worked closely with members of Congress to explore legislative and diplomatic ways to establish relief efforts and evacuation routes. With an active well-informed committee of motivated individuals, Boston area Jews ensured that all possible steps were taken to aid our brothers and sisters in Africa. We brought in Ethiopian Jews to speak before the public. We created slide shows, we travelled to Washington, New York, and Israel to meet with whomever could help.

The response public officials and particularly the role of the U.S. government in both Operation Solomon last week, and Joshua in

1985 was no less a part of the success story. When we became aware that several Jews were imprisoned, we called on Rep. Barney Frank (D-Newton), who immediately implored the State Department to raise these cases with the Ethiopian government. Their release was ultimately secured. Newton Mayor Ted Mann called on national political figures to intervene after receiving a chilling reception from Ethiopian officials in this country. Sen. Kennedy and former Sen. Paul Tsongas, who served in the Peace Corps in Ethiopia, likewise pressed Ethiopian authorities and the Reagan Administration.

Other Massachusetts officials joined the growing ranks of public officials around the country who responded to our pleas. Congressional hearings were held, allowing the true story of the plight of Ethiopian Jews to be placed on permanent record with our government.

As Bostonians, we can be proud that we played an active and vital role in the campaign to ensure that American support was there to facilitate this modern day miracle. We should never forget the potential impact of one community's efforts as we continue to channel our energies into other issues of concern to us as American Jews.

COSPONSOR THE KIMBERLY BERGALIS BILL: PROTECT PATIENTS AND HEALTH PROVIDERS FROM COMMUNICABLE DISEASE

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. DANNEMEYER. Mr. Speaker, as you know, Kimberly Bergalis lies near death in her Florida home after contracting AIDS from her dentist. At least four other patients of the late Dr. Acer also are infected and face a similar fate. Kimberly's tragic story has prompted millions of Americans to ask: What went wrong?

Last week, in an extraordinary letter to Florida health officials, Kimberly offered an emotional and accurate response to that question:

Who do I blame? Do I blame myself? I sure don't. I never used IV drugs, never slept with anyone and never had a blood transfusion. I blame Dr. Acer and every single one of you bastards. Anyone that knew Dr. Acer was infected and had full-blown AIDS and stood by not doing a damn thing about it. You are all just as guilty as he was.

P.S. If laws are not formed to provide protection, then my suffering and death was in vain.

I'm dying guys. Goodbye.

Today I introduced the Kimberly Bergalis Patient and Health Providers' Protection Act of 1991. This legislation would require States to screen health providers who perform invasive medical and dental procedures for HIV infection and hepatitis B. Infected providers would not be permitted to perform any invasive procedure that poses a risk of transmission to patients, unless the patient expressly consents to the risk.

The legislation would also give physicians broad discretion to test for these diseases without the patient's consent prior to an invasive procedure, provided the physician has a reason to believe that the patient is at risk for a communicable disease.

I have attached a copy of the bill. I have also attached a copy of a letter I delivered yesterday from Kimberly's special medical advisor, Sanford Kuvin, M.D., the vice chairman of the National Foundation for Infectious Diseases. Dr. Kuvin visited with Kimberly and her family on June 24 and in the letter he describes Kimberly's reaction to this legislation. As Dr. Kuvin was leaving, Kimberly told him that if such a law were passed—her death will not have been in vain.

Kimberly and her family have reviewed this legislation, and support it fully. By cosponsoring it, you can help respond to her dying plea that we put appropriate precautions in place to protect the health and safety of patients and health care workers alike.

I urge my colleagues to cosponsor this important legislation.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Kimberly Bergalis Patient and Health Provider Protection Act of 1991".

TITLE I—AMENDMENTS TO PUBLIC HEALTH SERVICE ACT REGARDING CERTAIN COMMUNICABLE DISEASES AMONG HEALTH CARE PROVIDERS AND PATIENTS

SEC. 101. ESTABLISHMENT IN TITLE XXVI IN PROGRAM FOR EARLY INTERVENTION SERVICES.

Subpart I of part C of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-41 et seq.), as added by section 301(a) of Public Law 101-381 (104 Stat. 597), is amended by inserting after section 2648 the following new sections:

"SEC. 2648A. PROTECTION OF PATIENTS FROM HEALTH CARE PROVIDERS WITH CERTAIN COMMUNICABLE DISEASES.

"(a) LIST OF RELEVANT DISEASES AND MEDICAL PROCEDURES.—For purposes of the requirement established in subsection (b) regarding the receipt by a State of a grant under section 2641, the Secretary—

"(1) shall establish a list identifying each communicable disease that poses a risk to the public health (which list shall include HIV disease and hepatitis B, subject to subsection (d)(3));

"(2) in the case of each disease included on the list, shall specify (as a component of the list) the medical and dental procedures that a health care provider with such a disease should be prohibited from performing on the basis that performing the procedure on an individual would pose a risk of the transmission of the disease from the health care provider to the individual;

"(3) in the case of any medical or dental procedure specified for purposes of paragraph (2), shall specify (as a component of the list) the particular health professions and allied health professions whose practitioners perform the procedure;

"(4) in the case of a health care provider who performs any medical or dental procedure specified for purposes of paragraph (2), shall specify (as a component of the list) the frequency of testing for each of such diseases that the provider should undergo for purposes of protecting the public health (including the frequency of such testing that, with respect to the disease involved, is appropriate for a provider who previously has been determined through testing to have the disease); and

"(5) shall periodically review the list, and as appropriate, make revisions in the list.

"(b) REQUIREMENTS REGARDING PROTECTION FROM RELEVANT DISEASES.—Subject to subsection (f), for fiscal year 1992 and subsequent fiscal years, the Secretary may not make a grant under section 2641 to a State for a fiscal year unless—

"(1) in the case of any health care provider who performs any medical or dental procedure included on the list under subsection (a) (as in effect for the fiscal year)—

"(A) the State requires that each such provider undergo testing for each disease with respect to which the procedure is so included; and

"(B) the State requires each such provider to undergo the testing as frequently as necessary to be in compliance with the applicable recommendation included on the list pursuant to paragraph (4) of such subsection;

"(2) in the case of any health care provider determined through testing pursuant to paragraph (1) to have any such disease—

"(A) the State prohibits the provider from performing the medical or dental procedure involved for the duration of the disease, except in circumstances in which the provider—

"(i) informs the patient involved that the provider has the disease;

"(ii) informs the patient of the risk posed by the disease in the context of the procedure; and

"(iii) obtains the written consent of the patient for the provider to perform the procedure notwithstanding such risk;

"(B) the State requires that, with respect to the patients of the provider, the activities described in paragraph (1) of subsection (c) be carried out; and

"(C) the State requires that, with respect to the provider, the activities described in paragraph (2) of subsection (c) be carried out; and

"(3) the State provides for the enforcement of the provisions described in paragraphs (1) and (2).

"(c) ASSISTANCE FOR AFFECTED PATIENTS AND PROVIDERS.—

"(1) PATIENTS.—In the case of an infected health care provider, the activities referred to in subparagraph (B) of subsection (b)(2) are that—

"(A) if the provider has a qualified employer as defined in paragraph (3), the employer, directly or through an arrangement with another entity—

"(i) inform each of the patients of the provider that the patients may have been exposed to the disease involved; and

"(ii) offer to provide to the patients counseling regarding the disease and testing for the disease; and

"(B) if the provider is self-employed, the provider arrange for an entity to carry out the activities described in clauses (i) and (ii) of subparagraph (A) regarding patients of the provider.

"(2) PROVIDERS.—In the case of an infected health care provider, the activities referred to in subparagraph (C) of subsection (b)(2) are that the State involved, directly or through imposing requirements on qualified employers or through other mechanisms, provide for—

"(A) the availability to the provider of counseling regarding the effects on the provider of the prohibition imposed on the provider pursuant to subparagraph (A) of such subsection; and

"(B) the availability to the provider, to the extent practicable, of assistance in making such adjustments in the professional life of

the provider in response to the prohibition as are necessary to provide health care in a capacity that is consistent with the protection of the public health.

"(3) QUALIFIED EMPLOYER.—For purposes of this section, the term 'qualified employer', with respect to a health care provider, means an individual, a company or other organization, a State or political subdivision of a State, or other entity, that employs the provider for the purpose of providing health care for an average of 20 hours or more per week during the 60-day period preceding the date on which the provider is determined through testing pursuant to subsection (b)(1) to have a communicable disease included on the applicable list under subsection (a). Such an entity is a qualified employer without regard to whether the provider is a partner in the entity and without regard to whether the provider otherwise owns a portion of the entity.

"(4) RULE OF CONSTRUCTION REGARDING ASSISTANCE TO PROVIDERS.—In the case of an infected health care provider who incurs financial obligations in carrying out the activities described in such paragraph regarding the patients of the provider, paragraph (2)(B) may not be construed to require that a State, as a condition of receiving a grant under section 2641—

"(A) provide financial assistance to the provider for the purpose of carrying out such activities; or

"(B) require another entity to provide financial assistance to the provider for such purpose.

"(d) ISSUANCE AND EFFECTIVE DATE OF LIST AND REVISIONS.—

"(1) INITIAL LIST.—The list required in subsection (a) shall be issued through rulemaking in accordance with the procedures established under section 553 of title 5, United States Code, regarding substantive rules. The final rule for purposes of such procedures shall be published in the FEDERAL REGISTER not later than 90 days after the date of enactment of the Kimberly Bergalis Patient and Health Provider Protection Act of 1991. The list shall be effective for fiscal year 1992 and subsequent fiscal years, with such revisions in the list as may become effective under paragraph (2).

"(2) REVISIONS.—Any revisions made by the Secretary in the list required under subsection (a) shall be issued through rulemaking described in paragraph (1) and shall take effect upon October 1 of the second fiscal year beginning after the date on which the final rule for the revision is published in the FEDERAL REGISTER.

"(3) HIV DISEASE AND HEPATITIS.—HIV disease and hepatitis B shall each be considered to be a communicable disease that poses a risk to the public health for purposes of the list required under subsection (a), as in effect for each of the fiscal years 1992 through 1994. In the case of fiscal year 1995 and subsequent fiscal years, any of such diseases may be removed from the list if the Secretary determines that the disease involved no longer poses such a risk.

"(e) DEFINITIONS.—For purposes of this section:

"(1) The term 'applicable list', with respect to the list required under subsection (a), means the list in effect for the fiscal year involved.

"(2) The term 'health care provider' includes any individual who is a physician or a dentist, or who is an allied health professional as defined in section 701(13).

"(3) The term 'infected health care provider' means any health care provider deter-

mined through testing pursuant to subsection (b)(1) to have a communicable disease included on the applicable list under subsection (a).

"(4) The term 'qualified employer' has the meaning given such term in subsection (c)(3).

"(5) The term 'self-employed', with respect to a provider of health care, means a provider who does not have a qualified employer.

"(f) TIME LIMITATIONS REGARDING REQUIRED LAWS.—

"(1) COMPLIANCE REQUIRING NO ADDITIONAL STATUTES.—

"(A) With respect to compliance with subsection (b) as a condition of receiving a grant under section 2641, the Secretary may provide such a grant if—

"(i) in the case of a grant for fiscal year 1992 to State described in subparagraph (B), the State has in effect or provides assurances satisfactory to the Secretary that by not later than October 1, 1992, the State will have in effect any requirements, authorities, prohibitions, and other provisions required in subsection (b); and

"(ii) in case of grants to such a State for fiscal year 1993 and subsequent fiscal years, the State has in effect such provisions.

"(B) A State referred to in subparagraph (A)(i) is any State under whose law regulations in accordance with subsection (b) may lawfully be issued without the enactment by the State of any statute in addition to the statutes in effect on the date of the enactment of the Kimberly Bergalis Patient and Health Provider Protection Act of 1991.

"(2) COMPLIANCE REQUIRING ADDITIONAL STATUTES.—With respect to compliance with subsection (b) as a condition of receiving a grant under section 2641, the Secretary may provide such a grant if—

"(A) in the case of grants for fiscal years 1992 and 1993 to a State that is not a State described in paragraph (1)(B), the State has in effect or provides assurance satisfactory to the Secretary that by not later than October 1, 1993, the State will have in effect any requirements, authorities, prohibitions, and other provisions required in subsections (b); and

"(B) in the case of grants to such a State for fiscal year 1994 and subsequent fiscal years, the State has in effect such provisions.

"(3) STATE CERTIFICATIONS REGARDING CURRENT COMPLIANCE.—With respect to compliance with subsection (b) as a condition of receiving a grant under section 2641, the Secretary may not, in the case of the requirement, authority, prohibition, or other provision involved, require a State to enact any statute, or to issue any regulation, if the chief executive officer of the State certifies to the Secretary that the law of the State is in substantial compliance with subsection (b).

"SEC. 2648B. PROTECTION OF HEALTH CARE PROVIDERS FROM PATIENTS WITH CERTAIN COMMUNICABLE DISEASES.

"(a) LIST OF RELEVANT DISEASES AND MEDICAL PROCEDURES.—For purposes of the requirement established in subsection (b) regarding the receipt by a State of a grant under section 2641, the Secretary—

"(1) in the case of each disease included on the list required in section 2648A(a), shall specify (as a component of the list) the medical and dental procedures whose performance by a health care provider on a patient with such a disease poses a risk of the transmission of the disease from the patient to the provider;

"(2) in the case of any medical or dental procedure specified for purposes of paragraph

(1), shall specify (as a component of the list) the particular health professions and allied health professions whose practitioners perform the procedure; and

"(3) shall periodically review the list regarding the components required in paragraphs (1) and (2), and as appropriate, make revisions regarding the components.

"(b) AUTHORIZED NONCONSENSUAL TESTING OF PATIENTS UNDER CERTAIN CONDITIONS.—

"(1) IN GENERAL.—Subject to subsection (f), for fiscal year 1992 and subsequent fiscal years, the Secretary may not make a grant under section 2641 to a State for a fiscal year unless the State provides that, subject to the condition described in subsection (c), a health care provider who is a practitioner of a profession specified for purposes of subsection (a)(2) may, in the discretion of the provider and without the consent of the patient involved, test the patient for any of the diseases included on the list under section 2648A(a) if—

"(A) in the case of a patient who is not a minor, the provider has obtained the consent of the patient to perform on the patient a medical or dental procedure specified for purposes of subsection (a)(1); or

"(B) in the case of a patient who is a minor, the provider has obtained the consent of a legal guardian of the patient to perform such a procedure on the patient.

"(2) RULE OF CONSTRUCTION REGARDING CONFIDENTIALITY.—With respect to compliance with paragraph (1) as a condition of receiving a grant under section 2641, such paragraph may not be construed to prohibit a State from having in effect any law regarding the confidentiality of information that—

"(A) concerns a communicable disease in a patient; and

"(B) is obtained by a health care provider through testing the patient in the circumstances described in such paragraph.

"(c) AUTHORIZED CONDITIONS.—

"(1) IN GENERAL.—In the case of a health care provider who has obtained consent to perform on a patient a medical or dental procedure specified for purposes of subsection (a)(1), the condition referred to in subsection (b)(1) regarding testing of the patient is that—

"(A) the provider have a reasonable basis for believing that the patient has a disease included on the list under section 2648A(a), as indicated by guidelines issued by the Secretary; and

"(B) the provider test the patient only for the diseases with respect to which there is such a reasonable basis.

"(2) ISSUANCE OF GUIDELINES BY SECRETARY.—Not later than 90 days after the date of the enactment of the Kimberly Bergalis Patient and Health Provider Protection Act of 1991, the Secretary shall issue guidelines for purposes of paragraph (1)(A).

"(d) ISSUANCE AND EFFECTIVE DATE OF LIST COMPONENTS.—With respect to the list required in section 2648A(a), the components of the list that are required in subsection (a) of this section shall be subject to section 2648A(d).

"(e) DEFINITION.—For purpose of this section, the 'minor' means an individual who has not attained the age of majority, as determined under the law of the State in which, for purposes of subsection (b)(1), the health care provider involved performs the procedure involved.

"(f) TIME LIMITATIONS REGARDING REQUIRED LAWS.—With respect to compliance with subsection (b) as a condition of receiving a grant under section 2641, section

2648A(f) shall apply to subsection (b) to the same extent and in the same manner as such section applies to section 2648A(b)."

SEC. 102. ESTABLISHMENT IN TITLE XXVI IN PROGRAM FOR CARE GRANTS.

Part B of title XXVI of the Public Health Service Act (42 U.S.C. 300ff-21 et seq.), as added by section 201 of Public Law 101-381 (104 Stat. 586), is amended in section 2617 by adding at the end the following new subsection:

"(e) PROTECTIONS REGARDING CERTAIN COMMUNICABLE DISEASES AMONG HEALTH CARE PROVIDERS AND PATIENTS.—The Secretary may not make a grant under this part unless the State involved agrees that sections 2648A and 2648B apply to the State to the same extent and in the same manner as such sections apply to any State receiving a grant under section 2641."

TITLE II—GENERAL PROVISIONS

SEC. 201. EFFECTIVE DATE.

The amendments made by this Act shall take effect October 1, 1991, or upon the date of the enactment of this Act, whichever occurs later.

NATIONAL FOUNDATION FOR INFECTIOUS DISEASES,

June 24, 1991.

Congressman WILLIAM E. DANNEMEYER,
Washington, DC.

DEAR CONGRESSMAN DANNEMEYER: Today I visited with Kimberly Bergalis and her parents to discuss your legislative initiatives to protect the patient and the health care worker against the transmission of the human immunodeficiency virus [HIV] and hepatitis B virus during invasive medical and dental procedures. As you know Kimberly is very near death from the ravages of AIDS simply because she was treated by an AIDS infected dentist who did not tell her that he could transmit a lethal disease to her during a simple dental procedure. Kimberly's death is imminent and I doubt that I will ever see Kimberly alive again.

Today, Kimberly wailed a cry of joy to me that her prayers have finally been answered by the proposed legislation and she expressed the hope that every Member of the Congress will have an opportunity to vote on this legislation to insure that needless deaths from AIDS transmitted from health care workers to patients—and AIDS transmitted from patients to health care workers will never occur again. I told Kimberly that I suggested to you that the proposed legislation be named the Kimberly Bergalis Act and that you had agreed to this because of Kimberly's determination, because of her courage, because of her passion, and because of her persistence to change public health policy that had proven so inept. Kimberly then said to me that if such a law were passed—her death will not have been in vain.

Sincerely,

SANFORD F. KUVIN, M.D.,
Vice Chairman, Board of Trustees.

HEALTHY NEIGHBORHOODS IN WESTCHESTER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mrs. LOWEY of New York. Mr. Speaker, 5 years ago, Westchester County, NY, moved to

correct a serious problem. It moved to bring an end to pockets within its cities which were environmentally unsafe and in which the residents had no access to decent medical treatment. It decided to establish the Healthy Neighborhoods Program, and our county is a better place because of it.

Healthy Neighborhoods' community health workers go into high-risk areas and conduct assessments of environmental deficiencies, of home safety, and of the medical and social needs of the families in the neighborhood. They then refer people and problems to the appropriate agency or individual. This is not the conclusion, however. The Healthy Neighborhoods workers come back to the areas where they serve, time and time again, to make sure that people are getting the help that they need and to help with any new problems that arrive. Keeping a neighborhood healthy is a full-time challenge, and Westchester has done well to put people to work trying to solve this problem on a full-time basis.

This program has prospered under the leadership of director, Olga Mackenrow and county health commissioner, Mark Rapoport. Their unstinting efforts have made the Healthy Neighborhoods experiment a success well worth replicating. As we recognize the Healthy Neighborhoods program's fifth anniversary, and congratulate everyone involved in making it work, let us rededicate ourselves to the principle on which it is founded, that every citizen, no matter where he or she lives, should have access to proper health care.

IT IS TIME TO STRENGTHEN COMMUNITY-BASED LAW ENFORCEMENT AND DRUG PREVENTION EFFORTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CONYERS. Mr. Speaker, today I am introducing a bill amending the asset forfeiture provisions of title 28 of the United States Code to require that the Attorney General devote a portion of his asset forfeiture fund to supporting community-based law enforcement and drug prevention programs.

There are two very different drug wars going on in the United States, only one of which we appear to be fighting. We are fighting, and winning, the drug war for the middle class with prevention and education programs and accessible treatment facilities. We are losing the battle in the inner cities. Waiting lists for treatment programs are still 3 to 4 months long, while those who can afford private care or who have insurance coverage do not have to wait at all.

In the inner cities, the drug war is almost a paramilitary operation, as the police are ordered to crack down and get tough on drugs. I fear that in our cities, all we are really doing is locking up enough drug dealers and users to create the illusion of success. But it isn't working.

It is not the fault of the police. They are doing their part in the drug war, and it is both

dangerous and frustrating. But if you ask a drug cop in a candid moment, he will tell you the truth: Going after the little guy will fill the jails, but it does not even begin to make a dent in the drug trade.

My bill is a first step to begin to put some of the seized assets back into the communities, into community-based crime control programs that can make a difference in peoples' lives.

Over the past 2 years, in overseeing the Office on National Drug Control Policy, the Committee on Government Operations has held a series of hearings on the implementation of the national drug strategy at the State and local level. One overriding theme presented by witnesses in all of the committee's hearings has been the lack of adequate funding for drug treatment and prevention programs at both the State and Federal level.

In fact, only 12.5 percent of the country's estimated 6.5 million drug users are receiving treatment. The committee has also heard extensive testimony on the problems that result from the traditional law enforcement emphasis of the war on drugs, and the lack of attention to alternative law enforcement approaches such as community policing, treatment in prison, and community-based crime control efforts.

The committee's report: "The Role of Demand Reduction in the National Drug Control Strategy"—House Report 101-992—recommends a 50 to 50 split in the drug war budget overall between law enforcement and treatment/prevention. As I am sure you know, the administration's proposed budget for the National Drug Control Strategy in fiscal 1992 continues to reflect a 70 to 30 ratio of funding for law enforcement over treatment and prevention programs.

Although the Attorney General has discretion to use funds derived from forfeited assets in drug cases for any law enforcement purpose defined in section 524(c) of title 28, United States Code, the vast majority of these funds are devoted to traditional law enforcement expenditures, such as prisons, rewards for informants, equipment, weapons, and police overtime.

Approximately 20 States have adopted enabling legislation authorizing the use of asset forfeiture funds for drug treatment and prevention programs. There is no reason that the Federal program should lack a similar provision, and my bill seeks to require such leadership by the Justice Department.

In this time of scarce Federal resources, I believe that this is one way of securing needed funds for the neglected community-based components of the war on drugs. In addition, with the inevitable growth of these funds and the recently proposed addition of new offenses that can result in forfeiture, now is the time to begin reclaiming a portion of these moneys for community-based interventions.

Currently, the assets forfeiture fund contains nearly \$1.4 billion. Each year approximately \$500 million is spent from this fund, largely in State and local equitable sharing payments that are not monitored in any way by the Executive Office of Asset Forfeiture. My staff has also learned that significant funds are being used to hire contractors to do work that would ordinarily be done by Federal employees.

These departures from the normal mode of congressional authorization and appropriation of funds are troubling. In addition, the Attorney General has discretion over the use of about \$100 million from this fund each year.

The U.S. Marshals Service management of the Attorney General's asset forfeiture fund has been the subject of repeated criticism by the GAO. Nonetheless, GAO recommends consolidating the management of the Justice Department and the Customs Service's asset forfeiture funds under the Marshals Service. Particularly in light of this recommendation, I believe we should act to strengthen the management of these funds.

My bill contains an initial effort to streamline management by limiting expenditures from the fund for administrative and contracting expenses to 10 percent of the total fund, and by requiring the Attorney General to include a report on all administrative and contracting expenses in his annual report to Congress. Improving fund management and increasing the moneys available for distribution is also one way to defuse some of the inevitable law enforcement opposition to the nontraditional uses of these funds.

Over half of the assets seized by the Marshals Service are real property, including crack houses and other marginal central city properties. These properties can seldom be used by the police and, because they are frequently neglected, can generate only modest financial returns. Indeed, it appears that many are routinely razed as nuisances. Community action groups want to convert these properties to provide affordable low-income housing and other community-based services.

My bill amends the real property management and disposition provisions to require that any real property appraised at less than 40 percent of the median prices of comparable real property in any central city be offered for nominal consideration to nonprofit organizations that provide direct services furthering community-based crime control, housing, or education efforts.

Mr. Speaker, I have seen the addicted single mother, with teenage son whose crack profits put food on the table, trying desperately to find a way out. I have seen the search for a treatment program that works, a job, and the self-respect that allows a drug user to become a productive human being.

Our current drug war, with its virtually exclusive reliance on traditional law enforcement, helps neither our cities nor those trapped there in the downward spiral of drug abuse and failure. It is my hope that by making funds available to community-based interventions, we can begin moving toward a more rational policy that does more than fill our jails.

The text of my bill follows:

H.R. 2774

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

SECTION 1. ONE-HALF OF THE DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND TO BE USED FOR COMMUNITY-BASED CRIME CONTROL PROGRAMS FOR DRUG EDUCATION, PREVENTION, AND DEMAND REDUCTION.

Section 524(c) of title 28, United States Code, is amended by adding at the end of the following new paragraph:

"(12)(A) In addition to the purposes under paragraph (1), the fund shall be available to the Attorney General for community-based crime control programs (including private, nonprofit programs) for drug education, prevention, and demand reduction, with amounts for such programs to be distributed, in accordance with criteria determined by the States, with priority given to the communities in which the assets involved are seized.

