

EXTENSIONS OF REMARKS

THE TRAGEDY OF KOSOVO
CONTINUES

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. BROOMFIELD. Mr. Speaker, in recent years, I have called the attention of my colleagues to the human rights tragedy in the Yugoslav Province of Kosovo. Today, the situation there remains terrible. While the world watches the democratic forces in Croatia and Slovenia fight for self-determination, the ethnic Albanians in the Province of Kosovo continue to suffer under the harsh rule of Serbian nationalism and the destructive policies of Serbian President Slobodan Milosevic.

The human rights abuses in Kosovo are well documented. In its "Country Reports on Human Rights Practices for 1990," the Department of State reported the following:

In the Province of Kosovo, Serbian authorities continued and intensified repressive measures that featured in 1990 thousands of political arrests, tens of thousands of politically motivated job dismissals, and widespread police violence against ethnic Albanians. This violence included the use of excessive force by the police to disperse peaceful demonstrators, including random and at times unprovoked shooting by police, resulting in at least 30 deaths and hundreds of injured.

Amnesty International's report is equally critical of Serbian violations of human rights in that province.

The chief architect of the problems in Kosovo is Milosevic. As a crypto Communist and Serbian nationalist, he is determined to rebuild the Serbian Kingdom of old at the expense of ethnic Albanians and other groups. In response to ethnic Albanian efforts toward self-determination in 1990, Milosevic dissolved the 188-member Provincial Assembly, took over the organs of the Kosovo Assembly and shut down Albanian language news media. He cruelly suppressed the ethnic Albanians in Kosovo, who represent over 90 percent of the province's population, arresting hundreds and killing many in the process. Thousands later lost their jobs, becoming second-class citizens in their own land. The provinces of Kosovo and Vojvodina lost their autonomous status in clear violation of the Yugoslav Constitution and were absorbed by Serbia against their people's wishes.

Milosevic cleverly engineered a deadlock in the Federal Presidency in May by blocking a Croat, Stipe Mesic, from assuming the presidency. Milosevic also exercises significant influence over the Yugoslav Federal Army. As Jacques Bacic recently reported in the New York Times, "Under Milosevic, the Yugoslav People's Army whose officer corps is predominantly Serbian, and other Federal institutions lost their all-Yugoslav orientation." In addition

to the Federal army, Mr. Milosevic also employs the Chetniks, the ultraright wing Serbian militia, to help him build his Greater Serbia. Already, the Chetniks are urging the Serbian minority in Croatia to declare independence from Croatia. The Serbian army in Croatia, now dominated by nationalist Serbs, is also helping in this effort and would side with the Serbs if serious fighting broke out in Croatia.

Is it surprising that the people of Croatia and Slovenia declared their independence on June 25 after Milosevic had convinced them that he and his Serbian followers would use all means necessary to gain total control of Yugoslavia? Earlier in the year, supporters of democracy in Serbia held massive demonstrations in Belgrade protesting Milosevic's foolhardy policies. He is playing a dangerous game, and it is directly contributing to the dissolution of the country. Milosevic's efforts to carve greater Serbia out of today's Yugoslavia are leading to blood and destruction.

While we monitor developments in Croatia and Slovenia, Milosevic proceeds with his war against the ethnic Albanians in Kosovo. I want to share with my colleagues in the House the following article that appeared in the Washington Post July 15 concerning the latest developments in Kosovo.

SERBIANS PRESSING ETHNIC ALBANIANS IN
UNEASY KOSOVO
(By Peter Maass)

PRISTINA, YUGOSLAVIA.—Serbia, the dominant republic of the Yugoslav federation, is bolstering a crackdown on ethnic Albanians in Kosovo by sending more security forces into the volatile province and excluding students and professors from the main university here, according to Serbian officials.

Although Croatia and Slovenia have captured international attention, Kosovo is also an ethnic hotbed of anti-Serbian sentiment and could become a second front if full-fledged combat occurs in the northern republics. Ethnic Albanians here are just as determined as the Croats and Slovenes to find a way out of Serbian-dominated Yugoslavia, but they are far weaker, politically and militarily.

Serbia's moves appeared to be aimed at stemming secessionist pressures in a province where the vast majority clearly is dissatisfied with the status quo.

Zivorad Igc, a senior official of the ruling Socialist Party of Serbia, said additional forces and police have entered Kosovo since the independence declarations by Croatia and Slovenia last month, although he would not say how many or from what units.