"(B) Not less than 50 percent of the total of the amounts disbursed for all purposes under this section in a fiscal year shall be for programs referred to in subparagraph (A). Not more than 10 percent of the total disbursed for such programs may be used for administrative costs."

SEC. 2. LIMITATION ON ADMINISTRATIVE AND CONTRACTING EXPENSES PAID FROM THE DEPARTMENT OF JUSTICE ASSETS FORFEITURE FUND.

Section 524(c) of title 28, United States Code, as amended by section 1, is further amended by adding at the end the following paragraph:

"(13) The total of amounts paid from the Fund with respect to a fiscal year for administrative and contracting expenses under paragraph (1)(A) may not exceed 10 percent of the total of amounts paid from the Fund for all purposes with respect to such fiscal year."

SEC. 3. REPORT TO CONGRESS ON ADMINISTRATIVE AND CONTRACTING EXPENSES.

Section 524(c)(6) of title 28, United States Code, is amended—

(1) by striking out "and" at the end of subparagraph (B);

(2) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following new subparagraph:

"(D) a report for such fiscal year containing a description of the administrative and contracting expenses paid from the Fund under paragraph (1)(A)."

SEC. 4. NOMINAL CONSIDERATION SALES OF LOW VALUE REAL PROPERTY TO CERTAIN TAX EXEMPT ORGANIZATIONS.

Section 511(e) of the Controlled Substances Act (21 U.S.C. 881(e)) is amended by adding at the end the following new paragraph:

"(4)(A) If any property referred to in paragraph (1)(B) is low value real property located in a metropolitan statistical area, the Attorney General shall offer such property for sale, for nominal consideration, to tax exempt organizations that provide direct services furthering community-based crime control, housing, or education efforts in such area.

"(B) As used in this paragraph—

"(1) the term 'low value real property' means, with respect to a metropolitan statistical area, real property that is appraised at less than 40 percent of the median value of comparable real property in the metropolitan statistical area; and

"(2) the term 'tax exempt organization' means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986, and exempt from tax under section 501(a) of such Code."

SEC. 5. REGULATION.

Not later than 120 days after the date of the enactment of this Act, the Attorney General shall prescribe regulations to carry out the amendments made by this Act.

SEC. 6. EFFECTIVE DATE.

The amendments made by sections 1, 2, and 3 shall apply with respect to fiscal years beginning after September 30, 1991.

THE EXTENSION OF MFN TRADE STATUS TO CHINA

HON. ROD CHANDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CHANDLER. Mr. Speaker, I include the following:

Thank you Mr. Chairman, members of the committee, the issue raised before the members of this committee here today is not whether we desire greater Chinese respect for human rights and international norms of behavior.

Indeed, everyone of us want to see greater respect for human rights by the Chinese Government, and a continuation of positive social, political, and economic change.

Rather, what truly lies in question is what actions should the United States take to foster China's democratization. Should the United States extend MFN, and thus keep China open to the international community and support the economic forces that have been driving political and social change? Or should the United States disapprove MFN, allowing this vital link between our two nations to be held hostage to the reactions of a small group of hardliners within China?

The choice is simple, for one fact is clear. If the United States fails to extend MFN to China, the democratic movement within that country will suffer its greatest setback, a setback which will be even more difficult to overcome than Tiananmen Square.

Eliminating a fundamental pillar of our economic relationship—MFN trade status—will destroy our ability to engage the Chinese on issues of concern. In the past, MFN has served to open an isolated China to the outside world and promote reform. The people of China are looking to us for assistance for the democratic movement in China is at a crossroad. We must work with the Chinese people if it is to continue and succeed. We must not abandon them, we must not isolate them, we must extend MFN.

LUTHERAN CHURCH OF THE GOOD SHEPHERD HAS HISTORY OF FAITH AND INNOVATION

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. SOLOMON. Mr. Speaker, as you drive north on Glen Street in my hometown of Glens Falls, NY, one of the most visible landmarks is the Lutheran Church of the Good Shepherd.

The most visible feature is a large figure of Jesus Christ with a shepherd's crook in one hand and a lamb in the other hand.

While this church may not be as old as some of the churches that trace their history to colonial times, its own history is no less interesting.

This particular church has been particularly noteworthy for the spirit of innovation that allowed it not only to survive, but to thrive since its humble beginnings in the late 1940's.

I proudly place in today's RECORD an article from the Glens Falls Post-Star, which, more completely than anything I could say, tells the story of this church.

The article follows:

[From the Glens Falls (NY) Post-Star, June 23, 1991]

DRIVE-IN MINISTRY—CHURCH HAD INNOVATIVE START

(By Tom Calarco)

The Lutheran Church of the Good Shepherd had just a living room for a chapel in 1949. The Rev. Gary Germann, pastor of the young church, was faced with not holding summer services or coming up with an innovative solution.

He chose to innovate. So on June 26, Germann held the nation's first religious service at a drive-in movie theater.

"Sabbath Worship—Behind the Wheel" it was called.

Germann had held services outdoors at a church he started in Peekskill before coming to Glens Falls. And in California, some churches had drive-in services.

But Germann went one step further. The services took place at the old Lake George Drive-In, located at the present site of the Colonel Williams Motor Inn.

The pulpit was mounted in front of the movie screen, and prerecorded hymns were piped in over the car speakers. Printed programs were provided with the words to the hymns, and collections were made from car to car. A Sunday school was also conducted behind the movie screen.

Many tourists attended the services, and visitors were invited to indicate their religious affiliations and hometowns on registration cards.

Germann, who died in 1987, had said at the time of the services that people from all 50 states as well as every known religious faith attended.

"Non-Denominational is the adjective I like best in describing the services," Germann said. "We don't plug the Lutheran concepts."

Dick Willman remembers attending when he was a boy.

"It was a way of life," he said, "the era of the car. You didn't have to dress up, that's what I remember most about it."

The informality proved to be a big draw, said Marian Germann, the pastor's widow.

"Come in your car, dressed as you are," was one of the slogans used to advertise the services, she said.

People going to the beach or on a picnic could come to church without dressing up, and instead of going home to change afterwards, they could go on their way.

As many as 200 autos pulled in for a single service, Susan Adams remembered. In 1954, the services were moved to a larger drive-in theater, the Fort George, which was located at the present site of Waterslide World.

There were drawbacks, Adams said, such as not being able to offer communion, which was offered only once a month during special services at the parsonage.

But the drive-in services continued until the summer of 1964, when attendance began to fall off.

The success of the drive-in services provided much of the revenue for building the church at the corner of Bowman and Glen streets in Glens Falls.

The church had to struggle merely to survive in the beginning. Not until 1946 was the first Lutheran worship service held in Glens Falls.

On March 17 of that year, 20 people met at the Friends Meeting House on 174 Ridge St. with the Rev. Theodore Schulze, pastor of St. Paul's Lutheran Church in Saratoga Springs.

These mission services at the Friends Meeting House continued with Schulze. But collecting enough money to conduct these services was difficult, and often it was necessary for church-goers to make extra contributions out of their pockets.

In November 1947, a house at the corner of Bowman and Glen streets, across from Crandall Park, was purchased to serve a new congregation. The following month, Germann was appointed as the church's first pastor, a position he would hold for 26 years.

"We were married on Dec. 14, 1947," said Mrs. Germann. "We spent our honeymoon in an empty parsonage with a hay field in the back."

A week later, Germann held his first services in the parsonage's living room. It served as a temporary chapel, but it simply wasn't large enough, Mrs. Germann said.

On June 5, 1949, when the church was formally chartered, the ceremony had to be held at the Church of the Messiah to accommodate the numbers.

The new church was also given an official name, voted upon by its members—The Lutheran Church of the Good Shepherd.

It was a fitting choice, pastor Germann said, because it was a name Jesus had given himself.

The church itself was erected in stages. Construction on the present site behind the house on Glen Street began in the early 1950s.

In December 1952, a basement chapel was completed. This served the congregation until the church building was completed in 1959.

Except for additions on the south and west ends of the church made in 1981, its structure has changed little since.

Germann himself described the building as a combination of traditional and contemporary ecclesiastical design.

The church's stained-glass windows represent a revival of 18th century, English-Georgian style. Its colors, however, are atypical pastel beiges, yellows and greens with a tint of purple.

The landmark by which the church is best known today, the seven-foot statue of Christ, was erected in 1968.

This depiction of the Good Shepherd was created by Chestertown artist Jack Binder, who also wrote comic books and originated the character Mary Marvel. He created many of the figures for the old Storytown, as well as the gorilla at Animal Land.

The late artist's son, Ed Binder, said the statue was his father's gift to the church. Its earth tone colors match the beige and brown color scheme of the church's exterior.

Since Germann's tenure, the church has had three pastors: the reverends Peter Hoyer, John Collier and Alfred Glaser. Glaser has been pastor since August 1983.

The church has undergone a resurgence of growth in recent years. Glaser said, mainly because of its educational and outreach programs.

This includes the Sunday school both for children and adults, newcomers classes on Tuesday, and confirmation classes on Thursdays. Church members have also been active in outreach evangelism, periodically going from door-to-door, and also visiting the homes of non-members who might attend services.

The church boasts a fine music program. Besides an adult and youth choir, there is also a cherub choir made up of children from preschool age to the third grade. The choir has attracted a good number of young families in recent years, Glaser said.

The church is continually striving to keep up with the times. It was made handicapped accessible, for instance, by the installation of an elevator in the addition on the west end.

The Lutheran Church of the Good Shepherd's continued growth bodes well for the future. Glaser believes the church's success is due to its dedication to strong Christian principles.

"As human beings, we often tend to measure success and growth in terms of material blessings," Glaser has written.

"However, in our life together as a people of God, it is important we measure ourselves by the standard of God's grace. As our children and grandchildren look back on these years of our history together to this point, let it be said of that we were faithful to our God."

HELEN BURROUGHS: A SMALL BUSINESS CHAMPION

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. IRELAND. Mr. Speaker, on occasion a simple statement—"Hello, I'm from the Government and I'm here to help you"—sends small business owners running for cover at very high speeds indeed.

What a pleasure it is, then, to bring to the attention of our colleagues one of the many Government officers who personifies the very best of two words that ought to be held in the highest esteem: "Public servant."

I don't think any of us in Congress would underestimate the importance of exporting to the health of small business and to the Nation as a whole. And, Mr. Speaker, I can't think of anyone inside or outside of Government who has given more of their talent, time, expertise, and energy to promoting small business exports than Ms. Helen Burroughs, and she has done so against insurmountable odds and with remarkable success.

Truly, if it were in my power, I would clone 1,000 like her and solve our country's trade problems overnight.

As many of our colleagues know, Helen Burroughs is the U.S. Department of Commerce's Small Business Trade Policy Analyst for the International Trade Administration, a somewhat prosaic title that hides the magic she creates.

Two years ago, drawing on that unique mix of knowledge, confidence, hard work and good humor that leads to success, Helen conjured and cajoled into existence the first international trade event ever sponsored by the Commerce Department exclusively for small businesses.

Held in Frankfurt, Germany, Export 89 was a revelation to other countries—a magnificent array of products and services built and designed, not by mammoth, multinational organizations, but by small business men and women from America. Perhaps this accomplishment alone deserves our admiration and recognition, but Helen's dedication to the dreams of entrepreneurs goes beyond this victory.

Helen was the first woman to represent the Commerce Department by presenting Amer-

ican technology to foreign governments and to businesses throughout the world. Later, she served as coordinator for the United States Joint Economic Commissions for Saudi Arabia, Iran, Egypt, and Israel.

A founding member of Executive Women in Government, Helen currently directs the development of small business trade policy for the Department of Commerce and manages policy development for Secretary Mosbacher's industry Sector Advisory Committee on Small and Minority Business.

And next fall—repetition being another sincere form of flattery—Helen will work her magic again for a second American small business international trade extravaganza.

Mr. Speaker, I have reminded our colleagues on many occasions that it is easy to say you are for small business. It is how you vote that really counts. Helen Burroughs stands as a shining example of what can be done for small business when our actions carry the same weight as our words. I urge our colleagues to follow her inspiring model.

STOP U.S. SUPPORT FOR CIGARETTE EXPORTS

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ATKINS. Mr. Speaker, in 1989, when the British Government sought to ban the sale of smokeless tobacco, the United States Department of Commerce objected on the grounds that some scientific studies had not linked chewing tobacco to oral cancer. In the same year, the United States Trade Representative accepted a cigarette industry petition alleging that Thailand's comprehensive ban on cigarette advertisements was an unfair trade practice.

With over 400,000 American smokers dying each year and another 1.5 million breaking the habit, the cigarette industry needs 2 million new smokers every year just to break even. The good news is that domestic consumption has plummeted 18 percent since 1981. The bad news is that the cigarette industry has teamed up with the U.S. Trade Representative and the Commerce and State Departments to push cigarettes abroad.

Beginning in 1986, the USTR has negotiated four unfair trade petitions on behalf of cigarette firms—an enormous and unprecedented boost for the industry. U.S. cigarette exports have nearly tripled in that period and now represent 23.4 percent of total unit sales. In 1989, 37.2 percent of our cigarette exports went to the USTR-affected countries of Taiwan, Japan, and South Korea.

Today, I am introducing two bills to temper the administration's enthusiasm for cigarette exports.

The Cigarette Export Labelling Act simply requires the Surgeon General's warning on all exported cigarettes. It is outrageous to pretend that the Surgeon General's findings apply only to American smokers.

The Cigarette Export Reform Act prohibits the U.S. Government from seeking to change a country's laws pertaining to the sale, dis-

tribution, taxation, or advertisement of cigarettes if that country imposes the same restrictions on their own brands. The bill also includes a GAO recommendation to add a representative from the Department of Health and Human Services to trade disputes adjudicated by the interagency Section 301 Committee in cases involving cigarettes and chewing tobacco.

In 1989, the World Health Organization asked a special group of consultants to make a calculation of how many people now living will die from tobacco-related diseases if current smoking patterns continue. They reported that nearly one-tenth of the world's population will die—500 million babies, children, and adults are doomed.

Perhaps our country's most enduring legacy is the dissemination of key health-care discoveries to the rest of the world. Let's not allow the cigarette industry to add a new chapter to that legacy—a chapter that makes America the leading exporter of lung disease in the world.

WALTER CAMPBELL

HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. WOLPE. Mr. Speaker, on July 12, 1991, the Michigan State AFL-CIO will honor a man of singular accomplishment: Mr. Walter Campbell, retired secretary-treasurer of the Michigan State AFL-CIO.

There have been many highlights in Walter Campbell's long and productive history of advocacy on behalf of working men and women. Beginning as an employee of Borg Warner in Muskegon Heights, Walter became active in the AFL-CIO Allied Industrial Workers Local 404, and was elected to several offices, including the local presidency. In 1941, he began working for the international union and subsequently, in 1943, became an international representative for the AIW where he remained until his election as a regional director in 1967.

In the 1970's, Walter's leadership capabilities were recognized by his appointment as secretary-treasurer for the Michigan State AFL-CIO. Walter was also appointed by Governor G. Mennen Williams to serve on the Michigan Employment Security Commission, where he received consecutive reappointments from 1959 until 1987.

Walter Campbell is now officially retired from the AFL-CIO, but his commitment to public service continues unabated. His involvement with several labor and civic organizations—including the United Way of Michigan, the Michigan Welfare Reform Coalition, the Michigan Diabetes Association, and the Greater Lansing Food Bank—attests to Walter's continued dedication to the struggle for social justice that has been the distinguishing characteristic of his entire life.

Walter's leadership, his drive, his determination and commitment have been recognized many times over by his friends and colleagues. In 1977, for example, the Michigan United Labor Community Services School

launched the Walter A. Campbell Community Service Award for students active in community services. More recently, the United Way established The Walter A. Campbell Award for Outstanding Voluntarism to recognize volunteers whose service and example stand as an inspiration to others.

Mr. Speaker, Walter Campbell has exemplified throughout his life the highest ideals of the labor movement, and his contributions as a member of numerous State and local civic organizations has touched the lives of working men and women throughout Michigan. I know that my colleagues will want to join with me in paying tribute to a person who personifies the very best in America's tradition of community service, and in thanking Walter Campbell for the labor and community leadership he has provided these past five decades. We are all in Walter's debt, and we wish him and his family continued success and happiness in the years ahead.

THE INFANT MORTALITY CRISIS

HON. PETE PETERSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. PETERSON of Florida. Mr. Speaker, reducing the country's chronically high rate of infant mortality is the single most important issue facing this Congress.

The national numbers are staggering and the local figures are devastating. In my district, four counties face an infant mortality rate higher than that of some Third World nations.

Mr. Speaker, we know how to lower this rate and it is up to Congress to take action.

Out of the nearly 40,000 babies born every year in this country, that do not live to see their first birthday, 25 percent can be saved by providing adequate prenatal care and nutrition services. By making these vital services readily available to pregnant woman we can reduce the incidence of low birthweight babies and thus lower our infant mortality.

Later today, Congress will take up legislation appropriating funds for labor and health and human services. A significant portion of today's bill will provide much needed funding for prenatal care.

Harry Truman once said "my clients are the next generation, my clients are the children." Today, I urge my colleagues to take this issue beyond lipservice and make a firm commitment to reducing the infant mortality crisis. It is something we can all do for our country and tomorrow's next generation.

THE KGB AND SOVIET REFORM

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. GRADISON. Mr. Speaker, at a closed session of the Soviet Parliament on June 18, 1991, the chief of the KGB, Vladimir Kryuchkov, delivered a strident address in which he accused Western intelligence serv-

ices of preparing plans for the "pacification and even occupation" of the Soviet Union in an effort to control Soviet nuclear weapons. He went on to suggest that the Central Intelligence Agency is behind perestroika and that Western intelligence will leave the Soviet Union weak and susceptible to catastrophe.

Later in the same week, the Parliament decisively rebuffed an attempt by Soviet Prime Minister Valentin Pavlov to assume many of the powers reserved for President Mikhail Gorbachev. "Pavlov's Putsch," as it is referred to by the proreform media, reportedly had the support of Interior Minister Boris Pugo, Defense Minister Dmitri Yazov, and KGB Chief Kryuchkov, in addition to the support of the hard-line leadership of the Soyuz faction in the legislature.

Against this backdrop, Soviet Interior Ministry troops, the Black Berets, continued their harassment of Lithuanian customs offices. For several weeks, the Black Berets have been attacking customs posts in Lithuania and Latvia. These customs posts are symbolic of the Baltic States claims to independence from Moscow. Continued military maneuvering in the Baltics by Soviet forces and the position of the Soyuz bloc, associated with the bloody crackdown in the Baltics this past January, should be a warning to those who assume that the Soviets have reached a consensus on reform.

Kryuchkov's xenophobic and paranoid address to the Soviet Parliament is an indication of just how far some in Moscow have not come on the fundamental issues facing Soviet society. After 74 years of Leninist experimentation, the Soviet economy is a disaster and Soviet society exhibits deep functional and structural fissures, many of which may not be adequately dealt with for generations.

Rather than recognizing that only fundamental reform can eventually lead them out of that quagmire and away from catastrophe, a few in Moscow are choosing to blame the outside world. Looking for scapegoats is a tried and true tactic for the totalitarian mentality. Most Soviets, judging by the results of recent elections, appear to be wedded to the reform road. One can only hope that all the members of the senior leadership in Moscow will see that wisdom—and soon.

THE NORTHERN WESTCHESTER HOSPITAL CENTER: CARING FOR THE COMMUNITY

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mrs. LOWEY of New York. Mr. Speaker, the months ahead will no doubt see a great deal of talk about health care here in the House and throughout the country. That is a good sign, I believe, because taking care of our people, working for a healthier America, should be one of our top priorities. Nobody knows this better than the people of Northern Westchester Hospital Center in Mount Kisco, NY, community medical center that is doing an exemplary job in meeting the health care needs of those who rely upon them.

Northern Westchester was founded 75 years ago based on the simple premise that a

community could provide for and maintain a place where people could receive high quality compassionate health care. From the start, it has fulfilled that promise, and it continues to honor its commitment to this day. Northern Westchester's doctors and nurses are highly trained, caring individuals who use the most advanced medical technology available to ensure that their patients receive the highest quality of care.

The people of Mount Kisco and the surrounding communities have done their part as well. By consistently providing support for the hospital, they have ensured access to this outstanding facility. They have also provided a valuable asset, the benefits of which reach far beyond Westchester. Northern Westchester Hospital is engaged in several projects in conjunction with the Federal Government that will further important national needs, including helping to control the spread of Lyme disease.

As the Northern Westchester Hospital Center celebrates its 75th year, Mr. Speaker, I urge my colleagues to join me, not just in saluting this noteworthy institution, but in replicating its remarkable success and important service. Northern Westchester is a reflection of how a community can work together to look after the health of its people. I hope that our Nation can meet that challenge with similar effectiveness.

A CONGRESSIONAL SALUTE TO
"STAND DOWN '91"

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to a highly successful project assisting homeless veterans in Long Beach, CA. I sincerely appreciate the outstanding efforts given and the significant results achieved this past Friday through Sunday at "Long Beach Stand Down '91," one of the city's largest ever all-volunteer programs to assist homeless veterans.

As honorary cochairman it has been a privilege to have been associated with a project devoted to such a special group of Americans. It also has been especially pleasing and gratifying to see such tremendous community support for this year long effort. I wish to congratulate the over 400 volunteers and 50 public and private sector organizations, because without their extraordinary efforts, Stand Down '91 would not have been the remarkable success that it was. Additionally, I take great satisfaction in commending a former member of my staff, Gus Hein, now with the Southern California Rapid Transit District, for his extremely capable job as the chairman of Stand Down '91.

Stand Down, taken from the military term—allowing a combat unit to be removed from the field of battle to an area of safety and security—is a comprehensive program designed to provide homeless veterans with the services they need to reenter mainstream society. It is based on a similar program held in San Diego annually since 1988 that has proven to be an innovative and effective way of assisting

homeless veterans break the self-perpetuating cycle of homelessness.

Stand Down '91, held at Veterans Memorial Stadium in Long Beach, served 263 homeless veterans ranging in age from their mid-20's to mid-70's. The project provided 261 multiple-service medical appointments, ranging from eye and dental services to testing for tuberculosis, which assisted 150 vets with medical needs, including 6 emergency cases that were promptly referred for local hospital care. Additionally, 100 followup medical appointments were scheduled. Stand Down '91 also adjudicated 73 legal cases, located short-term jobs for 19 vets, and shelters for 40 more.

After every homeless veteran was checked in and evaluated for immediate special needs, he or she was given a photo identification card and the opportunity to obtain numerous other services throughout the 3-day event, such as a shower, haircut, and counseling for substance abuse, AIDS, stress, foot problems, and exposure to agent orange. They also received donated shoes and clothing, shelter, and all the food they could eat, in addition to being treated to two, 2-hour USO shows.

Perhaps the most valuable contribution of Stand Down '91 was the manner in which all these services were made available to the veterans. One of the project's volunteers seemed to capture the spirit of the occasion when she told all the veterans that these things were not being given to them, but rather they had earned them for their previous sacrifices during military service to a very grateful Nation. Many Vietnam veterans could be heard saying that "This was the most at home and welcome they had felt in the United States since returning from Vietnam."

Many volunteers remarked at how amazed and gratified they were at the dramatic changes they saw in the way homeless veterans looked—from the downward-looking veteran that arrived Friday morning—to the entire group of veterans on Saturday night who were joining hands and looking skyward as they sang "God Bless the USA." The normally distrustful homeless veterans quickly learned that there were many people at Stand Down '91 who genuinely cared for their well-being. Volunteers, ranging from union members and private business owners to officials from Government agencies and elected offices, could be seen sitting on the grass together with veterans talking about the problems of homelessness, while others could be seen embracing veterans during many of the event's emotional moments.

I was extremely proud to see how Long Beach rallied around our homeless veterans. It was really something, to see so many services available at one site, and the tremendous commitment of everyone in helping these proud vets take a step toward getting off the streets. I really would like to see this kind of cooperative program between the public and private sectors spread not only to other parts of California but throughout our entire country as well. With the knowledge learned from more homeless veterans' assistance programs like Stand Down '91, we will become better able to expand this kind of volunteer effort to all of our homeless people.

While we have immeasurable strength as a united nation, America's inner strength has

been found in the pride of its individuals—the kind of pride that can be felt by being both a productive and recognizable part of our society. Therefore, we must ever strive to help our homeless to get back on their feet so they again can feel the pride of contribution, and our country can feel the pride of being truly united.

My wife, Lee, joins me in extending our heartfelt thanks to Gus Hein and all of the volunteers whose contributions made this very worthwhile project possible. They are truly remarkable individuals who have devoted their time and efforts for the betterment of mankind. Stand Down '91 was a remarkable success because of their extraordinary efforts.

A TRIBUTE TO LT. GEN. CARL
SPAATZ

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. YATRON. Mr. Speaker, I rise today with much pride to honor a man of glowing credentials and tremendous accomplishments on the anniversary of his 100th birthday. Lt. Gen. Carl A. Spaatz gave so much to our country, and I think we should all take this opportunity to reflect upon his wonderful achievements.

Lieutenant General Spaatz was born on June 28, 1891, in Boyertown, PA. He graduated from the Military Academy at West Point as America was preparing to enter World War I. Although Spaatz was fairly young at this time, he made great contributions to the war effort, including the shooting down of three German Fokker planes. For his efforts, Spaatz received the Distinguished Service Cross for heroism in action.

When the war ended, Spaatz dedicated himself to establishing the American forces in the air as the most powerful in the world. In order to achieve this goal, Spaatz helped develop several innovative methods of flight. It was at this time that the transcontinental flight was improved substantially, and the refueling endurance trip was also attempted. In one such endurance flight, Spaatz completed a refueling operation despite being drenched with scalding aviation gasoline, thus helping to keep the plane in the air for 150 hours and 40 minutes. These heroics in the famous "Question Mark" incident earned him the Distinguished Flying Cross in 1929.

Lieutenant General Spaatz continued to be extraordinarily successful in the field of aviation during the 1930's, and World War II provided him with the perfect opportunity to display all that he had learned. His first assignment in the war was to assist in the invasion of North Africa, which he did by commanding the force that became known as the "Spaatzwaffe." As the war progressed, Spaatz was appointed to several other key positions, including the leadership of the U.S. Strategic Air Forces in the European theater. His direction of the strategic bombing against the Germans throughout 1944 was vital in America's success against Hitler's forces.

As the war in Europe came to a close, Spaatz was reassigned to the Far East, where

American air power was instrumental in completing the victory over the Japanese. By this time, the greatness of his achievements was widely recognized, as he had already achieved the title of "three star" lieutenant general and was called "the best air commander I know" by General Eisenhower.

Mr. Speaker, I hope that you and my colleagues will join me in honoring Lieutenant General Spaatz. This outstanding gentleman is most deserving of all of the accolades he received during his life, and I would like to take this opportunity to recognize everything he has done for this country.

TRIBUTE TO THE 1072D NATIONAL
GUARD UNIT

HON. FREDERICK S. UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. UPTON. Mr. Speaker, I rise today to pay my greatest respect and tribute to the 1072d Maintenance Company of Sturgis and Coldwater, MI. We recently welcomed these dedicated public servants home and I wish to express my pride and extend my support to members of the 1072d and their families.

Those in the 1072d Maintenance Company, like other members of the Guard, represent a broad cross-section of occupations; in their daily lives before the war they may have had little in common with each other. Yet, what bound this unit together throughout their months of service, was a profound love for their families, their community, and this Nation.

The commitment and selflessness of these fine men reminds me of an inscription on a memorial for soldiers in Arlington Cemetery that reads: "Not for fame or reward, not for place or for rank, not lured by ambition or goaded by necessity, but in simple obedience to duty as they understood it."

When members of the 1072d were called up to serve, they said farewell to their way of life, their friends, and families and faced the terrifying uncertainty of war. Though the wind was cold, they were warmed by their many neighbors who poured into the street to wish them a safe tour of duty. As I said a few weeks ago in Sturgis, the love and support of troops family members and friends, was the wind behind their sails.

Whether it was in Germany or Japan or on the front lines in the sands of Kuwait and Saudi Arabia, the guardsmen of the 1072d made a sacrifice which few Americans ever make but from which every American benefits. They were a vital and crucial link to the overall success of our military strategy in the gulf. The 1072d stands tall with every branch of the U.S. military and every veteran of the gulf war as the true heroes of Operation Desert Storm.

In celebrating the return of our troops, and our victory in the gulf, I believe it's important that we not glorify war, nor ignore the tremendous sacrifice of those who now come marching home—and those who never will.

We thank God for the selflessness of the people of the 1072d and all the other men and women that contributed to our effort in the

gulf. But at the same time, we hope and pray that this will be the last time we call upon their service.

The 1072d Maintenance Company, and all veterans, share in what we hope will be a legacy of lasting peace, sovereignty and freedom for all nations. God Bless the 1072d and God Bless the United States of America.

THE RETIREMENT OF GEN. ARVID
E. WEST

HON. JAMES P. MORAN, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. MORAN. Mr. Speaker, I would like to take this opportunity to congratulate Brig. Gen. Arvid E. West on his retirement and thank him for the years of meritorious service he has dedicated to the U.S. Army and to improving the Fort Belvoir facility in Fort Belvoir, VA.

General West came to Fort Belvoir on September 1, 1989, with a command to "completely turn around and clean up" the Directorate of Logistics at Fort Belvoir. General West did just that. In 2 short years, General West's enthusiasm and dedication has helped develop Fort Belvoir into a model facility which has recently been recognized with the Army Community Excellence Award for the best medium-sized post.

General West, a native of Norway, MI, graduated from the U.S. Military Academy in 1956. He then served two tours of duty in Vietnam where he was awarded the Silver and Bronze Stars, the Legion of Merit, four oak leaf clusters, and the Purple Heart. General West has always been a natural leader and role model for those fortunate enough to serve under him, and a friend for those fortunate enough to work with him in the community.

General West was a friend of mine and will be greatly missed by my constituents and by the U.S. Army. I am confident that he will apply the same level of professionalism and devotion to his new post with the Missouri Division of Public Highway Safety as he did in Fort Belvoir.

THE SEMICONDUCTOR INTERNATIONAL
PROTECTION ACT EXTENSION ACT

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. EDWARDS of California. Mr. Speaker, as a representative from Silicon Valley, I am pleased that the House is acting on an extension of the Semiconductor International Protection Act. I want to complement Chairman Hughes and the members of the Subcommittee on Intellectual Property and Judicial Administration for their hard work on H.R. 1998.

In passing the original Chip Protection Act in 1984, Congress addressed the unique intellectual property protection needs of the semiconductor industry. The act also authorized the Secretary of Commerce to extend this pro-

tection to semiconductor chip producers whose countries have negotiated bilateral chip protection agreements with the United States. This process allows the Secretary to negotiate for our chip producers the protection they need to compete in the international market.

The international negotiation provisions of the Chip Act have been the catalyst for the establishment of bilateral agreements with nineteen countries. We must make certain that progress is allowed to continue on establishing international semiconductor copyright standards. H.R. 1998 will give the Commerce Secretary the opportunity over the next 4 years to bring us closer to establishing those standards. I urge my colleagues to support the bill.

FIGHT FOR HEALTHY BIRTHS AND
A LOWER INFANT MORTALITY
RATE

HON. J. ROY ROWLAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ROWLAND. Mr. Speaker, The rate of infant mortality has been too high, far too long, and we have not done enough to bring it down.

But it is also a fact that we have made some significant progress over the past few years. Congress has gradually increased funding for prenatal care. And we have approved some innovative new programs to help expectant mothers get the care they need. So far, however, we have not come up with the money to implement these programs.

More money would help. But that is not the entire answer. Even if we do not get all of the Federal funds we need, there is a great deal more we can do in this country to address the problem.

What we need more than anything else is education, public awareness, and community involvement. Many thousands of infants can be saved or spared lifetime physical and mental disabilities if we simply inform more expectant mothers about the care they need and about how to obtain it.

Mr. Chairman, the whole country should be involved in the fight for healthy births and a lower infant mortality rate. Many of our churches, businesses, educational systems, health professionals and volunteers, and many individual citizens are already involved. As co-chairman of the Sunbelt Caucus Task Force on Infant Mortality and vice chairman of the National Commission to Prevent Infant Mortality, I urge everyone to join in. By working together, this is a fight we can win.

MILITARY MEDICAL CARE

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. MURTHA. Mr. Speaker, I rise today to tell you that the state of military medical care is improving. The Defense Appropriations Subcommittee has closely monitored the military's

medical program for many years to ensure that beneficiaries receive the best care that our Nation can provide.

However, the future of military medical care is in question, Mr. Speaker. The Defense Department has proposed a new concept called coordinated care, a concept that is both untested and unproven. The House recently voted to only allow the Defense Department to test this new concept, along with other medical tests such as CHAMPUS reform initiative and catchment area management, to ensure that the Department is making a wise decision on how health care will be provided in the future.

Many organizations have written to the subcommittee praising the action we proposed in the recently passed fiscal year 1992 Defense appropriations bill. The National Military Family Association said in its letter of June 7:

Your attention to the military health care delivery system is welcomed by military families. You have listened to the beneficiaries of this system and acted accordingly. The committee report and corresponding provisions encourage reform and allow innovative programs to proceed.

The Non-Commissioned Officers Association of the United States of America said in its June 14 letter to the committee:

The Association is impressed with the House's action to suspend implementation of the Defense Department's proposed new coordinated care program. The Association salutes you and the members of your distinguished Subcommittee for taking what the Defense Department may consider a most antagonistic view of its coordinated care plan.

Mr. Speaker, I believe the House is on the right track as far as improving the quality of military medical care. Even an internal Pentagon document recently came to the same conclusion as that which the House approved in the fiscal year 1992 Defense appropriations bill, when this internal document stated that unless "efforts are coordinated on a DOD-wide basis through a more structured, deliberate effort, little progress can be expected in improving the—military medical—system." We must ensure, Mr. Speaker, that this quality health care is not diminished now that the Persian Gulf war is over and our Nation's attention is focused on other problems. We must ensure that improvements continue to be made only on programs that are tested and proven.

TRIBUTE TO SACRED HEART
MEDICAL CENTER

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. WELDON. Mr. Speaker, I wish to congratulate the Sacred Heart Hospital Medical Center in Chester, PA, for being honored as a statewide finalist of the Pennsylvania Hall of Fame Champions of Older Workers.

This project seeks to identify, promote, and honor Pennsylvania employers who have made noteworthy efforts to hire older workers and to increase employment opportunities for

people 55 or older. The hospital located in the city of Chester, just outside of my district, was nominated by the Senior Employment Program of the Delaware County Services for the Aged.

Sacred Heart Hospital aims to utilize the experience and wisdom of older workers. These older workers have a great deal to offer our community. Their experience, reliability and pride in their work is unmeasurable. By utilizing our older citizens, Sacred Heart reaps the benefits of a largely untapped resource of our work force. In addition to the great service they provide to others, our senior citizens receive gratification for performing this much-needed public service.

Mr. Speaker, not only does this hospital offer an outstanding opportunity for older workers, Sacred Heart has an excellent reputation for serving the "poorest of the poor." By employing these older citizens, Sacred Heart has established an economically efficient system to give medical attention to all our citizens regardless of ability to pay. Sacred Heart's enlightened employment practices should serve as a role model for all employers.

Mr. Speaker, on behalf of the Seventh District of Pennsylvania, I applaud the Sacred Heart Medical Center for their excellent service commitment to our community.

ATTORNEY REPRESENTATION
NEEDED FOR VETERANS WHO
OWE THE GOVERNMENT MONEY

HON. HARLEY O. STAGGERS, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. STAGGERS. Mr. Speaker, I am introducing a bill that will help veterans. My bill will allow veterans, who are alleged to owe the Government—the Department of Veterans' Affairs—money, the opportunity to have an attorney represent the veteran in all stages and proceedings. This will allow a veteran, whom the Government believes owes money to the Government, to have a lawyer represent his interests. The veterans interests in this matter are substantial, his credit rating, military security clearance, and his future income.

The idea of allowing a veteran to have legal, competent representation is not new, nor did it develop after judicial review for veterans became law. In large measure, my legislation will allow veterans to have the same opportunity to have representation that they enjoyed from the 1950's until 1986. A 1986 general counsel opinion reversed the policy that allowed a veteran to have representation. Unfortunately, since that time, thousands and thousands of veterans have had their credit ratings ruined, lost their homes, have been unable to resume their lives, and have been driven to the bankruptcy courts of our country.

My legislation will allow the veteran to contact and engage the services of an attorney when first contacted by the Department or at anytime while collection efforts occur. This legislation has been the discussion of hearings before my Subcommittee on Housing and Memorial Affairs of the House Veterans Affairs

Committee and has the support of the Veterans' of Foreign Wars, the Vietnam Veterans of America, the Disabled Veterans of America, and other veteran service organizations.

WELCOME, PRESIDENT ROH TAE
WOO

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. ROHRBACHER. Mr. Speaker, on behalf of the people of the 42d District of California, I would like to take this opportunity to welcome to the United States the President of the Republic of Korea, His Excellency Roh Tae Woo. President Roh arrives in Washington, DC, on Monday, July 1, for an official state visit at the invitation of President Bush.

This is President Roh's fourth official visit to the United States, but this is the first state visit for a Korean President in 26 years. And it is a particularly fitting time for this visit. After 3½ years in office, President Roh is credited with initiating popular reforms to strengthen and expand democracy in South Korea. As a candidate for President in 1987, Mr. Roh issued his "June 29 Declaration" in which he called for major constitutional changes to address the Korean people's desire for greater freedom and democracy. After the first direct popular election in Korea in 16 years, Mr. Roh took office and began to implement his program for democratization.

Today, President Roh is in the final stages of carrying out this plan. Koreans now enjoy virtually unrestricted freedom of the press and speech. The National Assembly and an independent judiciary share power equally with the executive branch of Government. The rights of workers are ensured, and the standard of living among ordinary Koreans has improved markedly in recent years. And free and fair elections are now held at all levels of the political system.

On the international front, Mr. Roh has succeeded in dramatically expanding relations with countries not traditionally friendly to South Korea, including the Soviet Union and the nations of Eastern Europe. And he has done this principally with the aim of improving relations with North Korea and reducing tensions on the Korean Peninsula.

Korea is now considered one of the last outposts of the cold war. Communist North Korea remains probably the most closed society on Earth and poses a formidable military threat. Pyongyang maintains a million troops and a vast array of weapons, including advanced Scud missiles along the border with the South. It is for these reasons that the United States remains firm in our commitment to assist in keeping peace on the peninsula.

But even along the Demilitarized Zone, we are beginning to feel some warmer winds of change. North Korea just recently reversed its position on two longstanding issues of contention. First, it has said that it will see full United Nations membership this year, thus clearing the way for Seoul's own long-desired accession. And then Pyongyang announced that it will sign the nuclear safeguards accord of the

International Atomic Energy Agency. We hope to see both Koreas become full contributing members of the United Nations. And we expect North Korea to fulfill its obligation under the IAEA agreement to open its nuclear facilities to international inspection.

Along with political and security issues, economic concerns will be high on the summit agenda. Korea is the sixth largest customer of American exports and the third largest consumer of United States agricultural products. We expect Korea to continue on its path of market liberalization to ensure that our trade relationship is a fair one.

At a time when the political, security, diplomatic, and economic trends on and around the Korean Peninsula are moving in a positive direction, this summit represents an excellent chance for Presidents Bush and Roh to reaffirm the close ties between the United States and the Republic of Korea. The United States, like Korea, is a Pacific nation. And our alliance is as strong as the bonds which unite us: Friendship, sacrifice, and a commitment to the basic ideals of freedom, peace, and prosperity.

HIGH QUALITY FORESTRY

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. SWIFT. Mr. Speaker, today, I and several of my colleagues have introduced a bill which brings a new and innovative idea to the crisis facing the northwest national forests. Simply put, the idea is to increase the length of time for harvest rotations in the three national forests of western Washington State and use more natural means of regeneration of those forests.

The Members of the Northwest have been seeking a balanced approach to the disaster facing the northwest timber industry, and the communities, families, and individuals which are dependent on the national forests. In my district, the harvest level on the national forests have fallen over the last 2 years by 90 percent. As you can imagine, this is causing serious havoc to the timber dependent communities in my district.

Mr. Gus Kuehne, the president of the Northwest Independent Forest Manufacturers [NIFM] came to me several months ago with an innovative concept—high quality forestry. NIFM, composed of small mills throughout western Washington that are principally dependent upon public lands for their log supply has been actively trying to find a solution which would protect ecosystems while permitting a reasonable timber production on the national forests. I introduced the measure today as a stand alone bill, but it is intended to be an amendment to H.R. 2463, a bill recently introduced by Representative HUCKABY. It should be read with that in mind.

This bill directs the Forest Service to amend the forest plans over the next 3 years to incorporate extended harvests of 150 to 200 years and utilize shelterwood and seed trees silvicultural techniques on the Olympic, Mount Baker/Snoqualmie and Gifford Pinchot National For-

ests. The current rotation for harvesting on these three national forests is between 80 and 100 years.

The benefits of this change in harvest methods include the ability of the forest to sustain wildlife that is dependent upon old growth/mature forests, a higher quality wood for local mills, more protection for streams and wildlife dependent upon free-flowing streams, a more sustainable timber supply for small timber dependent communities, and greatly reduced clearcutting. Further, it is expected that if this management strategy was implemented, much of the land mass currently withdrawn from the timber base in these forests could be returned to the timber base.

The initial reaction by forest scientists who are most familiar with the biodiversity problems facing these national forests has been positive. Further, George Leonard, the U.S. Forest Service associate chief stated after an initial review of this proposal,

We believe that there is merit in the proposal. Managing forests on long rotations means that a greater proportion of the forest will be in mature stands at all times. Thus, the habitat for species dependent upon older forest conditions will be increased. Also, the proportion of the forest which will be harvested in any decade would be decreased so other environmental concerns, such as water quality, would be mitigated.

He concluded the use of extended rotations and reduced clearcutting as proposed by NIFM is likely to be part of the eventual resolution of this issue. The entire Washington delegation have asked the Forest Service to provide a more detailed analysis of how this proposal might work.

This bill—actually a proposed amendment to legislation currently being considered—is another idea that needs to be carefully evaluated as a supplement or alternative in some forests, to approaches that are currently before us.

THE TRUMAN LIBRARY INSTITUTE: A PROUD TRADITION OF SCHOLARSHIP

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. WHEAT. Mr. Speaker, since its founding in 1957, the Harry S. Truman Library Institute in Independence, MO, has carried on a widely renowned program of research on the career and administration of President Truman and the history and nature of the American Presidency.

At its most recent annual meeting, on May 4, 1991, the board of directors of the institute named a new president, elected a distinguished slate of new directors, and announced plans for an exciting program of studies for the new coming year.

Today I am pleased to bring to the attention of my colleagues in the U.S. House of Representatives the election of Maj. Gen. Donald S. Dawson as the new president of the Truman Library Institute.

The selection of General Dawson, a board member since 1981, is particularly appropriate

in light of his service on President Truman's White House staff from 1947 to 1953 as administrative assistant to the President. General Dawson is a Washington, DC, lawyer, a veteran of World War II, and a former president of the Reserve Officers Association.

Also elected at the May 4 meeting were six new members of the board of directors, the largest number to be selected in the 34-year history of the Truman Library Institute.

The new board members include: Donald H. Chisholm, a Kansas City lawyer and counselor to the Truman family; Robert J. Donovan, a journalist and author of a two-volume history of the Truman Presidency; Thomas F. Eagleton, U.S. Senator from Missouri from 1969 to 1986; Jonathan Kemper, president of the Commerce Bank of Kansas City; Henry J. Massman IV, president and CEO of Massman Construction Co.; and Jonathan McDonnell, president and CEO of DST Systems.

Building on the success of the institute's previous conference on the North Atlantic Treaty Organization, the board announced plans for an additional scholarly meeting on NATO, tentatively scheduled to be held in St. Louis, Missouri, in 1992. The second NATO study group will be sponsored jointly with the University of Missouri-St. Louis and the European Universities Institute of Florence, Italy.

Another important event on the institute's agenda for 1992 will be a seminar on the Truman Presidency and the news media. The seminar, to be cosponsored with the Truman Library and the National Press Foundation, will be held at the National Press Club in Washington, DC.

For more than three decades, the Truman Library Institute has played an invaluable role in expanding our understanding of the historic Truman Presidency. I am proud to extend my sincere best wishes to General Dawson and the new board members as they continue to shed new light on this critical period in our Nation's past.

INTRODUCTION OF THE CANE BERRY DISASTER RELIEF ACT OF 1991

HON. MIKE KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. KOPETSKI. Mr. Speaker, I rise along with my distinguished colleagues from Oregon, Mr. AUCOIN, Mr. WYDEN, and Mr. DEFAZIO to introduce the Caneberry Disaster Relief Act of 1991. I believe passage of this bill is important not only because of the desperate situation faced by caneberry growers in my State, but also because we must send a message to all growers and farmers in this Nation—to all of the families that put food on tables all over America—that the Congress of the United States will not stand by passively and allow them to be destroyed by the harsh and unpredictable twists of nature. This body cares about them, and we must show this with our deeds.

I now turn to the situation in my State. Mr. Speaker, the caneberry industry is crucial to Oregon's agriculture, and to the State's econ-

omy as a whole. In 1990, Oregon growers produced 62 million pounds of caneberries, including 24 million pounds of raspberries, 32 million pounds of blackberries, 4.5 million pounds of boysenberries and one million pounds of loganberries. These 10,900 acres of caneberries contribute well over \$75 million to the Oregon economy. In addition, many jobs are created for training, harvesting and processing Oregon caneberries.

Mr. Speaker, the State of Oregon experienced a devastating freeze this past winter, with temperatures dipping to as low as 5 to 10 degrees above zero. Assessment of the damage to Oregon's caneberry acreage began in late March, when the canes began to leaf out, and this process is continuing. It is clear that its impact has been nothing short of disastrous. The Oregon Caneberry Commission estimates that the 1991 blackberry crop will be approximately 40 percent its normal yield, the boysenberry crop approximately 50 percent its normal yield, and the loganberry crop just one-tenth its normal yield. Last Thursday, Governor Barbara Roberts announced a state of emergency in the eight Oregon counties where damage was most severe.

As you know, it is not major corporate conglomerates who will suffer the most from the freeze. The farms involved in the caneberry industry are generally small family-owned operations with an average size of 25 acres. Many lack the resources to bounce back from such a disastrous harvest. Mr. Speaker, this is the moment of truth for these families. Without disaster relief, many will be driven out of a business in which their families have thrived for several generations.

Mr. Speaker, without aid, even those growers who do survive will continue to suffer next year—they will have little money to invest in their 1992 crop. In addition, the loss of growers and crops will affect food processors not only in Oregon, but throughout the entire Northwest.

In conclusion, Mr. Speaker, I would like to point out that while the December freeze has been described as a "once every 20 year" event—in fact, the last comparable freeze was in 1973—growers were able to get disaster relief for freeze damage as recently as 1989. Considering that this year's freeze was substantially more severe than that one, how can we fail to intervene in this case? Mr. Speaker, I don't think we can afford not to act here. I urge my colleagues to support this legislation.

HONOR AMERICA CELEBRATION

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. LEWIS of Florida. Mr. Speaker, in 1975 the Congress approved and President Gerald Ford signed a law designating the 21 days from Flag Day to Independence Day as a period to honor America. With that in mind, I would like to submit for the RECORD the following comments and an article from the Palm Beach Daily News to encourage Members of this body and all Americans to recognize this important 21-day period as an opportunity to

draw attention to all that is good about our great Nation.

Two hundred and fifteen years ago a few brave men struck a note for freedom and liberty. That note still resounds throughout the world because Americans have always been willing to defend their freedom—at any cost.

On the heels of our decisive victory over tyranny in Kuwait, our patriotic celebrations take on even greater meaning at this time this year.

May this year's celebrations be in honor of all our military veterans, past and present. Thanks to them, freedom is more than just a word.

Yes, we have much to honor and observe during this period, most importantly the birthright of personal freedom and individual liberty shared by all Americans.

Mr. Speaker, I am happy to take this opportunity to pay homage to our forefathers for giving us such a precious gift and to extend my gratitude to the millions who have preserved and protected it.

Hail the Red, White, and Blue, and happy birthday, America.

[From the Palm Beach Daily News, May 19, 1991]

"HONOR AMERICA" EVENTS PROPOSED

(By Jack Fleischer)

An open letter to President Bush and members of Congress:

Just a reminder that in 1975, Congress passed Public Law 94-33, and on June 13 of that year, President Gerald Ford signed it into law.

The law reads: "Resolved by the Senate and House of Representatives of the United States of America, that Congress declares the 21 days from Flag Day through Independence Day as a period to Honor America and further declares that there be public gatherings and activities at which the people of the United States can celebrate and honor their country in an appropriate manner."

The suggestion to set aside this special period to honor America was made to counteract the increasing anti-American demonstrations taking place at that time. The Honor America Committee, a non-profit, non-partisan Washington-based group, headed by Bob Hope, Billy Graham and J. Willard Marriott Sr., felt that it would be helpful to remind Americans that the United States was by far the greatest of all nations despite its many faults, and while we continually strive to correct our mistakes, we must never stop honoring America.

OTHER VOICES

Since the passage of this law, this 21-day period has been observed voluntarily. Mayors and governors have issued proclamations, and there have been various types of observances, but never on an organized national basis.

On the Fourth of July of this year, our nation is planning an all-out celebration in honor of our troops who served in the Persian Gulf as well as those who served in Korea and Vietnam.

I think that it would be most appropriate this year to lead up to the Fourth by observing Public Law 94-33.

Starting on Flag Day, June 14, let us fly the American flag every day and let us wear a small flag on our clothing during the 21 days.

Let every newspaper and magazine print a small flag in each edition during this period. An inscription under the flag would read: Honor America.

When our national anthem is played, let it be introduced with the brief phrase: "And now to Honor America and our troops who served so nobly in the Persian Gulf and all wars, please rise for the playing of our national anthem".

Hopefully, television and radio stations will not cut away for commercials when the national anthem is being played before regularly scheduled sport events during the 21-day period. They are not allowed by the leagues to do this before All Star games, World Series and the Super Bowl, but it is not mandatory during the regular season.

Networks avoid picking up the national anthem whenever possible for two reasons: they claim they need the time for commercials, and they feel the audience will get tired from hearing our anthem too often.