Armed patrols and roadblocks have increased, becoming as prevalent as stop signs and traffic lights, according to ethnic Albanians here in Kosovo.

[In Croatia, the Associated Press reported from Zagreb, the republic's militia and Serbian militants battled Sunday in clashes that left at least two dead and many wounded in the Banija region, about 30 miles south of the Croatian capital.

[The violence came after the federal government, Croatia and Slovenia gave final ap-

proval for unarmed European Community observers to monitor a truce between the national army and the militias of the two secessionist republics.]

The situation here in Kosovo became more tense—and drew fury from neighboring Albania—with the announcement by Serbian authorities that freshmen enrollment at the University of Kosovo will be cut by more than two-thirds to 3,000. Half of those places will be reserved for Serbo-Croat speakers, even though about 90 percent of Kosovo's 2 million people are ethnic Albanians who speak Albanian.

Albanians here say the Serbians aim to force them out of the university and, eventually, out of Kosovo. Until now, the university was the heart of what remained of Kosovo's Albanian culture and freedom during an era that the locals view as military occupation. It was also the place the Serbian officials pointed to when they told human rights investigators that ethnic Albanians were not being repressed.

"It is the center of our culture and spirit," said Jusuf Buxhovi, a leading politician and historian.

At the end of June, Serbia's government in Belgrade took direct control of the university and replaced its rector with a non-Albanian, who has begun firing Albanian professors. According to Gazmend Pula, an Albanian engineering science professor and member of the Yugoslav Helsinki Watch Committee, about 30 of the university's most prominent Albanian professors were fired last week, and more dismissals are expected.

Serbian officials announced that the university's name is to be changed, and they say it probably will be named after St. Sava, a Serb. It is a gesture that Albanians view as an intentional insult, an act of what one professor calls "Serbian triumphalism." Some Albanian-language books are said to have been removed from the library shelves.

"Tensions have been running very high and will be even higher in September," said Pula, referring to the start of the school year. "If this trend continues, it won't be long until things explode into an open conflict."

Igc, the Serbian socialist, said the changes are part of a "rationalization" program aimed at bringing the university closer into the Serbian educational system. Asked if the shifts amount to a stepped-up Serbianization of Kosovo, he replied, "Absolutely."

The moves come at the end of a decade-long crackdown in which more than 80 ethnic Albanians have been killed and 11,000 sentenced to jail terms, according to Helsinki Watch, a human rights group. A Special Circumstances Law passed by the Serbian Assembly in June 1990 created an undeclared state of emergency, according to a Helsinki Watch report, and led to the disbandment of the Kosovo legislature a few days later.

In practical terms, that meant the end of Kosovo's autonomous status within the Serbian republic. Serbians now run the local government, the police force and virtually all key factories and businesses, according to Serbians and Albanians. More than 70,000 ethnic Albanians have been fired from their jobs, said Pula of Helsinki Watch.

The roots of the Kosovo conflict extend far into the past, which is the direction many

• 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.

Yugoslavs look at when discussing modern problems. Serbians regard Kosovo as their historical heartland, the seat of a great medieval kingdom that Serbian children learn about in grade school. Even though Albanians have lived here for centuries, and few Serbs now call it home, Kosovo is portrayed as inseparable from Serbia.

"Everybody is free to leave but nobody is going to take an inch of Serbian land," said Igic.

Because Serbia's Slavic grip is tightening rather than loosening, the Albanians are looking for a way out. Local leaders say public opinion has swung firmly behind the idea of secession from Yugoslavia to unite with Albania, which is no longer Stalinist.

The Democratic Union of Kosovo, the largest Albanian political party, says it wants to avoid mass protests that could be crushed by Serbian armed forces. Party leaders are seeking international pressure on Serbia to ease the repression and prevent a potential disaster for their people.

The crackdown has raised new tensions between Serbia and Albania, which borders on Kosovo. The Albanian government has accused Serbia of planning genocide. This month Albania sent protest letters to the European Community, the permanent members of the U.N. Security Council and to the 35-nation Conference on Security and Cooperation in Europe.

The Serbian government responded a few days ago by accusing Albania of trying to provoke an armed conflict and capture Kosovo, saying minorities in Serbia enjoy freedoms unparalleled anywhere else in the world. Serbian authorities also accused Albania of beefing up its border forces and starting an exchange of rifle fire with Yugoslav soldiers early last week.