It would not be a great sacrifice for the networks to relinquish 90 seconds to participate in this 21-day tribute, and for the benefit of the small percentage who might not care to hear our anthem too often, other patriotic songs could be substituted from time to time.

The most important thing is to remind all of us that when we rise for the playing of our national anthem or other patriotic songs, we do so to honor America.

With the support of the president and members of Congress, together with veteran and service organizations, let this 21-day celebration be one of the most meaningful in the history of our nation, and let it be the start of an annual organized observance, never forgetting that this nation, with its faults, is still the greatest in the world.

IN SUPPORT OF THE HIGH QUALITY FORESTRY ACT INTRODUCED BY REPRESENTATIVE AL SWIFT

HON. JOLENE UNSOELD

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mrs. UNSOELD. Mr. Speaker, today we have reached a new plateau in the debate over how to manage the national forests of the Pacific Northwest. We have introduced real creativity into the solution mix.

Today, my colleague, Representative AL SWIFT, introduced the High Quality Forestry Act. The concept behind it is to find a way to blend the growing need for renewable wood fiber and timber community stability with acknowledging the need for protection of natural ecosystems to foster species diversity and forest health. I want to thank Mr. Gus Kuehne personally and publicly for developing and relentlessly pushing this novel concept. Excellent work, Gus.

High quality forestry requires trees on three national forests in Washington State, the Olympic, Mount Baker-Snoqualmie, and Gifford Pinchot, to be grown twice as long as they traditionally have been before they are again harvested. This allows the forest to develop once more into a mature forest that provides habitat for species such as the northern spotted owl, marbled murrelet, and a host of other older forest dependent creatures.

It's that simple. And it's a great idea.

While high quality forestry is not the whole answer to the many problems facing the Northwest and our forests, it is a step in the

right direction. We need to get creative. We need to be balanced. We need to get the ball rolling toward a final resolution of this gut-wrenching issue.

Mr. Speaker, I look forward to working with my colleagues to help ensure this concept is included in the final package developed by this Congress to address the crisis facing our Northwest timber communities and forests. Thank you.

STOP PLAYING POLITICAL GAMES WITH LIHEAP

HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. SANTORUM. Mr. Speaker, I wish to express my strong opposition to LIHEAP funding level cuts in H.R. 2707, the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1992. This bill, as written, supposedly appropriates \$1.6 billion for the total Low-Income Home Energy Assistance Program [LIHEAP], which is a reduction of over \$10,235,000 from the fiscal year 1991 level. However, the actual reduction is much greater. And what makes this action truly disgraceful is that LIHEAP has been singled out and is a casualty of political maneuvering by this House's leadership.

From fiscal year 1991 to fiscal year 1992, the committee has changed the base funding level and what the administration has classified as the energy assistance emergency fund. For fiscal year 1992 this committee cut the regular base funding level by \$600 million and consequently, increased the emergency contingency fund by \$405 million over fiscal year 1991. What must be realized, however, is that these contingency funds may only be released by the President if he declares a home heating emergency. This would only occur if and when stringent conditions are met, thus bringing about the very real possibility that these funds would never be released. This would mean a reduction of LIHEAP funding of approximately \$700 million from the 1991 level. Such a cut would be devastating to the millions of citizens serviced by LIHEAP around the Nation.

One of the States that would be hit the hardest by these cuts is my own, Pennsylvania, which receives almost 7 percent of total LIHEAP funding. This is the second highest allotment in the Nation. Yet, despite a growing demand for fuel assistance because of the State's weak economy, Pennsylvania's funding over the last 5 years has decreased from \$140 million to \$107 million.

Since the introduction of the LIHEAP Program in 1979 more and more households are now eligible for energy assistance despite increasingly stricter State income standards. However, LIHEAP funding levels, including the highest annual appropriations of \$2.1 billion in fiscal year 1985 and \$2.0 billion in fiscal year 1990, have fallen significantly short of the need for fuel assistance.

An estimated 24 million households in this country need some help paying utility bills. Presently, only a small portion of these con-

sumer's total energy costs are covered by LIHEAP. For example, in 1985, the average heating and crisis benefit was \$242. By 1990, the average benefit had fallen to \$210 for a recipient household.

It is shameful that the leadership of this House would play political shell games with these funds, taking money from a worthy program like LIHEAP to support pet programs. H.R. 2720 will force low-income Americans to choose between basic necessities such as heat and food. Energy needs are essential to the quality of life, and cannot be separated from the necessities of education, affordable housing, health, and safety. The costs to society of not providing for these needs would be tragic.

Therefore I oppose H.R. 2707, the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1992, and trust that funding levels will be restored in conference to a level which will meet the needs of thousands of my constituents. Cuts have to be made, but when they are they should be equitable and across the board, and essential programs like LIHEAP should not be singled out.

TAIWAN'S GATT MEMBERSHIP— FULLY DESERVED, YET ELUSIVE

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. SCHULZE. Mr. Speaker, for years, the Republic of China on Taiwan has been the success story of the developing world. Starting from ground zero in 1949 with a subsistence agricultural economy, it has step-by-step advanced into the ranks of the world's developed nations. A country with minimal natural resources, its leadership recognized early on that international trade was Taiwan's only hope for long-term prosperity. As we all know, they have become masters of the science, now ranking as the 13th largest trading nation in the world. Yet, ironically, Taiwan is not a member of the General Agreement on Tariffs and Trade [GATT], the organization which for all practical purposes sets the rules for international trade. Taiwan wants to participate in the activities of GATT, and also is willing to honor and obey its rules. In fact, for years Taiwan has voluntarily abided by GATT rules, even though it has been denied membership.

It is time for the United States to formally support Taiwan's application for membership. Its application takes into full account the sensitivities involved in our relationship with the People's Republic of China. There is no logic to denying a seat at the GATT table to Taiwan, America's sixth largest trading partner. Further, there is no logic to the Department of State's argument that the timing of Taiwan's accession to the GATT should be tied to the GATT accession of the People's Republic of China. Clearly, Taiwan was ready years ago for full-fledged membership in the GATT. On the other hand, the People's Republic of China whose repressive human rights practices and obvious disdain for fair trading rules place it in a substandard category, is not

ready for nor deserving of GATT membership, and will not be for some time to come. To deny Taiwan its well-deserved seat at the GATT negotiating table solely on the grounds that mainland China has not matured to such a level as to entitle that nation to GATT membership, is totally incomprehensible.

I call the attention of my colleagues to an insightful op-ed article published in the Christian Science Monitor on March 4, 1991. The article is written by T.Y. Wang, a political science professor at Illinois State University. It examines the question of Taiwan's application to the GATT. No one can question Taiwan's qualifications to be a GATT member, yet its application has repeatedly been stalled. The world's trading nations are awaiting a sign that the Government of the United States supports Taiwan's application. I submit the article, "Taiwan's GATT Membership—Fully Deserved, Yet Elusive," for the benefit of my colleagues who may not have seen it. At the same time, I urge the administration to give its support to Taiwan's application.

[From the Christian Science Monitor, Mar. 4, 1991]

TAIWAN'S GATT MEMBERSHIP—FULLY DESERVED, YET ELUSIVE

(By T.Y. Wang)

The following are facts about Taiwan's economic achievements: Taiwan is one of the largest trading partners of the US. Taiwan is the 13th-largest trader in the world. Taiwan has the largest foreign-exchange reserves in the world (\$70 billion). And Taiwan is one of the most successful "newly industrialized countries." Still, Taiwan is not a member of the General Agreement on Tariffs and Trade (GATT)—the world's only multilateral trade regime.

Early last year the Taiwanese government submitted an application to join GATT. The application was viewed dimly in the US for political reasons. Washington is afraid of offending the leaders of the People's Republic of China (PRC) by supporting Taiwan's application for GATT membership. Chinese officials maintain that to support Taiwan's application to join GATT is a violation of the "one China" policy. They are especially unwilling to see Taiwan receive a GATT membership before the PRC, whose application has been stalled since the brutal massacre at Tiananmen Square in June, 1989.

The Bush administration's lack of support for Taiwan should be reconsidered.

In order to sidestep the "two Chinas" issue, the Taiwan government has asked for membership in the name of the "Separate Tariff Territories of Taiwan, Penghu, Kinmen and Matsu Islands"—the names of the main islands under the Taiwan government's direct and effective control. Such an application should be seen as an honest effort to avoid "two Chinas."

Also, Taiwan's application to join GATT is legally justified. There is not doubt Taiwan has a "separate customs territory" over which the government possesses "full autonomy in the conduct of its external commercial relations." This is consistent with the legal stipulation of Article 33 of GATT's membership application.

Moreover, while Taiwan is not a GATT member, the government in Taiwan has worked hard to liberalize its economy. The national currency has appreciated by about 40 percent against the US dollar since 1987. That decreases the protection on Taiwan's export sectors. Many tariff and non-tariff

barriers on foreign goods, such as liquor, agricultural products, and banking services have recently been reduced or eliminated. While more is yet to be done, these efforts should be recognized by the international community.

Finally, Taiwan's GATT membership would be beneficial to the interests of the international community. During the past four decades, Taiwan took advantage of GATT's "special treatment" principle for developing countries and protected its market. With its economic success, many developed countries, including the US, have proposed that Taiwan should no longer enjoy the benefits from the GATT system without sharing the responsibilities. Currently, this has been carried out by bilateral negotiations. If Taiwan were to be admitted to GATT, it would have to abide by GATT regulations and the liberalization of its market would speed up.

Taiwan was a founding member of GATT in 1947. The seat was abandoned by the Nationalist party (Kuomintang or KMT), which was forced to flee to Taiwan before the Chinese Communists took over the mainland. Taiwan was later granted an observer's seat in 1965, but this status was lost in 1971 when the UN General Assembly voted to recognize the PRC as the only legitimate Chinese government. Under GATT rules, Taiwan needs a two-thirds majority to rejoin GATT. Although the US cannot singlehandedly determine the outcome, its support would carry considerable weight among other the members.

SKYWARN TRIBUTE

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. GILMAN. Mr. Speaker, it is with pleasure that I rise today in recognition of "Skywarn"—a very important group of volunteers who protect our lives every day.

When severe weather strikes, information on warnings, evacuation, and shelter must reach the public with great haste. "Skywarn" is a volunteer group largely responsible for these services.

After receiving a warning from the National Weather Service, Skywarn watches for the severe conditions and takes appropriate measures to protect the local population.

Mr. Speaker, I am happy to report that there are over 500 local Skywarn chapters around the United States. The importance of these groups in saving lives and property is of the utmost priority.

I would like to take this opportunity to recognize the local chapter of Skywarn from my 22d District in New York. Under the able direction of Dr. Mitchell F. Mayers, the Rockland Climatic Station in West Nyack, NY, provides invaluable protection to the citizens of my district. The only compensation received by Skywarn volunteers is the knowledge that their work saves lives each season.

It is a privilege to enter into the RECORD a list of the outstanding men and women comprising my district's Skywarn organization:

Dr. Mitchell F. Mayers, Art Cohen, Peter Wozniak, Mr. and Mrs. Ships, Ted Cooperman, Stacey Isaacs, Vito Vinci, Tom McKelvey, Jack Maloney, Richard Figlar, Rita

Mayers, Scott Mayers, Mr. and Mrs. Arthur Paiken, Elliot Schneiderman, Michael Cecchini, Mary Carmody, Frank Schiller, Chester Mayers, Michelle Mayers, Matthew Alevy, Dr. Cary Alevy, Jonathan Mayers, Joseph Galella, Father Robert Duane, Tyler Slater, the Boyd Family, Mr. and Mrs. William Lauer, and Westley Wertheimer.

A TRIBUTE TO ARMIJO HIGH SCHOOL, FAIRFIELD, CA

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. FAZIO. Mr. Speaker, I rise today to honor the centennial celebration of Armijo High School, located in Fairfield, CA. Prior to 1968, every person who graduated from high school in the Fairfield/Suisun area had one thing in common. At the top of their diploma read the words Armijo High School. This common factor could be traced back 74 years.

The Armijo High School District was formed in early 1891, and the first classes were held later that year. Due to the small size of the student body, a rented upstairs room at the Crystal Grammar School housed all the students. The school remained there for 2 years. But as the student population outgrew the single classroom, a permanent structure was built.

In 1893, an ornate building was constructed on Union Avenue in Fairfield. This was to be the first of three Armijo High School building sites. It was also the first to house a graduation ceremony, under the instruction of J.A. Metzler. By the turn of the century, nine grammar schools were sending their graduates to Armijo.

Due to a growing student population and an outdated heating system in the first school building, the second Armijo High School was built in 1915. This magnificent building was constructed in a neoclassic architectural style. In fact, the San Francisco World's Fair Panama-Pacific Exposition of 1915 honored Armijo's new school with a merit award of architecture. In 1929, a fire gutted the interior of the building. It was immediately rebuilt and an auditorium and gymnasium were added.

In 1952 another school was built on Washington Street in Fairfield. The students continued to travel between the two campuses until the Washington Street campus was officially dedicated on April 27, 1961. With the enactment of strict earthquake codes, the Union Avenue structure could no longer house students and was later sold to the County of Solano for \$1. It now serves as the Solano County Hall of Justice.

Over the years, Armijo has seen many distinguished individuals pass through its halls. These people have been leaders in business, education, arts and entertainment, and the community. Recently, Armijo has been recognized both at the State and national level for its educational excellence. Mr. Speaker, during this centennial celebration, I know my colleagues will join me in saluting the students, faculty, and employees, past and present, who have been a part of this fine educational insti-

tution, and I hope that Armijo's second century will be as rich as the first.

DEMOCRACY IN NICARAGUA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I wish to bring to the attention of my colleagues the situation facing the Honorable Azucena Ferrey, the Third Vice President of the Nicaraguan National Assembly. Ms. Ferrey states that she has endured threats to her life for participating in the democratic process in Nicaragua.

Ms. Ferrey recounts that while returning from a legislative session, which discussed repealing the land seizure laws enacted by the Sandinista regime, a stranger approached her car. This stranger spoke to her by name and said if she supports repeal of this law he will kill her. Moreover, she states that she is constantly receiving threats to her safety at public gatherings and demonstrations.

This crisis must be dealt with before the Nicaraguan exiles in my south Florida congressional district feel safe enough to return to their country. This situation demonstrates the torment and anguish these brave people have to bear in order to maintain peace and prosperity in a free Nicaragua.

The Nicaraguan exile community and the entire world are watching Nicaragua to confirm the progress of democracy in that country. Ms. Ferrey and her fellow members of the Nicaraguan Congress must feel free from threats of personal harm if democracy is to successfully take root in Nicaragua. We must all continue to support the prodemocracy, prohuman rights actions in Nicaragua in this difficult time of reformation.

THE 40TH ANNIVERSARY OF GIRL SCOUT CAMP LATONKA

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. EMERSON. Mr. Speaker, for 40 years, Girl Scout Camp Latonka located on Lake Wappapello, MO, has been the summer home away from home to thousands of young women from all over southern Missouri.

The Indian word "Latonka" means "home by the water" and this home by the water has enhanced the growth and development—socially, physically, mentally, and spiritually—of Missouri Girl Scouts for almost half a century.

Yes, through the years Camp Latonka has developed into a multifaceted camp. In the summer sessions, girls are given the opportunity to participate in a wide range of activities—from swimming, sailing, skiing, canoeing, to horseback riding, hiking, and environmental projects, and, of course, no summer camp would be complete without campfires, folk songs, and the opportunity to learn to live and work together in a democratic situation. Camp Latonka provides this fellowship as well.

Mr. Speaker, I would like to salute the many hard working volunteers who over the years have helped prepare generations of outstanding leaders in southern Missouri. They have generously given their time, their talents, their energy, and, yes, in many cases, their resources, to make Camp Latonka—and the dreams of thousands of young women—a reality.

Congratulations to the Girl Scouts of southern Missouri, the wonderful volunteers of Camp Latonka, and all the young women who for 40 years have had the fantastic opportunity to benefit from the experience of the home by the water.

THE POWER OF THE SUN

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. BROWN. Mr. Speaker, with the summer solstice occurring last week, now is a fitting time to think about the power of the Sun—the most potent form of energy available to us—and to realize its enormous potential in meeting our planet's needs for electricity, hot water, warmth and comfort.

Now is also a fitting time to speak about solar energy for another reason; 1991 marks the 100th anniversary of the solar energy industry in the United States—an industry that many people consider relatively new and something for the future, but in reality an industry that has been well-proven, well-used, and well-received by literally millions of people in this country since the 1800's.

It was a full 100 years ago that an inventor just down the road in Baltimore, MD, patented the first solar water heating system manufactured in the United States. Shortly after that time, the solar industry started to grow—first in my home State of California, where more than 1,600 families enjoyed solar-heated water by the turn of the century. As the industry continued to grow and more companies started to manufacture solar systems, companies moved into Florida, then to the Midwest, New England, and throughout the country.

As chairman of the Science, Space and Technology Committee, I'm well aware of the importance of the Sun as an energy resource which could replace fossil fuels. It is important that we reaffirm our country's commitment to the development of solar energy.

Consider the state of the technology's impact today. Solar water heating is currently the most common solar application in the marketplace. More than 1 million homes in the United States use solar water heaters—displacing more than 1,000 megawatts of electricity, an amount actually equal to that generated by a nuclear power plant. A national certification organization assures the quality and performance of these systems. A quarter of a million homes also have solar heating systems for their swimming pools to keep the water comfortable enough to enjoy the pool for many months each year.

Another solar technology, photovoltaics—the process of converting sunlight into electricity—has come down tenfold in costs in just the last

decade, while the efficiency of solar cells has increased more than 400 percent. Solar cells, similar to the small cells that power your calculators, are used in the developing world to provide cost effective, reliable power for medical refrigerators, water pumping and irrigation, communications, lighting, and other needs where no other form of energy is available or affordable. In our own country, many utilities are looking toward photovoltaics to provide the remote power that is needed for signs and street lighting, and for line-voltage augmentation and peakpower needs. Today you are likely to find solar cells providing the power for highway road signs, cellular communications systems, lights for bus shelters and city parks, and many other areas where power is needed but is not otherwise readily available. In a number of mountainous and remote parts of the United States, there are more than 10,000 homes which are totally powered by solar electric systems.

I should also add that there are at least 300,000 homes in the United States which use passive solar features in their design and construction to put the Sun to work providing heat in the winter and using building techniques to provide shade and comfort in the summer.

Growing in use and developing in technology is the high temperature solar thermal power industry. The process of concentrating sunlight to create steam can be used to generate electricity. I am proud to tell you that the world's largest solar thermal power facility is located right in my home State of California, where a solar thermal plant is generating more than 350 megawatts of utility-grade electricity, producing 8-cents-per-kilowatt hour power to meet the needs of more than half a million residents. There are also dozens of high temperature solar systems providing industrial process heat and preheat applications for factories, prisons, hospitals, laundries, office buildings and other large facilities across the country.

So the technology has been proven in hundreds of thousands of applications, and we can confidently say that solar energy works. The prospects of using this technology are as bright as the sunshine outside today.

But there's still another reason why all that sunlight outside gives us reason to think about energy. At a time when air pollution, oil spills, global warming, acid rain and other environmental concerns take up our attention and our fears, we are reminded that solar energy is a clean, positive, and environmentally compatible alternative to fossil fuels. For example, if solar electric generation is used instead of fossil fuels, there are significant emissions reductions, even when it is compared to the cleanest fossil fuel options.

The availability of sunlight is virtually without limit. Hundreds of thousands of homeowners, businesses, utilities and others already know that the investment they make in solar energy systems is paid back by the significant energy savings they enjoy. This safe, clean reliable energy resource is the alternative for those who are concerned about our environment.

The first 100 years of the solar industry saw the development and growth of solar products and technology. I hope that the next 100 years will see even more widespread use and adoption of residential, commercial and industrial

uses of solar power. For the sake of our planet, it's important to all of us.

TRIBUTE TO SOLANO COUNTY

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. FAZIO. Mr. Speaker, I rise today to honor the many residents of Solano County for their outstanding contribution to the successful completion of Operation Desert Storm.

When Iraq's Army invaded Kuwait on August 2, 1990, the U.N. Security Council responded by imposing sanctions and a deadline for Iraq to withdraw from Kuwait. On January 17 of this year, the United States and allied forces launched an air attack to repel Iraqi troops, culminating with a large-scale ground assault on February 23. The Iraqi Army withdrew from Kuwait 3 days later, and the allied forces declared Kuwait liberated on February 27.

The spirit of cooperation and courageous service that distinguished the international effort in the Persian Gulf war was epitomized by the men and women of Solano County. Ground troops, pilots, aircraft maintenance specialists, medical and aeromedical staffs, chaplains, and countless other military personnel from Solano County made invaluable contributions to Operation Desert Storm. They, and all of the coalition forces, risked their lives to liberate Kuwait. These forces overcame numerous Scud missile attacks, the constant threat of chemical and nuclear attacks, and harsh conditions to drive the Iraqi Army out of Kuwait.

In addition to the troops, Mr. Speaker, were thousands of Federal employees who served in vital support roles in Saudi Arabia as well as here in the United States. These individuals put in long hours and extra effort in providing the logistical support required to carry out the incredible mobilization of our Armed Forces.

Solano County's veterans of previous wars, who know firsthand of the incredible demands and sacrifices of combat, were among the first in our country to come out in support of our newest veterans. Moreover, through the various veterans organizations in Solano County, they continue to provide the leadership and support that are now required to support the troops as they return home.

Other heroes of the war included family members and concerned residents who wrote countless letters to their friends and loved ones in the Persian Gulf. Elementary school classes adopted Solano County military personnel by corresponding with the troops in the gulf. Best wishes and support were also sent through free faxes, and I was pleased to have had the opportunity to send the first fax from the Solano Mall to the Persian Gulf. Solano troops received thousands of almost instantaneous messages to ease the isolation of the Saudi Arabian desert. They also received care packages filled with items to make the troops more comfortable. Such necessities as soap and deodorant were delivered along with candy, gum, cookies, beef jerky, and other food items.

American flags and yellow ribbons were flown from homes, offices, and cars throughout Solano County. Individuals wore buttons and miniature flags and organized rallies to show their support for the troops. A number of support groups were set up to help counsel family members with loved ones in the Persian Gulf.

I am sure that my colleagues will join me today in honoring Solano County's military personnel, civil servants, their families, and the rest of the Nation, who served so unselfishly and honorably during Operation Desert Storm.

HONORING THE 135TH BIRTHDAY
OF NIKOLA TESLA

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. NOWAK. Mr. Speaker, this year marks the 135th anniversary of the birthday of Dr. Nikola Tesla, one of the world's greatest scientists and inventors. This anniversary was brought to my attention by Mr. Nicholas Kosanovich, executive secretary-treasurer of the Tesla Memorial Society, Inc., in Lackawanna, NY, located in the 33rd District of New York, which I am privileged to represent. Dr. Tesla's 135th birthday will be noted in Niagara Falls, NY, with a Nikola Tesla Day on July 10, a tribute sponsored by the Niagara County Legislature, the Tesla Memorial Society, Inc., and the Institute of Electrical and Electronics Engineers of Western New York. Further, there will be a IV International Tesla Symposium in Belgrade, Yugoslavia, sponsored by the Serbian Academy of Arts and Sciences on September 6.

Nikola Tesla, who is often and justly hailed as the greatest inventor of the 20th century, was born on July 10, 1856, in Smiljan, Croatia, in what is now Yugoslavia. His remarkable aptitude in mathematics and in the sciences became evident when he was just a boy. At age 14, Nikola was fluent in four different languages and could solve the most complex math problems mentally.

At the age of 19, Tesla entered the Technical University at Graz in Austria to study electrical engineering. It was here at Graz that he first began to formulate the concept of an alternating current induction motor. Nikola Tesla left Graz to attend the University of Prague and to work for the telephone exchange in Budapest, where he invented the telephone repeater-amplifier.

Not for 5 years after his conception of the alternating current motor did he rationalize all the quirks in his invention through the addition of a rotating magnetic field. The way this concept came to him typified the intricate workings of this young scholar's mind. In 1882, while taking a stroll through a park reciting Faust, the answers to his queries with respect to transforming a direct current to an alternating current motor came to him "like a lightning flash." He drew a diagram in the sand, the only design that he would draw of his motor until he applied for his patent 7 years later. Storing the exact dimensions and figures in

his mind for so many years illustrates what a true genius Nikola Tesla was. Further, so many of his patents were so thorough and exact that they have not been changed for almost a century.

Having a difficult time gaining acceptance of his theories in Paris and Strasbourg, Tesla emigrated to the United States in 1884, where he went to work for Thomas Edison. Differences in methodology and theories forced Tesla to leave Edison Machine Works. Specifically, Edison and Tesla differed over the best ways to generate power, either through direct or alternating current.

In 1887, the Tesla Electric Co., was formed through the financial assistance of his first set of backers; he was finally able to work on his own increasing his productivity and his output to record levels. One of Tesla's most revolutionary conceptions was the polyphase system which was chosen to generate power for the Niagara Falls Hydro-Electric Power Plant. After the world realized the incredible power that could be amassed through Tesla's system, all Edison's generating plants were converted to this much more powerful and efficient system. All of his work, including the invention of the Tesla coil and his work in the field of robotics, promoted his induction into the Hall of Fame of Great Inventors in 1976.

Nikola Tesla died at the age of 87 in New York City on January 7, 1943. Although he was virtually unknown by most of the world, he held more than 700 patents.

At this point in the RECORD, I would like to insert the proclamation New York's Gov. Mario Cuomo issued marking the 135th anniversary of Tesla's birth, a copy of which Mr. Kosanovich provided:

NIKOLA TESLA

Members and guests of the Tesla Memorial Society Inc. this year celebrates the 135th anniversary of the birth of the outstanding scientist and inventor Nikola Tesla.

Born in 1856 of Serbian parents in what is now known as Yugoslavia, Tesla was educated at the polytechnic school, Graz, and at the University of Prague. He was first employed in the Austrian government telegraph engineering department and later was engaged in electrical engineering in Budapest and Paris. Tesla came to the United States in 1884 and worked with Edison for a short time before he went into business for himself.

Working in his own laboratory, he was the first to conceive an effective method of utilizing alternating current and in 1888 patented the induction motor. Tesla invented the principle of the rotary magnetic field embodied in the apparatus used in the transmission of power from Niagara Falls. Some of his other inventions included new forms of dynamo, transformers, induction coils, condensers, arc and incandescent lamps and other electrical apparatus.

It is fitting that the people of New York participate in this tribute to one of our outstanding citizens, Nikola Tesla.

MARIO CUOMO,
Governor.

CONGRATULATIONS, NEWARK

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, it gives me great pleasure to bring to the attention of my colleagues the fact that my hometown, Newark, NJ, was recently honored with two prestigious awards.

Earlier this month, Newark was named 1 of 10 All America Cities by the National Civic League, which honors community efforts that reflect broad-based civic involvement and initiative in solving problems. This 42d annual competition was held in San Antonio earlier this month.

Last week, the city received more good news when Newark was selected as the winner of the U.S. Conference of Mayors' 12th annual City Livability Award.

I am extremely pleased to report the success of New Jersey's largest city in winning these awards, especially in light of the fact this year Newark celebrates its 325th birthday. Newark faces many exciting changes today, such as the construction of the Gateway Center, the Legal and Communications Center; the PSE&G Building; the Newark Center which houses Seton Hall Law School; and the new home of Blue Cross. A number of older buildings have been renovated, including St. Joseph's Plaza, the old Two Guys Building, and the Gibraltar Building.

Newark has a rich cultural heritage which is reflected in such attractions as the Newark Symphony Hall, the Newark Public Library, the New Jersey Historical Society, and the Newark Museum, which was featured in Smithsonian magazine this month. I am pleased that last year Congress approved funds for the new Performing Arts Center in Newark, which will be one of the most prominent arts centers in the United States.

I commend the work of the greater Newark Chamber of Commerce and New Community Corp. who were partners in the application process and shared in the presentation made before a panel of judges. The mayor of Newark, Sharpe James, through his vision and hard work, also contributed greatly to the city's successful competition for this prestigious award.

Mr. Speaker, the honors bestowed on the city of Newark are justly deserved. Newark is working very hard to reverse current trends that work to its disadvantage. We have many businesses, large and small, that have played an active role in improving conditions and expanding opportunities within the Newark community. Churches, community-based organizations, and dedicated volunteers have pulled together to address the needs of the community and to move our city forward.

We have many outstanding educational institutions such as the Rutgers campus at Newark, the New Jersey Institute of Technology, Essex County College, the University of Medicine and Dentistry of New Jersey and Seton Hall Law School. We also have many dedicated professionals at Newark's hospitals, including St. Michael's, St. James, Beth Israel, University, United, and Columbus Hospitals.

Mr. Speaker, Newark is truly a most liveable city and an All America City which deserves recognition. I commend all who put their hearts and souls into making Newark a great place to work and live. I know my colleagues here in the U.S. House of Representatives join me in sending our congratulations to the people of Newark and best wishes for continued success.

LOW INCOME HOME ENERGY
ASSISTANCE PROGRAM

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. REED. Mr. Speaker, I rise today in opposition to the proposed 38 percent cut in the Low Income Home Energy Assistance Program [LIHEAP].

LIHEAP has proven successful in helping low-income and elderly citizens afford energy and energy-saving improvements in their homes. It is one of the only grants available to the working poor and recently unemployed families.

To the 25,000 families this program serves in Rhode Island, LIHEAP is a badly needed safety net that provides them with financial assistance in paying their utility bills.

With the proposed cuts in the LIHEAP Program, 8,000 fewer clients in Rhode Island would be served if the current benefits remained the same. In order to serve the same number of households as in 1991, their benefits would have to be reduced by one-third.

Mr. Speaker, these cuts in the LIHEAP Program are unacceptable. If the proposed cuts of almost 40 percent in the program are approved, as many as 2 million families could be cut off from energy assistance this winter.

Energy needs of low-income families and children, the disabled and the elderly living on fixed income should not be separated from affordable housing, safety, and health. The cost to society of not providing the services provided through the LIHEAP Program will be tragic.

I am pleased that Mr. NATCHER, in a colloquy during the debate today, promised to address this issue again in conference. It is my hope that funding at the fiscal year 1991 level will be restored at this time.

TRIBUTE TO MR. MARK L.
STANCIL

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CARDIN. Mr. Speaker, today I rise to pay tribute to Mr. Mark L. Stancil, who is retiring as director of the Maryland Rehabilitation Center after 31 years of service.

Under Mr. Stancil's leadership, the Maryland Rehabilitation Center is becoming the most renowned facility of its kind in the world.

That is certainly high praise, but Mr. Stancil's care and attention to each and every

one of his clients has earned the admiration of such international visitors as the paraplegic son of Deng Xiaoping, Senior Leader of the People's Republic of China, as well as Dr. Po-Yo Chang, Director-General of Public Health in China.

These are not the only examples of Mr. Stancil's work being noticed. He was honored by the Maryland Rehabilitation Association as Administrator of the Year in 1986, was presented with the Chester Troy Award for employment of the handicapped in 1986, and has been cited on numerous other occasions for his excellence in public service throughout his career.

I am proud to stand in recognition of this fine gentleman whose giving of himself has made many contributions to public service in Maryland for more than three decades.

"MR. HUMBLE" GOING STRONG AT
83

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. FIELDS. Mr. Speaker, Dr. Haden Edward McKay III recently began his 22d year as mayor of my hometown, Humble, TX. "Mr. Humble," as he is called, is a truly remarkable man whose achievements are legion, whose devotion to his wife and to his community are legendary, and whose energy and determination to serve others is limitless.

The Houston Chronicle recently profiled this amazing man, pointing out that at age 83, Haden McKay continues to be devoted to his twin callings in life: Tending to the health and well-being of his patients, and tending to the health and well-being of his community.

Long before I first sought public office, I looked to Dr. McKay, as many Humble residents did, for sound advice and wise counsel on personal matters, regarding business decisions, and on political questions. I continue to rely on him for those things today.

With his wife of 50 years, Lillian, at his side, Haden McKay remains at the center of civic life in Humble. He remains dedicated to serving others, both as an experienced physician and as a trusted public official. As the Houston Chronicle story pointed out, "[McKay] chose doctoring for the same reason he entered politics: to help people."

Mr. Speaker, there simply aren't too many men left in America today who command the trust and respect that Mayor Haden McKay commands in Humble and throughout Harris County. After his many years of service to his friends and neighbors, I hope that this remarkable and unique man recognizes the deep respect and the genuine affection which so many men and women in the Humble area feel for him.

I would like to take this opportunity to publicly thank him for all that he has done to help me over the years, to wish him and his lovely wife continued happiness and good health, and to include a copy of the recent Houston Chronicle story about him in the RECORD.

"MR. HUMBLE" GOING STRONG AT 83—MAYOR AND DOCTOR, HE STILL HAS PLENTY OF PATIENTS AND PATIENCE

(By Cindy Horswell)

They call him "Mr. Humble."

At 83, Dr. Haden McKay is a legend after more than half a century of doctoring and an unprecedented two decades as mayor of the northeast Harris County community of Humble.

McKay was unopposed in his reelection this year to his 11th consecutive two-year term in the city incorporated in 1933. He also spent 10 years as a councilman and continues to treat at least 10 patients daily in his general family practice.

Quitting work has never really entered his mind: "I think most people who retire rust. I plan to keep going as long as I'm physically and mentally able. I got too many people depending on me."

Mike Byers, president of the Greater Humble Chamber of Commerce, said McKay is admired as a "father figure" in the community, someone to go to for advice.

"He's slowed down a little, but it's amazing how he keeps up. He rarely misses any social events and patients are always coming and going from his office."

City Secretary Georgia Fields is enthusiastic about her boss: "He's phenomenal. He's never going to be old. His activities are enough to keep two secretaries busy."

Promenading through the corridors of Humble City Hall, McKay's rarely seen without a White Stetson atop his snow-white hair, a diamond spur-shaped tack in his tie, and fancy boots on his feet. Missing is his trademark cigar which he relinquished this year "for health reasons and to set an example."

"It got so a good cigar cost \$3. That's expensive when you smoke as many as 10 a day," he added.

He still lives in the same limestone rock cottage a block off Main Street which he built not long after marrying his wife, Lillian, a registered nurse from the Rosenberg area who has worked tirelessly by his side. The couple celebrated their 50th anniversary this year.

His office continues to be housed next door in a clinic he built in the 1930s. Its timeworn furnishings and cases of antique medical instruments resemble something straight from a Normal Rockwell painting.

What does it take to stay the mayor and doctor of a small town for so many years? His blue eyes glint mischievously and his white moustache curves slightly upward as he ponders the question.

"It just takes 51 percent of the vote to be mayor," he drawls. "But to be doctor and Mayor takes both patients and patience."

Though he and his wife have no children, his hands have brought many of the town's voters into this world. He recently quit delivering babies after hitting the 4,000 mark.

He also gave up surgery.

Haden Edwards McKay III was cut from the same fabric as his father and grandfather, who both were doctors and carried the same name. His ancestors include Richard McKay from Maryland who fought in the Revolutionary War and left behind correspondence from George Washington, and Haden Edwards from Virginia who established one of the earliest Texas colonies around Nacogdoches in 1825.

Despite his family's early Texas heritage, McKay did not make his home in the Lone Star state until 11. He spent his early years in Bardstown, KY., where he was born in 1908—the same year Henry Ford introduced the "Model T."

"My father first heard of Humble from a cousin, James Haden Dameron, who looked over the area after leaving the military service. My father and he found a small hospital there and decided to buy it," he said.

McKay moved with his family to Humble in 1919, not long after oil gushers transformed the sleepy farm and ranch community into a boom town.

After graduating from high school, he earned his bachelor's degree from Mississippi State University and his medical degree from Chicago Medical School in 1936.

He returned to Humble to hang out his shingle along side his father's.

"I started during the Depression. An office visit cost no more than \$2 then. We never billed anybody. Patients just paid what they could.

"I remember asking my father once if I shouldn't go down and get a job at a filling station," he recalled. "He told me 'No. Just take care of the people and they will take care of you'. He said if they didn't take care of me it wouldn't be because they didn't have any money, it would be because I wasn't worth a doggone."

He and his father made house calls.

"You knew more about people then because you saw them in their environment firsthand. You didn't wonder about their home life," he said.

McKay has served in top executive posts in county, state and national medical associations, including as a past president of the Texas Academy of Family Practice. He also received the Texas Medical Association Distinguished Service Award in 1979.

He chose doctoring for the same reason he entered politics to help people.

"It really wasn't politics back then. People would ask you to serve. You did it as a public service. There was no compensation or competition," said McKay, who labels himself a bipartisan conservative.

His ideas about how to run a city have changed little since he first won a council seat in 1940.

"Citizens used to call about barking dogs then and they still do," he said.

His philosophy is elementary: "Work for the greatest good for the greatest number, allow minority interests to be heard but the majority to rule."

His most prized accomplishments include helping switch Humble from a general law to a home-rule city in 1970 which greatly expanded its governing powers, improvements in roads and sewer systems, and construction of a modern city hall and police headquarters.

Next to doctoring, law enforcement comes closest to his heart. Humble only had a deputy sheriff and one constable on patrol when McKay first joined the council. Today, it has a force of 42 patrolmen and a two-story headquarters in the midst of a \$500,000 expansion.

McKay totes around a two-way radio—which provides instant communication with Humble police. He checks in regularly and scans all that happens within the 10-square miles that constitutes this city of 14,000 people.

"I want to know everything that's going on. Also, I'm a certified deputy medical examiner who can sign death certificates and as mayor I can give a magistrate's warning when needed," McKay explained.

What makes the mayor's labors worthwhile?

"Look, you meet people. When you meet people, a lot turn out to be friends. What could be better than that?"

H.R. 2804, THE ELDERLY AND HANDICAPPED TRANSPORTATION IMPROVEMENT ACT OF 1991

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. MARTINEZ. Mr. Speaker, what good is the \$1.3 billion our Nation spends annually on senior community centers, meals, employment opportunities, health screening and other vital services made available by the Older Americans Act of 1965 if senior citizens cannot find transportation necessary to travel to receive these services?

As chairman of the Committee on Education and Labor's Subcommittee on Human Resources, I have considered the transportation needs of our senior citizens as the Subcommittee reauthorizes the Older Americans Act this summer. But I have found that the underfunded and overprogrammed nature of the Older Americans Act precludes expansion of the small transportation program authorized by title III-B of the act. Currently, transportation services must compete with other vital Older American Act services—including in-home care, health promotion and a portion of nutrition services—for its funding. Without this funding, many seniors are unable to travel to places where important services like congregate meals are offered.

Non-profit organizations have come to the rescue of many senior citizens by offering them transportation services made possible through Urban Mass Transportation Act 16(B)(2) funding. But the growth of these services has stagnated during the last 5 years due to a \$35 million funding cap in the Urban Mass Transportation Act [UMTA]. In addition, many nonprofit organizations have been turned down for 16(B)(2) funding because they are unable to pay for start-up and operational costs.

I am convinced that with a little help, Urban Mass Transportation Act 16(B)(2) funding could answer the prayers of a lot of senior citizens who lack the transportation they need to get to a community senior center or a congregate meal. For that reason, I have joined with Senator FRANK R. LAUTENBERG in introducing the "Elderly and Handicapped Transportation Improvement Act of 1991", legislation that would double the annual authorization for UMTA 16(B)(2) from \$35 million to \$70 million while making such funding available to nonprofit groups for the start-up and operational costs of their senior citizen transportation programs. Under my legislation, these start-up and operational funds would be targeted to nonprofit organizations who want to provide transportation programs in areas that are currently unserved. These funds will also be available to nonprofit groups that no longer have the money to provide transportation services. Finally, H.R. 2804 would require nonprofit organizations who use these funds to coordinate their services with the delivery of similar transportation services made possible by the Older Americans Act and the Rehabilitation Act.

Mr. Speaker, with every passing day, the growing population of senior citizens in our

country places new burdens on the ability of programs like the Older Americans Act to deliver services. By the year 2030 one of every four Americans will be older than 60 years of age. We will be prepared for the exponential growth of this population if public policy foundations are laid today. H.R. 2804 is a step in the right direction because it will build a transportation infrastructure necessary to preserve the quality of life for many senior citizens throughout our country. I urge my colleagues to prepare for this challenge by cosponsoring H.R. 2804 the Elderly and Handicapped Transportation Improvement Act of 1991.

H.R. 2804

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Elderly and Handicapped Transportation Improvement Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) the population of the United States that is 60 years of age and older will increase by 32 percent within the next 20 years;

(2) the population of the United States that is 85 years of age and older will increase by 88 percent in the next 20 years;

(3) senior citizens are becoming increasingly isolated from transportation services;

(4) a majority of senior citizens view the lack of transportation as a serious problem in obtaining medical care; and

(5) nonprofit social services organizations that provide services to elderly and handicapped persons are facing increasing insurance, maintenance, and operating costs.

(b) PURPOSES.—The purposes of this Act are—

(1) to increase the authorization of appropriations for the existing program providing mass transportation services for elderly and handicapped persons; and

(2) to provide grants and loans to nonprofit organizations and associations to be used to pay operating expenses related to new and existing mass transportation services for elderly and handicapped persons.

SEC. 3. OPERATING EXPENSES GRANTS FOR NEW AND EXISTING TRANSPORTATION PROGRAMS FOR THE ELDERLY AND HANDICAPPED.

(a) IN GENERAL.—Section 16(b) of the Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1612(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting "(1)" after "(b)";

(3) by striking "and" at the end of subparagraph (A), as redesignated;

(4) in subparagraph (B), as redesignated—

(A) by striking "paragraph (1)" each place it appears and inserting "subparagraph (A)"; and

(B) by striking the period at the end and all that follows through the end of subsection (b), and inserting the following: ";

(C) to private nonprofit corporations and associations to be used by such corporations and associations for the specific purpose of paying operating expenses related to new and existing transportation services meeting the special needs of elderly and handicapped persons.

"(2) Recipients of grants or loans under paragraph (1) shall coordinate transportation services provided in accordance with this section with other local transportation services designed to meet the special needs of el-

derly and handicapped persons, including those assisted under this Act, the Older Americans Act of 1965, and the Rehabilitation Act of 1973, for the purpose of preventing duplication of such efforts.

"(3) Nothing in subparagraph (B) shall be construed to prohibit the leasing of vehicles purchased in accordance with subparagraph (B) to local public bodies or agencies for the purpose of improving transportation services designed to meet the special needs of elderly and handicapped persons."

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 21(g) of the Urban Mass Transportation Act of 1964 (49 U.S.C. App. 1617(g)) is amended by adding at the end the following:

"(3) From the funds made available under subsection (a)(2), there shall be set aside to carry out section 16(b)—

"(A) \$70,000,000 for fiscal year 1992;

"(B) \$75,000,000 for fiscal year 1993;

"(C) \$80,000,000 for fiscal year 1994;

"(D) \$85,000,000 for fiscal year 1995; and

"(E) \$90,000,000 for fiscal year 1996."

IN SALUTE OF SAN DIEGO'S LEAP WINNERS

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. LOWERY of California. Mr. Speaker, I rise today to commend and honor three high school graduates from the Class of 1991 from my hometown of San Diego, CA. These young men and women have demonstrated remarkable character in the face of adversity, and are the worthy recipients of the 1991 LEAP Into the Future scholarships.

Supported by private donations, this program was developed to help financially disadvantaged high school students achieve their hopes and dreams. Each of these students has a truly inspirational record of individual achievement. Despite hardship away from campus, they have managed to excel both in the classroom and in many extracurricular activities.

The 1991 LEAP scholarship recipients are: Isaac Aaron Mason of the San Diego School of Creative and Performing Arts, Eric Allan Schneider of the University of San Diego High School, and Maribeth Perna of the Academy of Our Lady of Peace.

The LEAP Into the Future Program is San Diego's way of recognizing outstanding students and encouraging the future leaders of our country. The LEAP board of directors has previously recognized nine deserving students with scholarships and hopes to open the doors of higher education for many more San Diegans in the years ahead.

Mr. Speaker, I hope you and all of our colleagues will join me in saluting these fine young Americans. We praise their accomplishments and wish them future success.

A TRIBUTE TO GOODWILL INDUSTRIES OF SOUTH FLORIDA

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, Goodwill Industries of South Florida is an organization which helps individuals with disabilities fulfill their goals of independence and self-sufficiency. Through rehabilitation and training, Goodwill helps countless numbers of people attain dignity and lead normal, healthy lives.

The Goodwill's vocational programs started in 1986 with United Way funds and academic support from Dade County public schools. The programs help people develop self-esteem and good work habits, overcome disabilities, and acquire necessary job training.

Last year, this organization successfully rehabilitated 1,006 individuals by placing 507 in the competitive labor market, and assisting 499 to achieve other goals leading toward independence. In doing so, it created \$5.8 million in new earning capacity for people with disabilities. In the past 6 years, Goodwill Industries of South Florida has won the Goodwill Industries of America national award five times for efficiency in the competitive placement of disabled people. It also received recognition for having one of the best facility-based employability development programs in the United States.

There are many people who are responsible for Goodwill's success in south Florida. The senior staff Dennis Pastrana, president; David A. Bush, director of finance; Jose Cortes, director of operations; Bridget Pallango, director of human services; and Bill G. Ray, director of community relations and development. The officers of the board include William L. Cox, chairman; William Lee Popham, vice chairman; Jayne Harris Abess, secretary; Everett E. Colby, treasurer; and James A. Ryder, chairman emeritus.

Goodwill Industries has ensured accessible and stable income and services to thousands of south Florida residents. I commend its staff's dedication and concern for people with disabilities and I am proud to bring them to the attention of my colleagues.

INTRODUCTION OF STAR SCHOOLS IMPROVEMENT ACT OF 1991

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. KILDEE. Mr. Speaker, I am introducing legislation today to amend the Star Schools Program Assistance Act. The Star Schools Assistance Act was created as part of the Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988. The Star Schools Program links teachers and students by using satellite technology to provide courses that are not normally available through their local school system such as foreign languages, math, and science courses. The program allows a teacher in Kentucky to

teach a course such as physics to students in Michigan, Mississippi, South Carolina, and New York simultaneously. This distance-learning technology permits students to interact with not only the teacher but with the other students being taught in the other States.

The legislation I am introducing today would provide an incentive to current star schools grantees to expand technical assistance regarding distance learning to local schools and State education departments. The legislation would also reserve funds to conduct a comprehensive independent evaluation of the program. I believe that both of these provisions are an important contribution to the Star Schools Assistance Program.

TRIBUTE TO BOB JONES

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize a truly outstanding individual, Mr. Bob Jones of Cadillac, MI. Bob has diligently served as the executive director of the Cadillac Chamber of Commerce. As he retires this year from this position, I wish to take a moment to honor his work on behalf of the people of Wexford County.

For the last 26 years Mr. Jones has served faithfully as the executive director of the Cadillac Area Chamber of Commerce and is credited with accomplishing many programs that brought businesses to the Cadillac area, including over 40 industrial firms, along with organization of the US-131 Development Association.

Mr. Speaker, I know that you will join me in thanking and commending this truly exceptional individual for all of his years of service to the people of Wexford County. We all wish Mr. Jones well, and hope for his continued success in all future endeavors.

NATIONAL INVENT AMERICA! WEEK

HON. BILL LOWERY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. LOWERY of California. Mr. Speaker, it is with great pride that I rise today with six of my distinguished colleagues to introduce legislation designating the week of July 27 through August 2, 1991, as "National Invent America! Week." Invent America! is a nationwide program which encourages young inventors in kindergarten through 8th grade to develop problem-solving and advanced thinking skills by sponsoring State, regional, and national invention programs and competitions. Invent America! seeks to inspire in our youth what has always made America great: innovation, imagination, and excellence.

Stories about how America is losing its technological edge have become all too common in recent years. It is said our students now lag

far behind students in Asia and Europe in math and science and that our future as the world's greatest economic power is in jeopardy. To respond to these developments, Invent America! was launched in 1987 by Vice President Bush—who remains honorary chairman—and a nonprofit foundation enjoying generous support from good corporate citizens like Polaroid, Kmart, and Pepsi.

Invent America! invites students to create, to explore their dreams, and to improve life for themselves and their country. This simple yet brilliant program touches the lives of 15 million young people each year and recognizes the importance of nurturing curiosity and spreading the joy of discovery to every classroom in the United States.

Invent America! succeeds because it allows students to learn and have fun at the same time. This year more than 300,000 students from California and millions more nationwide have entered the competition with ideas as diverse as an assist-a-chef apron, battery-powered ski lights, disposable bibs, and a device which extracts prizes from cereal boxes with uncanny speed. Last year I was delighted when a student from my district became one of the regional finalists. Her roadside accident screen is but one shining example of the tremendous potential Invent America unleashes.

National prizes in years past have gone to a biodegradable golf tee, a braille rail that tells blind people when they have reached the top of a flight of stairs, an easy-off label which makes recycling easier, a remember clock to help Alzheimer's victims with daily needs, and a park bench which can double as a bed for a homeless person.

This summer, Invent America! will again bring its 45 regional finalists to Washington to showcase their ideas and to celebrate the 1991 competition. The highlights of Invent America! Week are the annual congressional ice cream social and the national awards ceremony announcing the nine best student inventors in America. I invite all of my colleagues to come out and meet the pioneers of tomorrow later this summer.

Mr. Speaker, Invent America! shows what our children will offer our future if properly motivated and challenged. Congressional recognition of Invent America! Week draws attention to a program that works by harnessing the boundless energy of the mind.

I urge all of my colleagues to support this resolution to further encourage the young dreamers, discoverers, and doers among us. Our future rests with them.

THE CONGRESSIONAL BIOMEDICAL RESEARCH CAUCUS—"FROM BENCH TO BEDSIDE: THE BIOTECHNOLOGY REVOLUTION"

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. GEKAS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

THE CONGRESSIONAL BIOMEDICAL RESEARCH CAUCUS—"FROM BENCH TO BEDSIDE: THE BIOTECHNOLOGY REVOLUTION"

(Remarks by Congressman George W. Gekas)

This is the fourth briefing program that the Caucus has sponsored and I think the quality has been excellent. Our program in March on cloning the cystic fibrosis gene predicted that a gene therapy cure was soon to be achieved and since that program the NIH has announced such a procedure and we are very pleased that this dreaded disease is on the run. The Caucus now has approximately 60 members and we invite any office present here today to become a member.

Today's luncheon topic, "From Bench to Bedside: The Biotechnology Revolution," has generated much excitement and interest from the Congress, as well it should. Biotechnology is among the fastest growing enterprises in the nation and it is among the fastest growing enterprises in the nation and it is uniquely American in character. It reminds us of an era when innovations and products were sought after. This new fledgling industry has all the promise of changing our lives as much as Edison did with making electricity useful. Ben Franklin knew about it but didn't know how to heat our homes with electricity. In much the same way, cell biologists are using basic information to produce useful products.

I can't resist saying that the "genie" is out of the bottle. Recombinant DNA techniques, gene-splicing, are now a basic procedure widely available and relatively inexpensive. The potential for biotechnology to alter human affairs is clearly as great as the impact of the Industrial Revolution in the last century. The capacity for changing organisms to cure diseases and benefit society holds tremendous promise. As with any new technology, the potential for great harm is also present. I am very optimistic that we are fully aware of the dangers and that should not stop us from obtaining the wonderful benefits that will improve our health through new products. There is also great potential to improve the global food supply, particularly in hostile climates subject to killing frost or extreme heat and drought, by developing organisms more hardy and resistant to these climates. Genetic engineering may also be used to improve the quality of the environment and advance the conservation of nature.

We have with us today three scientists who are leaders in the field of biotechnology and are working to make the benefits I described readily available to everyone. Dr. Daniel Nathans from the Johns Hopkins School of Medicine in Baltimore, MD was awarded the Nobel Prize in Medicine in 1978. He is really the one who let the genie out for better or worse because his work led to the recombinant DNA revolution. This work led to the founding of biotechnology enterprises such as the Genetics Institute. I am pleased that we have the Genetics Institute co-founder, Dr. Tom Maniatis, a molecular biologist from Harvard University. He will discuss the interaction of basic science at the university level with industry. At the bedside, we have Dr. David Golde, a hematologist from the University of California, Los Angeles, to discuss the role of the clinician-scientist and the use of new products in treating human diseases. It promises to be an interesting program which will start promptly. But, before I turn it over to Dr. Nathans, I would like to say that I am very pleased with the large attendance today and in particular the presence of Representatives Bill Green, Ben-

jamin A. Gilman, Howard Wolpe and Jim McDermott.

PRESENTATION OF DR. DANIEL NATHANS

Before starting today's discussion I want to express my thanks to Congressman Gekas, and to the other members of Congress and their staffs who are responsible for Congressional Biomedical Research Caucus, for inviting me to participate. I think these meetings are a fine opportunity for us, the scientists, to explain the significance of what we do, and I hope you find our discussions helpful in assessing the value of biomedical research to the health of the American people and to the nation's industrial strength.

I am a Professor of Molecular Biology and Genetics at the Johns Hopkins University School of Medicine and Senior Investigator of the Howard Hughes Medical Institute. In 1978 I shared the Nobel Prize in Medicine with my colleague Hamilton O. Smith and Professor Werner Arber of the University of Geneva for the application of restriction enzymes to problems of molecular genetics. I'll come back to restriction enzymes because they played an important role in the biotechnology revolution. I first want to introduce today's program by making some general observations.

We are in a golden age of the life sciences. In our lifetime the progress in understanding the basic workings of living organisms at the molecular and cellular levels has been breathtaking. As one of my colleagues described it, we have hit "rock bottom" in understanding the chemistry of genes and (in principle) how they work. The same basic principles of gene structure and readout apply to all living organisms, from microbes to humans. For all of us, DNA is the chemical substance of our genes, the main difference being the complexity and nature of the information encoded in the DNA of each organism. Our DNA has a blueprint for a human organism, a yeast's DNA has the blueprint for a yeast cell. A formidable challenge is to understand the steps from DNA to human organism and how inherited or acquired changes in DNA lead to disease.

An exciting outgrowth of the golden age of the life sciences is the biotechnology revolution, a revolution that has given rise to a new industry and is changing the face of established pharmaceutical and agricultural industries. Applied molecular biology is also having a profound effect in medicine, in understanding disease, and in devising new therapies, early diagnostic procedures, and prevention. In today's program Dr. Tom Maniatis, Dr. David Golde, and I will discuss three levels of the biotechnology revolution: 1) some of the scientific roots, 2) the translation of basic research knowledge to applied research and product development and 3) the impact of the revolution on the care of patients.

In considering the roots of the biotechnology revolution we could begin far back with the discovery of the laws of heredity in plants, the discovery of proteins and DNA and their chemical structures, the finding that DNA is the hereditary material, or the Watson-Crick model of the double helical geometry of DNA that ushered in the modern era of molecular biology in 1953. In short, there are many scientific roots of modern biotechnology simply because it is the application of the fundamental concepts and tools of molecular biology. I want to concentrate on some of the more proximate scientific developments, however, and to add a personal flavor, will focus on the discovery and use of restriction enzymes, one of the fundamental tools that sparked the biotechnology revolution.

The story of restriction enzymes illustrates very well the often unanticipated fruits of scientists' urge to understand puzzling natural phenomena. In this case the puzzle was a change in the properties of viruses when they are grown on certain strains of bacteria. After such growth they cannot grow on other strains of bacteria; they are said to be "restricted" by the other strains. After a lot of deft genetic detective work, Werner Arber in Geneva concluded that the restricting strains of bacteria had "restriction enzymes" that recognized the viral DNA as foreign and cut it to pieces. This is the bacterial equivalent of an immune defense system. While Arber's work was progressing, Hamilton Smith at Hopkins discovered an enzyme in bacteria that cut foreign DNA but not the bacteria's own DNA. He realized this fit the description of a restriction enzyme and went on to purify the enzyme and show that it cut DNA at precise sites. This meant that restriction enzymes could be used to isolate genes and to map their location in an organism's genome.

I was at that time studying a virus that causes cancer in animals, and it occurred to me that Smith's enzyme could be used to dissect that viral genome so as to identify and map its genes and regulatory elements, thereby advancing our understanding of how the virus propagates and how it causes cancer. Since that time hundreds of restriction enzymes have been discovered; each of them cuts DNA precisely, but they don't all cut at the same sites. With this set of molecular scissors it is now possible to dissect any large DNA molecule down to single gene size that can be analyzed in chemical detail, changed chemically, and recombined with viral DNA for propagation and cloning in bacteria. It is this recombinant DNA technology, devised by Herbert Boyer at the University of California and Stanley Cohen at Stanford, that opened up the genome of every living organism to detailed study. It also makes possible large-scale production of gene products—the proteins—from any gene in the entire living world.

Restriction enzymes have also been crucial to discovering disease-related genes. For example, discovery of genes or genetic loci related to cystic fibrosis, neurofibromatosis and Huntington's disease all depended on correlations between DNA restriction patterns and inheritance of a defective form of the gene. Similarly, the forensic use of DNA fingerprinting relies on differences in DNA restriction patterns between individuals. Thus what began as an obscure phenomenon in bacteria turned out to yield a key component of the biotechnology revolution.

From the viewpoint of the underlying science, what made the biotechnology revolution possible? First and foremost it was the creativity of individual scientists, each following his own interests. During the decades of the 60's and 70's, molecular genetics attracted some of the best young scientists. The field was full of promise and the opportunities were there. In the U.S., where most of the advances were made, federal support was readily available for pre- and post-doctoral training; and thanks to our system of offering promising young university scientists support for independent research, fresh and energetic minds were attracted to the field. In my own case, after graduation from medical school and an internship, I spent two years at NIH doing research and later was an NIH post-doctoral fellow in biochemistry at Rockefeller University. I received my first NIH grant in 1962 as a starting assistant professor; since then my re-

search has been continuously supported by NIH. Can a promising student today look forward to similar opportunities? For the short term, I believe he can, but for the longer term there is a widespread feeling of uncertainty in academia that research funding will keep up with the increasing cost of research, instrumentation, and facilities.

At the present time the United States is at the forefront of biomedical research and biotechnology, due in large measure to past Congressional support for research and research training. The prospect for discoveries that have a major impact on health and on the biotechnology industry has never been as great as it is now. To maintain this momentum we must continue to invest in the men and women who will determine the country's future in biomedicine and biotechnology.

THE MULTIPLE EMPLOYER
HEALTH BENEFITS PROTECTION
ACT OF 1991 (H.R. 2773)

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. PETRI. Mr. Speaker, today I am introducing legislation to keep alive hundreds of self-insured multiple employer health plans which provide needed health care benefits to thousands of employees and their dependents. These plans, typically run by business associations like the auto dealers, realtors, printers, bankers, and chambers of commerce, are defined under ERISA as "multiple employer welfare arrangements," or MEWA's. At a time when increasing access to health care is of great concern, we should be taking these needed steps to prevent the shutdown of existing viable health plans covering small businesses.

My colleagues Representatives WILLIAM F. GOODLING, STEVE GUNDERSON, RICHARD K. ARMEY, HARRIS W. FAWELL, CASS BALLENGER, SUSAN MOLINARI, BILL E. BARRETT, JOHN A. BOEHNER, SCOTT L. KLUG, FRED GRANDY, and JAMES F. SENSENBRENNER have joined me in sponsoring this bill which addresses important ERISA enforcement and health care access issues.

In short, the legislation clearly defines the role of the Department of Labor to regulate the reserve funding of those health benefit MEWA's which seek a Federal "certificate of compliance."

Since the enactment in 1983 of the ERISA Preemption Amendments sponsored by former Representatives Burton and Erlenborn, the States have had the authority to regulate MEWA's. However, it has only been in the last several years that the States have accelerated their enforcement activity in this area. The basic argument favoring MEWA legislation is that for too long the States have failed to regulate these entities in a vigorous and uniform fashion. However, in accepting their responsibility, some States have chosen to throw out the baby with the bathwater, thereby threatening the very existence of long-standing multiple employer health plans like those maintained by the rural telephone cooperative and other associations.

The choice is simply stated—should States be allowed to shut down all MEWA's as unli-

censed insurers or should reasonable funding standards be applied uniformly to true employer-sponsored health plan arrangements to allow them to continue to exist, but in a sound operating fashion? The thrust of the legislation introduced today is to ensure the latter.

Specifically, the bill adds a new part 7 to title I of ERISA which allows MEWA's providing health care benefits to obtain a Federal certificate of compliance from the U.S. Department of Labor. Arrangements with certificates would be subject to uniform standards under ERISA regarding reporting, disclosure, fiduciary requirements, and new funding/reserve requirements. Health benefit MEWA's choosing not to obtain a certificate of compliance from the Department would be required to register and report to the Department and to each State in which they operate. The bill also clarifies the ability of the States to regulate any MEWA which lacks a certificate of compliance from the Department of Labor.

Mr. Speaker, I insert the bill and the section-by-section explanation in the RECORD at this point:

H.R. 2773

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Multiple Employer Health Benefits Protection Act of 1991".

SEC. 2. CERTIFICATION UNDER TITLE I OF ERISA OF CERTAIN MULTIPLE EMPLOYER WELFARE ARRANGEMENTS AS EMPLOYEE WELFARE BENEFIT PLANS.

(a) IN GENERAL.—Subtitle B of title I of the Employee Retirement Income Security Act of 1974 is amended by adding at the end the following new part:

"PART 7—MULTIPLE EMPLOYER WELFARE ARRANGEMENTS PROVIDING HEALTH BENEFITS
"SEC. 701. DEFINITIONS.

"For purposes of this part—

"(1) INSURER.—The term 'insurer' has the meaning provided in section 401(b)(2)(A).

"(2) PARTICIPATING EMPLOYER.—The term 'participating employer' means, in connection with a multiple employer welfare arrangement, any employer if any of its employees, or any of the dependents of its employees, are or were covered under such arrangement during the employment of such employees.

"(3) EXCESS/STOP LOSS COVERAGE.—The term 'excess/stop loss coverage' means, in connection with a multiple employer welfare arrangement, a contract under which an insurer provides for payment with respect to claims under arrangement in excess of an amount or amounts specified in such contract.

"(4) QUALIFIED ACTUARY.—The term 'qualified actuary' means an individual who is a member of the American Academy of Actuaries or meets such reasonable standards and qualifications as the Secretary may provide by regulation.

"(5) SPONSOR.—The term 'sponsor' means, in connection with a multiple employer welfare arrangement, the association or other entity which establishes or maintains the arrangement.

"SEC. 702. CERTIFIED MULTIPLE EMPLOYER WELFARE ARRANGEMENTS TREATED AS EMPLOYEE WELFARE BENEFIT PLANS AND EXEMPT FROM CERTAIN RESTRICTIONS ON PREEMPTION.

"(a) IN GENERAL.—A multiple employer welfare arrangement which is not fully in-

sured and with respect to which there is in effect a certificate of compliance under this part or there is pending a complete application for such a certificate and the Secretary determines that provisional protection under this part is appropriate—

"(1) shall be treated for purposes of subtitle A and the preceding parts of this subtitle as an employee welfare benefit plan, irrespective of whether such arrangement is an employee welfare benefit plan, and

"(2) shall be exempt from section 514(b)(6)(A)(ii).

"(b) COVERAGE.—Subsection (a) shall apply to a multiple employer welfare arrangement only if the benefits provided thereunder consist solely of medical care described in section 607(1) (disregarding such incidental benefits as the Secretary shall specify by regulation).

"SEC. 703. CERTIFICATION REQUIREMENTS.

"(a) APPLICATION FOR CERTIFICATION.—

"(1) IN GENERAL.—A certificate of compliance may be obtained under this section only by application filed with the Secretary in such form and manner as shall be prescribed in regulations of the Secretary. Any such application shall be signed by the operating committee and the sponsor of the arrangement.

"(2) FILING FEE.—The arrangement shall pay to the Secretary at the time of filing an application under this section a filing fee in the amount of \$1,000, which shall be available, to the extent provide in appropriation Acts, to the Secretary for the sole purpose of administering the certification procedures under this part.

"(3) INFORMATION INCLUDED.—An application filed under this section shall include, in a manner and form prescribed in regulations of the Secretary, at least the following information:

"(A) The names and addresses of the sponsor and the members of the operating committee of the arrangement.

"(B) Evidence provided by the operating committee that the bonding requirements of section 412 have been met.

"(C) A copy of the documents governing the arrangement (including any bylaws and trust agreements), the summary plan description, and other evidence of the benefits and coverage provided to individuals covered under the arrangement.

"(D) A copy of any agreements between the arrangement and service providers.

"(E) A report setting forth information determined as of a date within the 120-day period ending with the date of the application, including the following:

"(i) A statement, certified by the operating committee of the arrangement and a qualified actuary—

"(I) in the case of an ongoing arrangement, that all applicable requirements of sections 706 and 707 are met, or

"(II) in the case of a newly established arrangement, that the requirements of section 707 will be met upon commencement of operations, that the requirements of paragraphs (1), (2), and (3) of section 706(a) will be met during the 1-year period commencing on the date of the commencement of operations, and that the requirements of paragraph (4) of section 706(a) will be met during the 2-year period commencing on such date.

"(ii) A complete actuarial statement certified by a qualified actuary which sets forth a description of—

"(I) the extent to which contribution rates are adequate to provide for the payment of all obligations and the maintenance of required reserves under the arrangement for

the 12-month period beginning with such date within such 120-day period, taking into account the expected coverage and experience of the arrangement, and

"(II) the changes, if any, needed in the contribution rates to attain such adequacy and to meet the requirements of section 706, taking into account the expected coverage and experience of the arrangement. Such description shall include the current value of the assets and liabilities accumulated under the arrangement and a projection of the assets, liabilities, income, and expenses of the arrangement for the 12-month period referred to in subclause (I).

"(iii) A statement of the costs of coverage to be charged, including an itemization of amounts for administration, reserves, and other expenses associated with the operation of the arrangement.

"(iv) Any other information which the Secretary provides by regulation as necessary to carry out the purposes of this part.

"(b) ISSUANCE OF CERTIFICATE.—Subject to subsection (c), the Secretary shall issue a certificate of compliance under this section to an arrangement if the following requirements have been met with respect to the arrangement:

"(1) A complete application has been filed with the Secretary in accordance with this section.

"(2) The sponsor is, and has been (together with its immediate predecessor, if any) for a continuous period of not less than 3 years before the date of the application, organized and maintained in good faith, with a constitution and bylaws specifically stating its purpose, as a trade association, an industry association, a professional association, or a chamber of commerce or other business group, for substantial purposes other than that of obtaining or providing medical care referred to in section 607(1), and the applicant demonstrates to the satisfaction of the Secretary that the sponsor is established as a permanent entity which receives the active support of its members.

"(3) The arrangement is operated, pursuant to a trust agreement, by an operating committee which has complete fiscal control over the arrangement and which is responsible for all operations of the arrangement, and the applicant demonstrates to the satisfaction of the Secretary that the operating committee has in effect rules of operation and financial controls, based on a 5-year plan of operation, adequate to carry out the terms of the arrangement and to meet all requirements of this title applicable to the arrangement. The members of the committee are individuals selected from individuals who are the owners, officers, directors, or employees of the participating employers or who are partners in the participating employers and actively participate in the business. No such member is an owner, officer, director, or employee of, or partner in, a contract administrator or other service provider to the arrangement, except that officers or employees of a sponsor which is a service provider (other than a contract administrator) to the arrangement may be members of the committee if they constitute not more than 25 percent of the membership of the committee and they do not provide services to the arrangement other than on behalf of the sponsor. The committee has sole authority to approve applications for participation in the arrangement and to contract with a service provider to administer the day-to-day affairs of the arrangement.

"(4) The written instrument referred to in section 402(a)(1)—

"(A) provides that the committee is the named fiduciary required under section 402(a)(1) and is the plan administrator (referred to in section 3(16)(A)),

"(B) provides that the sponsor is the plan sponsor (referred to in section 3(16)(B)),

"(C) incorporates the requirements of sections 706 and 707, and

"(D) provides that, effective upon issuance of the certificate of compliance—

"(i) all participating employers must be members or affiliated members of the sponsor, except that, in the case of a sponsor which is a professional association or other individual-based association, if at least one of the officers, directors, or employees of an employer, or at least one of the individuals who are partners in an employer and who actively participates in the business, is a member or affiliated member of the sponsor, participating employers may also include such employer, and

"(ii) all individuals thereafter commencing coverage under the arrangement must be—

"(I) active or retired owners, officers, directors, or employees of, or partners in, participating employers, or

"(II) the beneficiaries of individuals described in subclause (I).

"(5) The Secretary is satisfied that information provided in the application is complete and accurate and such information demonstrates to the satisfaction of the Secretary that the contribution rates described in subsection (a)(3)(E)(ii) are adequate.

"(6) Such other requirements are met as the Secretary may prescribe by regulation as necessary to carry out the purposes of this part.

Any such certificate issued to an arrangement by the Secretary shall not be deemed property of the arrangement and shall be subject to surrender under section 709.

"(c) TREATMENT OF PARTY SEEKING CERTIFICATE WHERE PARTY IS SUBJECT TO DISQUALIFICATION.—

"(1) IN GENERAL.—In the case of any application for issuance to a multiple employer welfare arrangement with respect to which this part applies of a certificate of compliance under this part, if the Secretary determines that the sponsor of the arrangement or any other person associated with the arrangement is subject to disqualification under paragraph (2), the Secretary may deny the issuance of such certificates to such arrangement.

"(2) DISQUALIFICATION.—A person is subject to disqualification under this paragraph if such person—

"(A) has intentionally made a material misstatement in the application for certification;

"(B) has obtained or attempted to obtain a certificate of compliance under this part through misrepresentation or fraud;

"(C) has misappropriated or converted to such person's own use, or improperly withheld, money held under a plan or any multiple employer welfare arrangement;

"(D) is prohibited (or would be prohibited if the arrangement were a plan) from serving in any capacity in connection with the arrangement under section 411.

"(E) has failed to appear without reasonable cause or excuse in response to a subpoena, examination, warrant, or any other order lawfully issued by the Secretary compelling such response.

"(F) has previously been subject to a determination under this part resulting in the denial, suspension, or revocation of a certificate of compliance under this part on similar grounds, or

"(G) has otherwise violated any provision of this title with respect to a matter which the Secretary determines of sufficient consequence to merit disqualification for purposes of this part.

"(d) **FRANCHISE NETWORKS.**—In the case of a multiple employer welfare arrangement established and maintained by a franchisor for a franchise network consisting of its franchisees, such franchisor shall be treated as the sponsor referred to in the preceding provisions of this section, such network shall be treated as an association referred to in such provisions, and each franchise shall be treated as a member (of the association and the sponsor) referred to in such provisions, if all participating employers are such franchisees and the requirements of subsection (b)(2) with respect to a sponsor are met with respect to the network.

"SEC. 704. ADDITIONAL FILING REQUIREMENTS.

"(a) **NOTICE OF MATERIAL CHANGES.**—Descriptions of material changes in any information required to be submitted with the application for a certificate of compliance under this part shall be filed in such form and manner as shall be prescribed in regulations of the Secretary. The Secretary may require by regulation prior notice of material changes with respect to specified matters which might serve as the basis for suspension or revocation of the certificate of compliance.

"(b) **ANNUAL REPORTS.**—Under regulations of the Secretary, the annual reporting requirements of sections 103 and 104 shall apply with respect to any multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part in the same manner and to the same extent as such requirements apply to employee welfare benefit plans, irrespective of whether such arrangement is such a plan. The annual report required under section 103 for any plan year in the case of a multiple employer welfare arrangement shall also include information described in section 703(a)(3)(E) with respect to the plan year and, notwithstanding section 104(a)(1)(A), shall be filed not later than 90 days after the close of the plan year.

"(c) **ENGAGEMENT OF QUALIFIED ACTUARY.**—The operating committee of each multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part shall engage, on behalf of all participants, a qualified actuary who shall be responsible for the preparation of the materials comprising information necessary to be submitted by a qualified actuary under this part. The qualified actuary shall utilize such assumptions and techniques as are necessary to enable such actuary to form an opinion as to whether the contents of the matters reported under this part—

"(1) are in the aggregate reasonably related to the experience of the arrangement and to reasonable expectations, and

"(2) represent such actuary's best estimate of anticipated experience under the arrangement.

The opinion by the qualified actuary shall be made with respect to, and shall be made a part of, the annual report.

"(d) **FILING CERTIFICATES OF COMPLIANCE WITH STATES.**—A certificate of compliance issued to a multiple employer welfare arrangement under this part shall not be effective unless such certificate is filed with the Insurance Commissioner (or similar official) of each State in which at least 5 percent of the plan participants and beneficiaries who are covered under the arrangement are lo-

ated. For purposes of this paragraph, a participant or beneficiary shall be considered to be located in the State in which a known address of such participant or beneficiary is located or in which such participant or beneficiary is employed. The Secretary may by regulation provide in specified cases for the application of the preceding sentence with lesser percentages in lieu of such 5 percent amount.

"SEC. 705. DISCLOSURE TO PARTICIPATING EMPLOYERS.

"(a) **IN GENERAL.**—A multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part shall issue to each participating employer—

"(1) a summary plan description,

"(2) information describing the contribution rates applicable to participating employers, and

"(3) a statement indicating—

"(A) whether or not there is in effect with respect to the arrangement a certificate of compliance under this part and, if there is in effect such a certificate, that the arrangement is (or is treated as) an employee welfare benefit plan under this title, and

"(B) that the arrangement is not a licensed insurer under the laws of any State.

"(b) **TIME FOR DISCLOSURE.**—Such information shall be issued to employers within such reasonable period of time before becoming participating employers as may be prescribed in regulations of the Secretary.

"SEC. 706. MAINTENANCE OF RESERVES.

"(a) **IN GENERAL.**—Each multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part and which is not fully insured shall establish and maintain reserves, consisting of—

"(1) a reserve for unearned contributions,

"(2) a reserve for payment of claims reported and not yet paid and claims incurred but not yet reported,

"(3) a reserve, in an amount recommended by the qualified actuary, for any other obligations of the arrangement, and

"(4) a reserve, to be held in escrow for the sole purpose of meeting obligations of the arrangement upon termination of the arrangement, in an amount not less than 10 percent of expected incurred claims and expenses for the plan year.

"(b) **MINIMUM AMOUNT FOR CERTAIN RESERVES.**—The total of the reserves described in paragraphs (1) and (2) of subsection (a) shall not be less than an amount equal to 20 percent of expected incurred claims and expenses for the plan year.

"(c) **TRANSITIONAL RULES FOR MEETING ESCROW REQUIREMENTS.**—

"(1) **IN GENERAL.**—In the case of an arrangement which is an ongoing arrangement as of January 1, 1992, and to which a certificate of compliance is issued before 1997, the requirements of paragraph (4) of subsection (a) shall be treated as satisfied if—

"(A) as of the date of the application for certification, the requirements of such paragraph would be met if the specified percentage were substituted for '10 percent' in such paragraph (4), and

"(B) the Secretary is satisfied that the arrangement has provided, in a 5-year plan of operation commencing on the date of the issuance of the certificate of compliance, for compliance with the requirements of paragraph (4) as applied without the substitution described in subparagraph (A) by not later than January 1, 1997.

"(2) **SPECIFIED PERCENTAGE.**—For purposes of paragraph (1), the 'specified percentage' is

the percentage specified in connection with the year in which the certificate of compliance is issued, as provided in the following table:

If the year in which the certificate of compliance is issued is:	The specified percentage is:
1992	5 percent.
1993	6 percent.
1994	7 percent.
1995	8 percent.
1996	9 percent.

"(d) **REQUIRED MARGIN.**—In determining the amounts of reserves required under this section in connection with any multiple employer welfare arrangement, the qualified actuary shall include a margin for error and other fluctuations taking into account the specific circumstances of such arrangement.

"SEC. 707. EXCESS/STOP LOSS COVERAGE REQUIREMENT.

"Each multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part and which is not fully insured shall for each plan year establish and maintain aggregate and specific excess/stop loss coverage as follows:

"(1) The arrangement shall secure aggregate stop loss coverage providing coverage for the arrangement with an attachment point which is not greater than 125 percent of expected claims. The Secretary may by regulation define the incurred or paid basis and relevant claims periods for purposes of determining expected claims under this paragraph and provide for upward adjustments in the amounts of such percentage in specified circumstances in which the arrangement specifically provides for and maintains reserves in excess of the amounts approved under section 706.

"(2) The arrangement shall secure specific stop loss coverage with respect to covered individuals providing coverage for the arrangement with an attachment point which is not greater than 5 percent of expected claims. The Secretary may by regulation define the incurred or paid basis and relevant claims periods for purposes of determining expected claims under this paragraph and provide for adjustments in the amount of such percentage as may be necessary to carry out the purposes of this part in specified circumstances.

Any regulations prescribed by the Secretary pursuant to paragraph (1) or (2) may allow for such adjustments in the required levels of excess/stop loss coverage under this section as the qualified actuary may recommend, taking into account the specific circumstances of the arrangement. The Secretary may, in particular cases, waive any requirement of this section, or provide an alternative requirement, if the Secretary determines that such waiver or such alternative requirement is consistent with, and furthers, the purposes of this part.

"SEC. 708. CORRECTIVE ACTIONS

"(a) **ACTIONS TO AVOID SUSPENSION OR REVOCATION OF CERTIFICATION.**—The operating committee of each multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part shall determine monthly whether the requirements of section 706 are met as of the end of the preceding month. In any case in which the committee determines that there is reason to believe that there is or will be a failure to meet such requirements, or the Secretary makes such a determination and so notifies the

committee, the committee shall immediately notify the qualified actuary engaged by the arrangement, and such actuary shall, not later than the end of the next following month, make such recommendations to the committee for corrective action as the actuary determines necessary to ensure compliance with section 706. Not later than 10 days after receiving from the actuary recommendations for corrective actions, the committee shall notify the Secretary (in such form and manner as the Secretary may prescribe by regulation) of such recommendations of the actuary for corrective action, together with a description of the actions (if any) that the committee has taken or plans to take in response to such recommendations. The committee shall thereafter report to the Secretary, in such form and frequency as the Secretary may specify to the committee, regarding corrective action taken by the committee until the requirements of section 706 are met.

"(b) TERMINATION.—

"(1) NOTICE OF TERMINATION.—In any case in which the operating committee of a multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part determines that there is reason to believe that the arrangement will terminate, the committee shall so inform the Secretary, shall develop a plan for winding up the affairs of the arrangement in connection with such termination in a manner which will result in timely payment of all benefits for which the arrangement is obligated, and shall submit such plan in writing to the Secretary. Actions required under this paragraph shall be taken in such form and manner as may be prescribed in regulations of the Secretary.

"(2) ACTIONS REQUIRED IN CONNECTION WITH TERMINATION.—In any case in which—

"(A) the Secretary has been notified under subsection (a) of the failure of a multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance under this part to meet the requirements of section 706 and has not been notified by the operating committee of the arrangement that corrective action has restored compliance with such requirements, and

"(B) the Secretary determines that the continuing failure to meet the requirements of section 706 can be reasonably expected to result in a continuing failure to pay benefits for which the arrangement is obligated,

the operating committee of the arrangement shall, at the direction of the Secretary, terminate the arrangement and, in the course of the termination, take such actions as the Secretary may require as necessary to ensure that the affairs of the arrangement will be wound up in a manner which will result in timely payment of all benefits for which the arrangement is obligated.

"SEC. 708. EXPIRATION, SUSPENSION, OR REVOCATION OF CERTIFICATION.

"(a) EXPIRATION AND RENEWAL OF CERTIFICATION.—A certificate of compliance held by a multiple employer welfare arrangement under this part shall expire 5 years after the date of its issuance. An expired certificate may be renewed by means of application for certification in accordance with section 703.

"(b) SUSPENSION OR REVOCATION OF CERTIFICATION BY SECRETARY.—The Secretary may suspend or revoke any certificate of compliance held by a multiple employer welfare arrangement under this part—

"(1) for any cause that may serve as the basis for the denial of an initial application for such a certificate under section 703, or

"(2) if the Secretary finds that—

"(A) the arrangement, or the sponsor thereof, in the transaction of business while holding such certificate, has used fraudulent, coercive, or dishonest practices, or has demonstrated incompetence, untrustworthiness, or financial irresponsibility,

"(B) the arrangement, or the sponsor thereof, is using such methods or practices in the conduct of its operations, so as to render its further transaction of operations hazardous or injurious to participating employers, or covered individuals,

"(C) the arrangement, or the sponsor thereof, has refused to be examined in accordance with this part or to produce its accounts, records, and files for examination in accordance with this part, or

"(D) any of the officers of the arrangement, or the sponsor thereof, has refused to give information with respect to the affairs of the arrangement or the sponsor or to perform any other legal obligation relating to such an examination when required by the Secretary in accordance with this part.

Any such suspension or revocation under this subsection shall be effective only upon a final decision of the Secretary made after notice and opportunity for a hearing is provided in accordance with section 710.

"(c) SUSPENSION OR REVOCATION OF CERTIFICATION UNDER COURT PROCEEDINGS.—A certificate of compliance held by a multiple employer welfare arrangement under this part may be suspended or revoked by a court of competent jurisdiction in an action by the Secretary brought under paragraph (2), (5) or (6) of section 502(a), except that the suspension or revocation under this paragraph shall be effective only upon notification of the Secretary of such suspension or revocation.

"(d) SURRENDER OF CERTIFICATE AND NOTIFICATION OF PARTICIPATING EMPLOYERS.—Any certificate which expires, is suspended, or is revoked under this section shall be surrendered to the Secretary, and all participating employers shall be notified thereof, by such persons and in such form and manner as shall be prescribed in regulations of the Secretary, not later than 20 days after such expiration or after receipt of notice of a final decision requiring such suspension or revocation.

"(e) PUBLICATION OF EXPIRATIONS, SUSPENSIONS, AND REVOCATIONS.—The Secretary shall publish all expirations of, and all final decisions to suspend or revoke, certificates of compliance under this part.

"SEC. 710. REVIEW OF ACTIONS OF THE SECRETARY.

"(a) IN GENERAL.—Any decision by the Secretary which involves the denial of an application by a multiple employer welfare arrangement for a certificate of compliance under this part or the suspension or revocation of such a certificate shall contain a statement of the specific reason or reasons supporting the Secretary's action, including reference to the specific section or sections relevant to the determination.

"(b) DENIALS OF APPLICATIONS.—In the case of the denial of an application for a certificate of compliance under this part, the Secretary shall send a copy of the decision to the applicant by certified or registered mail at the address specified in the records of the Secretary. Such decision shall constitute the final decision of the Secretary unless the arrangement, or any party that would be prejudiced by the decision, files a written appeal of the denial within 30 days after the mailing of such decision. The Secretary may affirm, modify, or reverse the initial decision. The

decision on appeal shall become final upon the mailing of a copy by certified or registered mail to the arrangement or party that filed the appeal.

"(c) SUSPENSIONS OR REVOCATIONS OF CERTIFICATE.—In the case of the suspension or revocation of a certificate of compliance issued under this part, the Secretary shall send a copy of the decision to the arrangement, or any party that would be prejudiced by the suspension or revocation, filed within 15 days of the mailing of the Secretary's decision, the Secretary shall schedule a hearing on such decision by written notice, sent by certified or registered mail to the arrangement or party requesting such hearing. Such notice shall set forth—

"(1) a specific date and time for the hearing, which shall be within the 10-day period commencing 20 days after the date of the mailing of the notice, and

"(2) a specific place for the hearing, which shall be in the District of Columbia or in the State and county thereof (or parish or other similar political subdivision thereof) in which is located the arrangement's principal place of business.

The decision as affirmed or modified in such hearing shall constitute the final decision of the Secretary, unless such decision is reversed in such hearing."

"(b) AMENDMENT OF PREEMPTION RULES.—

(1) CLARIFICATION OF EXEMPTION FROM PREEMPTION.—Section 514(b)(6)(A)(ii) of such Act (29 U.S.C. 1144(b)(6)(A)(ii)) is amended by striking "to the extent not inconsistent with the preceding sections of this title".

(2) CROSS-REFERENCE.—Section 514(b)(6) of such Act (29 U.S.C. 1144(b)(6)) is amended by adding at the end the following new subparagraph:

"(E) For additional rules relating to the certification of certain multiple employer welfare arrangements, and exemption from subparagraph (A)(ii), see part 7."

(c) CONFORMING AMENDMENT TO DEFINITION OF PLAN SPONSOR.—Section 3(16)(B) of such Act (29 U.S.C. 1002(16)(B)) is amended by adding at the end the following new sentence: "Such term also includes the sponsor (as defined in section 701(5)) of a multiple employer welfare arrangement with respect to which there is or has been in effect a certificate of compliance issued under part 7."

(d) CLARIFICATION OF TREATMENT OF SINGLE EMPLOYER ARRANGEMENTS.—Section 3(40)(B) of such Act (29 U.S.C. 1002(40)(B)) is amended—

(1) in clause (i), by inserting "for any plan year of any such plan, or any fiscal year of any such other arrangement," after "single employer", and by inserting "during such year or at any time during the preceding 1-year period" after "common control";

(2) in clause (iii), by striking "common control shall not be based on an interest of less than 25 percent" and inserting "an interest of greater than 25 percent may not be required as the minimum interest necessary for common control", and by striking "and" at the end,

(3) by redesignating clause (iv) as clause (v), and

(4) by inserting after clause (iii) the following new clause:

"(iv) in determining, after the application of clause (i), whether benefits are provided to employees of two or more employers, the arrangement shall be treated as having only 1 participating employer if, at the time the determination under clause (i) is made, the

number of individuals who are employees and former employees of any one participating employer and who are covered under the arrangement is greater than 95 percent of the aggregate number of all individuals who are employees or former employees of participating employers and who are covered under the arrangement."

(e) ALTERNATIVE MEANS OF DISTRIBUTION OF SUMMARY PLAN DESCRIPTIONS.—Section 110 of such Act (29 U.S.C. 1030) is amended by adding at the end of the following new subsection:

"(c) The Secretary shall prescribe, as an alternative method for distributing summary plan descriptions in order to meet the requirements of section 104(b)(1) in the case of multiple employer welfare arrangements, a means of distribution of such descriptions by participating employers."

(f) CLERICAL AMENDMENT.—The table of contents in section 1 of the Employee Retirement Income Security Act of 1974 is amended by inserting after the item relating to section 608 the following new items:

PART 7—MULTIPLE EMPLOYER WELFARE ARRANGEMENTS PROVIDING HEALTH BENEFITS

"Sec. 701. Definitions.

"Sec. 702. Certified multiple employer welfare arrangements treated as employee welfare benefit plans and exempt from certain restrictions on preemption.

"Sec. 703. Certification requirements.

"Sec. 704. Additional filing requirements.

"Sec. 705. Disclosure to participating employers.

"Sec. 706. Maintenance of reserves.

"Sec. 707. Excess/stop loss coverage requirement.

"Sec. 708. Corrective actions.

"Sec. 709. Expiration, suspension, or revocation of certification.

"Sec. 710. Review of actions of the Secretary."

SEC. 3. FILING REQUIREMENTS FOR HEALTH BENEFIT MULTIPLE EMPLOYER WELFARE ARRANGEMENTS WHICH ARE NOT FULLY INSURED AND HAVE NOT BEEN CERTIFIED UNDER PART 7.

Section 101 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1021) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

"(e)(1) Each multiple employer welfare arrangement shall file with the Secretary a registration statement described in paragraph (2) within 60 days before commencing operations (in the case of an arrangement commencing operations on or after January 1, 1992) and no later than February 15th of each year (in the case of an arrangement in operation since the beginning of the calendar year), unless, as of the date by which such filing otherwise must be made, such arrangement provides no benefits consisting of medical care described in section 607(1), such arrangement is fully insured, there is in effect with respect to such arrangement a certificate of compliance under part 7, or there is pending a complete application for such a certificate and the Secretary determines that provisional protection under part 7 is appropriate.

"(2) Each registration statement shall—

"(A) be filed in such form, and contain such information concerning the multiple employer welfare arrangement and any persons involved in its operation, as shall be provided in regulations which shall be prescribed by the Secretary, and

"(B) contain a certification that copies of such registration statement have been transmitted by certified mail to the Insurance Commissioner (or similar official) of each State in which the multiple employer welfare arrangement currently conducts (or is to conduct) business.

"(3) The person or persons responsible for filing the annual registration statement are—

"(A) the trustee or trustees so designated by the terms of the instrument under which the multiple employer welfare arrangement is established or maintained, or

"(B) in the case of a multiple employer welfare arrangement for which the trustee or trustees cannot be identified, or upon the failure of the trustee or trustees of an arrangement to file, the person or persons actually responsible for the acquisition, disposition, control, or management of the cash or property of the arrangement, irrespective of whether such acquisition, disposition, control, or management is exercised directly by such person or persons or through an agent designated by such person or persons."

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall take effect January 1, 1992, except that the Secretary of Labor may issue regulations before such date under such amendments. The Secretary shall issue all regulations necessary to carry out the amendments made by this Act not later than July 1, 1992.

SECTION-BY-SECTION EXPLANATION OF THE MULTIPLE EMPLOYER HEALTH BENEFITS PROTECTION ACT OF 1991

IN GENERAL

The bill adds a new Part 7 to Title I of ERISA which allows multiple employer welfare arrangements (MEWAs) providing health care benefits to obtain a federal "certificate of compliance" from the U.S. Department of Labor. Arrangements with certificates would be subject to uniform standards under ERISA regarding reporting, disclosure, fiduciary requirements, and new funding/reserve requirements. Regulations would be promulgated by the Department of Labor in connection with these standards. Health benefits MEWAs operating under the uniform ERISA standards would be required to so notify the states in which they operate. Health benefit MEWAs choosing to obtain a certificate of compliance from the Department of Labor would be required to register and report to the Department of Labor and to each state in which they operate. The bill also clarifies the ability of the states to regulate any multiple employer welfare arrangement which lacks a certificate of compliance from the Department of Labor.

ERISA PART 7—MULTIPLE EMPLOYER WELFARE ARRANGEMENTS PROVIDING HEALTH BENEFITS

Sec. 701. Definitions.

This section defines insurer, participating employer, excess/stop-loss coverage, qualified actuary, and the sponsor of an arrangement.

Sec. 702. Certified MEWAs Treated as ERISA Employer Welfare Benefit Plans and Exempt from Certain Restrictions on Preemption.

A self-insured health benefits MEWA obtaining a certificate of compliance under Part 7 would be treated as an employee welfare benefit plan which is exempt from the state regulation that is currently permitted under section 514(b)(6).

Sec. 703. Certification Requirements.

Subsection (a) sets forth the information required to be included in the application for

a certificate of compliance. A filing fee is required to be paid at the time of the application. Among the items of information to be supplied are: the identity of the members of the MEWA's "operating committee", documents and evidence of the arrangement's governance, coverage, operations, and compliance with ongoing reserve/funding and stop-loss requirements; and a complete actuarial statement prepared by a qualified actuary on the arrangement's costs of coverage and current and projected actuarial status.

Subsection (b) sets forth additional requirements which must be met by both the sponsor and the arrangement before a certificate of compliance can be issued. The association, chamber of commerce, or similar business groups sponsoring the arrangement must meet certain thresholds of operation and be established as a permanent entity. The operating committee of the MEWA must also meet certain membership requirements and accept responsibility as the plan's "named fiduciary" under ERISA. The MEWA's written plan documents must incorporate reserve/funding and stop-loss requirements not less stringent than the ERISA minimum and must provide that all future plan participants be employees or dependents of participating employers who are members or associate members of the plan sponsor.

Subsection (c) authorizes the Secretary to deny the issuance of a certificate if the sponsor or any person associated with the arrangement is subject to "disqualification". Persons may be subject to disqualification for a variety of reasons including misrepresentation, fraud, and misappropriation of funds.

Sec. 704. Additional Filing Requirements.

Under subsection (a) MEWAs may be required to notify the Secretary of material changes in the information submitted with the application for a certificate of compliance.

Under subsection (b), the ERISA annual filing requirement is to include updated actuarial and financial information.

Subsection (c) requires each MEWA to engage a qualified actuary to report and provide information on behalf of all plan participants.

Subsection (d) requires each MEWA which is issued a certificate of compliance to file a notice with certain states in which it operates.

Sec. 705. Disclosure to Participating Employers.

This section requires MEWA's to provide prospective participating employers with information indicating their scope of coverage, rates of contribution, and self-insured status.

Sec. 706. Maintenance of Reserves.

This section requires each self-insured MEWA to establish and maintain minimum unearned contribution and unpaid claim reserves in an amount not less than 20% of expected incurred claims and expenses. Subject to certain phase-in rules, an additional reserve of up to 10% of expected incurred claims and expenses is to be held in escrow for the sole purpose of meeting plan termination obligations. A margin for error and additional reserves for any other obligations of the arrangement would be required in amounts recommended by the plan's qualified actuary.

Sec. 707. Excess/Stop-Loss Coverage Requirement.

This section requires each self-insured MEWA to establish and maintain (1) aggregate stop-loss coverage with an attachment

point not greater than 125% of expected claims (subject to upward adjustments if excess reserves are held), and (2) specific stop-loss coverage with an attachment point not greater than 5% of expected claims (subject to adjustments based on plan circumstances). In particular cases the Secretary of Labor may provide waivers or alternative means of meeting such requirements.

Sec. 708. Corrective Actions.

Under subsection (a), in order to avoid a suspension or revocation of a certificate of compliance, the operating committee of each self-insured MEWA shall regularly determine whether the reserve/funding requirements of section 706 are met. If there is reason to believe that such requirements may not be met, then the operating committee is required to obtain recommendations for corrective action from the plan's qualified actuary and report to the Secretary as to the nature and effect of the corrective actions actually taken by the committee. The Secretary is generally authorized under ERISA to enjoin any act or practice violating any provision of Title I, or to obtain other appropriate equitable relief to redress any such violation and enforce the provisions of Title I and the terms of the arrangement.

Subsection (b) requires the operating committee of a terminating MEWA to provide notice to the Secretary and submit a plan for winding up the affairs of the arrangement which will result in the timely payment of all plan obligations. The Secretary may take action to terminate an arrangement which is in violation of the reserve requirements and which can reasonably be expected to fail to pay benefits as obligated.

Sec. 709. Expiration, Suspension, or Revocation of Certification.

Subsection (a) requires a five-year renewal of each certificate of compliance.

Under subsection (b), the Secretary may suspend or revoke a certificate of compliance after a showing of cause and after compliance with the provisions of section 710 requiring notice and an opportunity for hearing.

Under subsection (c), a certificate of compliance may also be revoked pursuant to a court proceeding brought by the Secretary.

Sec. 710. Review of Action of the Secretary.

This section provides for the appeals procedure to be followed in connection with the denial, suspension, or revocation by the Secretary of a certificate of compliance. Notice and an opportunity for a hearing is required in the case of a suspension or revocation.

Sec. 2(b) of the Act.

This amends ERISA section 514(b)(6)(A)(ii) by striking the phrase "to the extent not inconsistent with the preceding sections of this title". This further clarifies the ability of the states to regulate MEWAs which do not possess a certificate of compliance under Part 7.

Sec. 2(c) of the Act.

This conforms the definition of plan sponsor to include the sponsor of a MEWA having a certificate of compliance.

Sec. 2(d) of the Act.

This provision clarifies the definition of a MEWA maintained by a single employer by defining the minimum interest required for two or more entities to be in "common control" as a percentage which cannot be greater than 25%. In addition, employees and dependents of a former common control member, for example in a spin-off situation, could be retained in the plan for up to one plan year without violating the common control requirement. Also, a plan would be consid-

ered a single-employer plan if less than 5% of the covered employees are employed by other affiliated employers.

Sec. 2(e) of the Act.

This provision requires the Secretary to provide MEWAs with an alternative and more workable means for distributing summary plan descriptions.

Sec. 3 of the Act. Filing Requirements for Health Benefit MEWA's which are not Fully Insured and have not been Certified Under Part 7.

This provision amends section 101 of ERISA to require certain MEWAs to file an annual registration statement with the Secretary and with each state in which they operate. The MEWA's required to report are any self-insured health benefits arrangements lacking a valid certificate of compliance under Part 7 of ERISA.

Sec. 4 of the Act. Effective Date.

The amendments made by the Act take effect January 1, 1992 except that the Secretary of Labor may issue regulations before such date.

BASIC BIOMEDICAL RESEARCH AND THE DEVELOPMENT OF DRUGS FOR THE TREATMENT OF HUMAN DISEASE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. GEKAS. Mr. Speaker, I submit the following remarks by Tom Maniatis:

BASIC BIOMEDICAL RESEARCH AND THE DEVELOPMENT OF DRUGS FOR THE TREATMENT OF HUMAN DISEASE

(Remarks by Dr. Tom Maniatis)

I would like to thank Dr. Nathans and the Congressional Biomedical Research Caucus for this opportunity to speak. Like Dr. Nathans, I would like to discuss the importance of funding basic biomedical research. I will also discuss the relationship between basic research that goes on in academic labs and the development of drugs for the treatment of human diseases.

My perspective on these issues is shaped by personal experiences in academic research and my role in founding a biotechnology company. I currently teach at Harvard University and direct an NIH-funded research program. The focus of my research in this field is to understand how a single cell, the fertilized egg, develops into an adult human being. An important concept to emerge from studies of many different organisms over the last fifty years is that this development occurs by a sequential and highly specific expression of individual genes. For example, during development, muscle cells express one set of genes, while brain cells express an entirely different set of genes. Therefore, understanding how these patterns of gene expression are controlled is really fundamental to an understanding of how we all develop. The funding of studies from a broad spectrum of organisms—from bacteria to man—has led to the fascinating discovery which Dr. Nathans mentioned in his remarks. That is, the mechanisms involved in gene expression of the simplest organisms—from bacteria, to yeast, to fruit flies—are virtually identical to those involved in human development. It has therefore been possible to use these less complex, more experimentally tractable systems to discover unifying prin-

ciples in gene expression. In addition, studies of gene expression in bacteria have contributed directly to the development of the powerful tools to study human biology of the sort that Dr. Nathans mentioned. These methods also make it possible to produce large amounts of specific proteins, the products of these genes.

Thus, recombinant DNA technology, which was initially developed to study fundamental questions in gene expression, has become the foundation of the biotechnology industry. Federal funding of basic biomedical research during the past 20 years has therefore provided important inroads into the treatment of human diseases, both in terms of expanding our understanding of the basic concepts of biology and by providing powerful tools to develop new products for human health care.

To illustrate these points I would like to briefly mention how my research played a role in the development of this new technology. As a postdoctoral fellow supported by an NIH fellowship, I studied gene expression in a simple virus that infects bacteria. Investigation of the inner workings of this virus by a number of laboratories in the United States and in other countries led to an incredibly detailed understanding of how the virus replicates and how its genes are expressed. This knowledge was essential to the subsequent development of recombinant DNA methods as we know them today. When I established my own laboratory at Harvard I was interested in studying the expression of human genes but this was not possible because of the enormous complexity of the human genome. At that time basic gene isolation methods had been developed by others, as Dr. Nathans mentioned. However, this technology could not be effectively applied to the isolation of specific human genes because of the large size of the human genome. To tackle this problem, my laboratory developed a method which involved packaging each human gene into an individual bacterial virus. The collection of these recombinant viruses became known as a human genomic DNA library, since this collection contained within it all the genes present in a human cell. We then used this library to isolate specific human genes to determine how they are expressed.

However, in order to accomplish this, another key technological advance was required. Specifically, it was necessary to develop a method for reintroducing the isolated gene into the cell in which it is ordinarily expressed. This objective was accomplished in collaboration with Richard Axel's lab at Columbia University. Together we showed that a gene isolated from the genomic library could be transferred into cells in a test tube and then expressed. These two methods, gene isolation and gene transfer, have not only been widely used to study gene expression but they have also been used to produce large amounts of specific proteins in cultured cells, again a fundamental method used in biotechnology.

This ability to isolate and express virtually any human gene has obvious human health care potential. The recognition of this potential in the late 1970's and early 1980's rapidly led to the establishment of several biotechnology companies. Together with Mark Ptashne, a colleague at Harvard, I participated in founding one of these companies: Genetics Institute, in Cambridge, Massachusetts. In contrast to existing pharmaceutical companies which primarily developed drugs by synthetic organic chemistry, the new biotechnology companies envisioned the use of recombinant DNA technologies to produce

protein-based drugs. Initially these companies benefited from technology transferred from university labs. However, as the companies grew they rapidly attracted outstanding scientists and these scientists not only developed and published new technology, but they also made fundamental contributions to the understanding of basic biology.

For example, the scientists at Genetics Institute have played a major role in the field of blood clotting, blood growth factors, and bone development over the past 10 years. At present I believe there is a mutually beneficial relationship between academic labs and biotechnology companies. In addition, the biotechnology companies have also developed important drugs. For example, I would like to briefly describe the development at Genetics Institute of a drug called Factor VIII. Individuals with an inherited disorder called hemophilia A are lacking a critical blood clotting factor called Factor VIII. Most of you are probably familiar with this genetic disease because of its frequent occurrence among members of royal families in Europe. Individuals with this disease can literally bleed to death from a small scratch or bruise. Hemophilia A is currently treated by injection of Factor VIII extracted from donated blood samples. Unfortunately, a large number of hemophilia A patients were infected by hepatitis or AIDS viruses present in the donated blood. Although precautions have now been taken to screen blood for the viruses, as long as blood is used as a source of Factor VIII, the possibility of contamination by these and other viruses is a serious problem. In fact, you may have read in *The New York Times* this morning about how the Red Cross is reorganizing its whole program to make blood contamination less likely to happen.

The two recombinant DNA methods that I mentioned, gene isolation and gene transfer, have been used to solve the contamination problem. The gene that encodes human Factor VIII was isolated from the genomic library that I described before and the Factor VIII gene was transferred into a virus-free cell that is grown in culture. Factor VIII is secreted from the cells, which are engineered for very high levels of protein production. The highly purified Factor VIII obtained in this manner is currently in the final stages of clinical trials, and approval by the Food and Drug Administration (FDA) is expected later this year. When this happens, hemophilia A patients will no longer have to be concerned about the possibility that a drug essential to their lives may carry a lethal contaminant. This is only one example of the large number of protein-based drugs that have been developed, which includes insulin, human growth hormone, interferon, a variety of blood cell factors which David Golde will discuss and, most recently, factors that stimulate bone growth and bone healing.

I've discussed only one example of how the investigation of fundamental biological problems can benefit society. None of us fascinated by the inner workings of the small bacterial virus 15 years ago could have predicted that the knowledge gained in these studies could contribute so directly to the current biological revolution. The first human gene was isolated in 1978 and less than a decade later drugs derived from these genes are being used routinely in clinical practice. The short time frame between discovery in the lab and direct application to the treatment of human diseases is clearly unprecedented in human history. None of these advances could have been made without the Federal support of basic biomedical

researchers over the past 40 years. Currently there is little doubt that the United States leads the world in biomedical research and biotechnology. However, in order to sustain this leadership we must continue to support a broad spectrum of basic research. Although it is tempting to concentrate our resources on more directed research, for example, wrestling with the AIDS and cancer problems, it is important to keep in mind that the most important technical and conceptual breakthroughs in understanding these diseases often come indirectly and totally unexpectedly from basic research on other systems. The development of recombinant DNA technology provides an important case in point. Without this technology, which is based primarily on studies of gene expression in bacteria, we'd know little or nothing about the biology of the AIDS virus, and the dramatic advances of our knowledge in cancer and human genetic diseases simply would not have occurred.

It's important to note that continued funding of basic research alone is not sufficient to maintain our lead in biotechnology. We must strengthen educational programs in natural sciences at the secondary school level and provide incentives for young people to choose science as a career. The most important incentive is the assurance that research and teaching positions will be available and research funds will not dry up. Science is a difficult and demanding career that requires a great deal of commitment and sacrifice. The hours are long; the day-to-day work can often be tedious and frustrating. The rewards, however, are the exhilaration of discovery and gratification derived from making important contributions to society. However, the rewards cannot materialize if the research positions and funds are not available. Young people will simply not endure the hardships of an academic career if they feel that after years of hard work they will not be able to function in a productive research environment.

In a recent Gallup poll of academic investigators and NIH grant holders conducted by the Pharmaceutical Manufacturers Association, more than 80 percent of the respondents expressed the view that fewer American students are going into biomedical research. In addition, there is a widely perceived problem of the overall quality of American graduate students going down. In fact, at Harvard we can see that more and more of our students are from other countries, rather than from the United States. Ironically, this is occurring at a time in which the most exciting advances are being made in biology. But sadly, the brightest and best of our students are not choosing science as a career. Obviously, the long-term impact of this trend could be devastating to the biomedical research community in the United States. More than 90 percent of the academic leaders polled see a risk that the United States will lose its leadership in biomedical research over the next ten years, and the most serious threat is from Japan. The bottom line is, I think, that if we are going to maintain our leadership we have to strengthen science education at the primary and secondary level; we should not overemphasize targeted research at the cost of basic research; and we should actively recruit the brightest young people for careers in science and provide them with the right incentives: jobs and research support.

H.R. 2707

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. LEWIS of Florida. Mr. Speaker, in voting today in favor of H.R. 2707, the Labor, Health and Human Services, and Education Appropriations bill, I do so with some serious reservations.

This appropriations bill provides vital funding for Medicaid and Medicare. Funding is also provided for many other important programs, including cancer and AIDS research, health, education, drug treatment, and job training. These programs must be provided appropriate funding so that they continue to serve the needs of our Nation. I voted to support the continued operation of these programs, but I am hopeful that the excessive funding levels in this bill will be reduced in conference.

I will work with my Senate colleagues in an attempt to reduce overall increased levels of spending. If H.R. 2707 returns to the House from conference without substantial reductions, I will be obliged to oppose the bill.

I also oppose the bill's provision that prohibits the use of funds to enforce or implement HHS regulations that prohibit federally funded family planning clinics from providing information to clients about abortion.

H.R. 2707 is not the mechanism in which to attempt to overturn the Supreme Court decision in *Rust versus Sullivan*. Quite frankly, I find it irresponsible that the Democratic leadership would entangle these initiatives through debate on an issue which clearly merits discussion on its own standing.

I have in the past and will continue to support the title X family planning program which provides critical resources for education and counseling programs that include prenatal care, maternal care, child care, and family planning programs. The program was never intended to provide abortion as an option for an unintended pregnancy.

The Supreme Court ruling in *Rust versus Sullivan* simply enforces existing regulations—section 59.9—that prohibit title X projects from encouraging, promoting, or advocating abortion as a method of family planning.

As my voting record clearly indicates, I do not support spending Federal tax dollars to pay for abortion under any circumstance. Consequently, I do not support the promotion of abortion as an option for an unintended pregnancy under the federally funded title X family planning program.

In my opinion the attempt to overturn this ruling would seriously damage the intent of the family planning program to support preventive family planning services.

A SALUTE TO VICTORIA MCKINNEY

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. DYMALLY. Mr. Speaker, I would like to salute Victoria McKinney, a distinguished citi-

zen from Carson, CA, who was honored recently as one of the two 53d Assembly District's Democrats of the Year.

Only two Democrats are chosen for this distinction each year. Victoria has earned this honor by her hard work, perseverance, and loyalty. A longtime activist in South Bay politics, Victoria is a member of the 53d Assembly Democratic State Central Committee, State chairperson of the California Democratic Council African-American Caucus, a member of the Carson/Compton Martin Luther King Democratic Club, and other political affiliations.

Victoria has demonstrated a concern for issues which affect her fellow African-Americans as well as a strong dedication to community service. Despite a full schedule of political as well as domestic duties—she is the mother of two—Victoria has found time to earn a masters degree in behavioral science from California State University at Dominguez Hills. Presently, she is pursuing a doctorate degree from the University of Southern California.

In my district, we are extremely appreciative of the contributions and sacrifices made by Victoria to our community. The Carson community is much better off because of her 20-year involvement. These are among her community affiliations: Chair, NAACP Political Action Committee, Carson/Torrance Branch; Young Women for Good Government; California Women in Government; Association of Black Social Workers; Association of Black Psychologists; Black Women's Forum; Carson Concerned Citizens; Del Amo Homeowners Association; American Tennis Association, Carson Mall Advisory Committee, and Carson Players Theatrical and Cultural Group.

It is my belief that Victoria will continue her public service and in so doing will further distinguish herself and better the community in which she lives. Because my staff and I have worked with her in the past, I am doubly proud of her accomplishments. Understanding her sacrifices, I join friends and the community in saluting Victoria McKinney.

HOST DEFENSE: THE NEW MEDICAL FRONTIER

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1991

Mr. GEKAS. Mr. Speaker, I submit the following remarks by David W. Golde, M.D.:

HOST DEFENSE: THE NEW MEDICAL FRONTIER

(Remarks by David W. Golde, M.D.)

I would like to begin by thanking Congressman Gekas for the opportunity to discuss with you the enormous advances that have been made in the treatment of human disease as a direct result of the application of recombinant DNA technology and the biotechnology revolution. As you have heard, recombinant DNA technology allows for the isolation of human genes encoding specific proteins and the subsequent production of these proteins in quantity using bacterial, yeast, or mammalian cell structures containing the cloned human gene. This technology has been especially useful for the isolation and production of hormones that are

produced normally in the body in minute quantities. Also, genetic engineering is being used to tailor-make monoclonal antibodies, to develop vaccines such as those against hepatitis, and to produce proteins important in blood coagulation. Ultimately, genes can be inserted into human cells in gene therapy strategies to correct genetic abnormalities or to provide normal cells with valuable new properties. While the applications of modern biotechnology to human therapeutics are becoming obvious for disease states requiring replacement of endocrine hormones, clotting proteins, or enzymes. I would like to focus on an area of biotechnology that I believe will change medical treatment in a very profound manner. I am speaking now of drugs produced by recombinant technology that have the capability of enhancing host defense—that is, the ability of the individual to defend himself against a hostile microbial environment as well as against internal threats such as cancer.

I am a physician scientist who has followed a rather traditional academic career for over 20 years in the University of California System. My entire career has been supported by the NIH and without that support I would not be here today speaking on this subject. What is a physician-scientist? A physician scientist is an academician, a teacher who practices medicine usually in a specialty area and also conducts biomedical research that may be at a basic level but is directed at clinically relevant problems. The advantage of being both a practicing physician and a scientist is the insight and motivation that result from seeing patients. The physician-scientist has the opportunity to directly ascertain the important questions that need to be asked about human disease—ultimately with an emphasis on therapeutics. When I finished my internship at the University of California in San Francisco (UCSF), I came to the NIH in Bethesda, Maryland, and from my studies in the Clinical Pathology Department, I became enthusiastic about blood cells, how they are made, what they do, and what goes wrong in disease states. Seeing patients with various types of Leukemia, particularly young children with acute Leukemia, intensified my desire to investigate blood disorders.

Upon returning to UCSF I decided to focus my research on the study of how these blood cells are produced and how ultimately we can affect their control in the manner that will impact favorably on patients' care. I did not know in the early 1970's, that I would be part of a revolution that would change medicine. When I joined the University of California faculty some 20 years ago I was a trained hematologist and oncologist, with my main interest being in the area of blood-related cancers, primarily leukemia. In those days, physician-scientists such as myself had quite categorical interests with regard to studies of specific disease states in the laboratory and the clinic. One of the major contributions of the biotechnology revolution has been the joining of clinicians and scientists of widely disparate interests and capabilities in the common goal of understanding the pathophysiologic basis of disease states and in developing new and effective therapeutic approaches. Thus, Ph.D.'s who previously worked only in model systems such as the fruit fly or the slime mold now are comfortable and very effective working with human tissues and using human disease models. My lifetime interest has been the study of the production and function of the blood cells; yet when I initiated my research career few had even conceived of the possibil-

ity of controlling the production and function of the blood cells. I began studying the growth and development of bone marrow cells in culture. The culture systems allowed for the identification of certain proteins, referred to as colony-stimulating factors (CSFs) which regulate the development of blood cells from the bone marrow. Within the last 8 years these CSFs were purified and molecularly cloned as a result of the cooperative enterprise of academia and the biotechnology industry. The CSFs allow us to do what was almost inconceivable two decades ago, that is, control the production and function of the blood cells.

In Leviticus, the Bible states that "the life of the flesh is in the blood." This statement is literally true in that each type of blood cell is required for life. Erythrocytes, (red blood cells) carry oxygen to the tissues and therefore defend against lack of oxygen, (hypoxia). The white blood cells defend the body from microbial pathogens and tumors, and the platelets defend against bleeding caused by trauma. The lymphocytes are a class of white blood cells that are primarily concerned with immunity the B lymphocytes produce immunoglobulin antibodies, and the T lymphocytes are concerned with recognition of foreign antigens as well as killing tumor cells, foreign tissue cells, and certain virus-infected cells. Since we now have isolated hormones that control the production of such cells as well as the technology for producing safe vaccines and generating specific antibodies in the test tube, we are finally gaining control of the fundamental elements of host defense. What does this mean for medicine? It implies that we have a whole new sphere of therapeutic interventions that regulate normal body processes leading to an enhanced state of defense against disease.

Humans have a highly developed, complex system of defenses to protect them against invasion by microorganisms. These defenses include barriers such as the skin and the mucous membranes and dynamic elements such as the hairlike structures or cilia in the tracheobronchial tree that push unwanted particles out of the respiratory tract. Standing alone, however, these systems are not sufficient to prevent the entry of disease-causing organisms. Rather, the host's main line of defense necessarily involves the immune system and white blood cells produced in the bone marrow.

The introduction of immunization was one of the major advances in the history of medicine. Edward Jenner (1749-1823) found that milkmaids exposed to the virus causing pox in cows became resistant to human smallpox. Thus it was discovered that the host immune system could be specifically activated to combat disease-causing viruses if the host had previously been exposed to either a killed or attenuated form of the virus. This same principle has held to establish immunity against toxins, such as the toxins produced by tetanus-causing bacteria (lockjaw), and immunity toward certain bacteria can be heightened by injection of parts of the organism's outer coat. The host produces antibodies (circulating proteins that bind specifically to components of a microorganism), and also develops a cell-mediated immunity (recognition and killing by white blood cells).

While vaccination and immunization have had a major impact on heightening defenses of the individual host to specific disease-causing organisms, no treatment had been available that would make the host a better "defender" against microbial attack in gen-

eral. For example, until the introduction of antibiotics, therapy against tuberculosis was largely relegated to the sanatorium. Throughout history, tuberculosis (consumption) has been a disease of the economically disadvantaged, mainly because of unhealthful living conditions and inadequate nutrition. Thus, individuals with tuberculosis living in a relatively more exposure-prone location such as New York City might be sent to a sanatorium in Colorado, where they would rest, eat a healthful diet, sun themselves, and breathe clean mountain air. In many instances this was sufficient to allow the individuals' own host defense mechanisms to contain the tuberculosis bacillus.

As you have heard, the last decade has seen enormous progress in the field of recombinant DNA technology and we have successfully isolated genes for those hormones that control white blood cell production and function. These hormones are referred to as colony-stimulating factors (CSFs) and interleukins and they stimulate the production of white blood cells from bone marrow precursors. Now, the genes for at least 12 of the CSFs and interleukins have been cloned. Erythropoietin, GM-CSF, and G-CSF are FDA-approved drugs produced by recombinant DNA technology which allow physicians today to regulate the number of circulating white and red blood cells. The CSFs will be used to ameliorate bone marrow toxicity resulting from cancer chemotherapy, increase host defense against infections in persons with acquired immunodeficiency syndrome (AIDS), and improve the host defense capability of the elderly, diabetics, victims of burns, and patients undergoing complicated operative procedures. Our newfound ability to marshal the body's host defense cells will lead us to a new era in the treatment and prevention of human disease much as the introduction of vaccination and antibiotics did in the past.

The clinical use of erythropoietin, which can only be produced in therapeutic quantities by recombinant technology, has enhanced the quality of life of thousands of patients with kidney disease and promises to decrease the need for blood transfusion over a wide range of indications. Erythropoietin, being the normal hormone regulating red cell production, is nontoxic and leads to a stimulation of red cell production that can be as much as 10 times normal. Thus erythropoietin will be useful in patients undergoing elective surgical procedures as well as in reducing the need for transfused blood in emergency cases. It is also effective in stimulating red cell production in cancer patients and in AIDS.

The colony-stimulating factors (CSFs) have already proved their utility in situations as diverse as chemotherapy of cancer, bone marrow transplantation, and acquired immunodeficiency syndrome (AIDS). An example of the therapeutic power of some of these agents is an experience we had with a faulty member at UCLA who had hairy-cell leukemia with a marked diminution in circulating normal white blood cells. He developed an infection of the blood stream (septicemia) that did not respond to antibiotics and his blood pressure was falling as he developed septic shock, a normally fatal situation under these conditions. We were able to give him G-CSF as an experimental agent and dramatically his white blood cell count rose, his fever came down, and his blood pressure returned to normal as his body was now able to fight off the infection in conjunction with the antibiotics. There is no

question in my mind that the G-CSF saved his life at that juncture and allowed us to give subsequent therapy which has controlled his leukemia. The specific therapy for his leukemia was alpha interferon, another important product of biotechnology. Human interferon produced in bacteria by genetic engineering is a natural antiviral protein and important part of the host defense mechanism that has been found to have marked therapeutic efficacy in hairy-cell leukemia. The professor has been back to work for several years and his disease is well under control. Interferon is now widely used in treating chronic myelogenous leukemia, viral hepatitis, and various solid tumors such as kidney cancer and Kaposi's sarcoma associated with AIDS.

Advances in biotechnology will not only permit enhancement of host defense but also novel means of immunosuppression to allow engraftment of organs as well as techniques for interfering with inappropriate immune responses such as those that occur in autoimmunity leading to inflammatory conditions such as rheumatoid arthritis and systemic lupus erythematosus. In short, the modern tools of biotechnology have permitted the opening therapeutic avenues not even conceived of a decade ago. These therapeutic advances will help us to contain catastrophic disease processes and hopefully to prevent them by allowing individuals a greater range of protection against harmful environmental influences.

I hope I have communicated the profound impact the technology revolution will have on medical therapeutics as well as the need to continue this line of development. Looking back, however, it is instructive to analyze the preeminence of the United States in the development of products of modern biotechnology. My belief is that the U.S. leadership stems directly from the major investment made by Government in the biomedical sciences over the last several decades. I believe this investment has and will continue to pay huge dividends not only in the amelioration of human suffering but also in the economic development of our nation. At the core of our leadership in this area lies the support our Government has given to creative and entrepreneurial biomedical research as well as the ability to transfer technology from the public to the private sector for ultimate commercial development and widespread application.

What can Congress do to support and nurture the biotechnology revolution that will increase the quality of medical care, decrease costs, maintain our competitive advantage worldwide, and help our economy?

Support the National Institutes of Health. This is the main source of funding for our biomedical scientists in training and in academia. The NIH is probably the main reason we have the best biomedical research in the world.

Support the biotechnology enterprise. Eliminate unnecessary regulatory restraints and remove obstacles to research such as restriction on the use of fetal tissue.

Enact legislation to stop the avalanche of frivolous and reckless malpractice and liability lawsuits. Eliminate contingency fees and instead provide legal assistance to guarantee appropriate representation of the economically disadvantaged.

Strengthen the FDA to enable it to deal effectively with the new products of biotechnology.

Enact legislation defining guidelines for the use of human tissues in research. If scientists are to study human disease they

must use human tissue and not be subject to the burden of potential legal liability. The use of human tissue in research is critical and greatly reduces the need for animal experimentation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 27, 1991, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 28

9:00 a.m.

Joint Economic

To hold hearings on the allocation of resources in the Soviet Union and China.
SD-628

9:30 a.m.

Labor and Human Resources

To hold hearings on S. 1324, to revise the Public Health Service Act to generate accurate data necessary for maintenance of food safety and public health standards, and to protect employees who report food safety violations.
SD-430

JULY 8

3:30 p.m.

Armed Services

Defense Industry and Technology Subcommittee

Business meeting, to mark up those provisions which fall within the subcommittee's jurisdiction of S. 1066, authorizing funds for fiscal years 1992 and 1993 for the Department of Defense.
SR-222

JULY 9

8:00 a.m.

Armed Services

Manpower and Personnel Subcommittee

Business meeting, to mark up those provisions which fall within the subcommittee's jurisdiction of S. 1066, authorizing funds for fiscal years 1992 and 1993 for the Department of Defense.
SR-222

9:00 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research and General Legis-
lation Subcommittee
To hold oversight hearings on implemen-
tation of the research title of the 1990
farm bill (P.L. 101-624).

SR-332

Armed Services
Readiness, Sustainability and Support
Subcommittee

Business meeting, to mark up those pro-
visions which fall within the sub-
committee's jurisdiction of S. 1066, au-
thorizing funds for fiscal years 1992 and
1993 for the Department of Defense.

SR-232A

9:30 a.m.
Environment and Public Works
Environmental Protection Subcommittee
To resume hearings on S. 1081, to revise
and authorize funds for programs of the
Federal Water Pollution Control Act,
and other proposed legislation author-
izing funds for clean water programs,
focusing on effluent guidelines,
pretreatment and water quality stand-
ards.

SD-406

11:00 a.m.
Armed Services
Projection Forces and Regional Defense
Subcommittee
Business meeting, to mark up those pro-
visions which fall within the sub-
committee's jurisdiction of S. 1066, au-
thorizing funds for fiscal years 1992 and
1993 for the Department of Defense.

SR-222

2:00 p.m.
Select on Indian Affairs
Business meeting, to markup S. 668, to
authorize consolidated grants to Indian
tribes to regulate environmental
grants to Indian tribes to regulate en-
vironmental quality on Indian reserva-
tions; to be followed by an oversight
hearing on the Navajo-Hopi relocation
program.

SR-485

2:15 p.m.
Armed Services
Conventional Forces and Alliance Defense
Subcommittee
Business meeting, to mark up those pro-
visions which fall within the sub-
committee's jurisdiction of S. 1066, au-
thorizing funds for fiscal years 1992 and
1993 for the Department of Defense.

SR-232A

4:15 p.m.
Armed Services
Strategic Forces and Nuclear Deterrence
Subcommittee
Business meeting, to mark up those pro-
visions which fall within the sub-
committee's jurisdiction of S. 1066, au-
thorizing funds for fiscal years 1992 and
1993 for the Department of Defense.

SR-222

JULY 10

9:00 a.m.
Armed Services
Business meeting, to mark up S. 1066, au-
thorizing funds for fiscal years 1992 and
1993 for the Department of Defense.

SR-222

9:30 a.m.
Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 471, to protect
consumers by regulating certain pro-
viders of 900 telephone services, and S.
1166, to provide for regulation and over-
sight of the development and applica-
tion of the telephone technology
known as pay-per-call.

SR-253

Environment and Public Works
Environmental Protection Subcommittee
To resume hearings on implementation
of section 404 of the Clean Water Act
(P.L. 100-4), providing for a Federal
wetland protection program.

SD-406

2:00 p.m.
Commerce, Science, and Transportation
Foreign Commerce and Tourism Sub-
committee
To hold hearings to examine national
tourism policy.

SR-253

JULY 11

9:00 a.m.
Armed Services
Business meeting, to continue to mark
up S. 1066, authorizing funds for fiscal
years 1992 and 1993 for the Department
of Defense.

SR-222

9:30 a.m.
Select on Indian Affairs
To hold oversight hearings on employ-
ment on Indian reservations.

SR-485

JULY 15

2:00 p.m.
Energy and Natural Resources
Energy Research and Development Sub-
committee
To hold hearings to review the Depart-
ment of Energy's role in math and
science education.

SD-366

JULY 16

9:30 a.m.
Commerce, Science, and Transportation
Surface Transportation Subcommittee
To hold hearings on proposed legislation
authorizing funds for rail safety pro-
grams.

SR-253

Governmental Affairs
Oversight of Government Management
Subcommittee
To resume oversight hearings on the ad-
ministration and enforcement of the
Federal lobbying disclosure laws.

SD-342

JULY 17

9:00 a.m.
Select on Indian Affairs
To hold hearings on S. 754, to provide
that a portion of the income derived
from trust or restricted land held by an
individual Indian shall not be consid-
ered as a resource or income in deter-
mining eligibility for assistance under

any Federal or federally assisted pro-
gram.

SR-485

JULY 18

2:30 p.m.
Energy and Natural Resources
To hold hearings on S. 1018, to establish
and measure the Nation's progress to-
ward greater energy security.

SD-366

JULY 19

9:30 a.m.
Governmental Affairs
Permanent Subcommittee on Investiga-
tions
To resume hearings to examine efforts to
combat fraud and abuse in the insur-
ance industry.

SD-342

JULY 23

9:30 a.m.
Rules and Administration
To hear and consider a report from the
Architect of the Capitol on current
projects, and to consider other pending
legislative and administrative busi-
ness.

SR-301

2:00 p.m.
Energy and Natural Resources
To hold hearings on Senate Joint Resolu-
tions 22 through 34, to consent to cer-
tain amendments enacted by the legis-
lature of the State of Hawaii to the Ha-
waiian Homes Commission Act of 1920.

SD-366

JULY 24

9:30 a.m.
Joint Printing
To resume hearings to examine the tech-
nological future of the Government
Printing Office.

B-318 Rayburn Building

JULY 25

9:30 a.m.
Rules and Administration
To hold hearings on S. 165, to direct the
Secretary of the Senate or the Clerk of
the House of Representatives, when
any appropriations bill or joint resolu-
tion passes both Houses in the same
form, to cause the enrolling clerk of
the appropriate House to enroll each
item of the bill or resolution as a sepa-
rate bill or resolution.

SR-301

10:30 a.m.
Rules and Administration
To hold hearings on S. Res. 82, to estab-
lish the Senate Select Committee on
POW/MIA Affairs.

SR-301

JULY 30

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the reset-
tlement of the Rongelap, Marshall Is-
lands.

SD-366