Albania leaders in Pristina say they will look to Albania for political and military support if, as they fear, Serbian or federal troops initiate violent hostilities.

"We will wait for our chance," said Avni Spahiu, foreign editor of the Albanian-language newspaper Rilindja, which was closed last year by Serbia along with Kosovo's Albanian-language broadcasting. "We are for dialogue and a peaceful solution. But in the end, if this terror continues, we will have to defend ourselves."

A SALUTE TO THE BAGLEY FAMILY REUNION

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. STOKES. Mr. Speaker, the tradition of family unity reaches back to our earliest moments as a people, and it lives on in all the many cultures we embrace today. From July 18-21, 1991, the Bagley family reunion will be held in Calverton, MD. This marks the third reunion of the descendants of William Albert and Georgia Ogburn Bagley. I am proud to salute the Bagley family on this important occasion.

More than 100 family members will travel from as far away as Denver, CO, to attend the Bagley reunion, which is being hosted by family members in Washington, DC, Maryland and Virginia. The theme for the celebration is "Family Unity." During the reunion, special recognition will be given Claudine Booker, the most senior member of the family.

Mr. Speaker, family reunions offer a special time for families to come together for celebration and renewal of the ties that bind them. Although the Bagley family has endured trials and tribulations over the years, the family has maintained their love, devotion, and commitment to one another. I am certain that the reunion will be a very special and joyous occasion.

Mr. Speaker, I ask my colleagues to join with me in extending best wishes to the entire Bagley family for a successful and heartwarming family reunion.

A TRIBUTE TO ALBERT VANN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, today I rise to recognize the outstanding achievements and contributions of Albert Vann, a man who has been involved in the field of education for 15 years as an administrator, counselor, and teacher.

Assemblyman Vann has played an important role not merely in teaching, but in establishing schools as well. He played key roles in establishing both the Boys and Girls Memorial High School and Medgar Evers College in Brooklyn.

Elected to the New York Assembly in 1975, the Assemblyman continues to be a prominent and highly respected leader in the fight for educational gains and minority rights. He was recently elected to his seventh term as chairman of the New York State Black and Puerto Rican Legislative Caucus. Through this body he successfully fought the racial gerrymandering of the New York City Council districts in 1981 and forced the adoption of a redistricting plan that dramatically increased minority representation on the council.

Al Vann has also been influential in the national and New York City political arenas. In 1984 he served as vice-chairman of the New York State Democratic Convention in San Francisco. In 1989 he played a key role in the election of David Dinkins as the first African-American Mayor of New York City.

Al's vast influence in the New York State Assembly is reflected in the importance of his committee assignments. As chairman of the Assembly's Children and Families Committee and a member of the Health, Education, and Ways and Means Committees, Mr. Vann has been successful in enacting numerous legislative measures to help New York residents.

I salute Al Vann's lifelong commitment to education and to serving the residents of New York State.

CAPTIVE NATIONS WEEK 1991 A LOOK FORWARD

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, as we commemorate Captive Nations Week this

week for the 32d year in a row, we look forward to the day when this commemoration will be a thing of the past.

Despite the great strides in recent years, we must remember the people of those nations still under the heel of totalitarian communism. Leading the list is the Soviet Union whose people have made some progress in recent years to break free of communism. Within the Soviet Union, are many nations which were illegally incorporated into its borders by force. Chief among these are the Baltic States of Lithuania, Latvia, and Estonia.

These States were seized by force over 50 years ago, as a result of the infamous Hitler-Stalin pact signed in 1939. This pact which launched the world into its most destructive war was also responsible for the division of Eastern Europe into spheres of influence between history's two most despicable dictators. The borders set by this pact, at least on the Russian side, are one of the few legacies left behind by Nazi Germany's policies.

Soviet troops seized these small independent nations in June 1940 and continue to occupy them today. Despite declaration of independence and referendums in all three of the Baltic Republics, Soviet troops continue to harass the freedom loving people of this area. Even after the Hitler-Stalin pact was declared illegal by the Commission of the Congress of People's Deputies of the Soviet Union in 1989, the suppression of these independent states has continued.

It is estimated that in Estonia there is one Soviet soldier for every five civilians. In Latvia, 1 in every 10 people is estimated to be part of the Soviet military. Even before the violence carried out by Soviet forces in January, Lithuania was home to at least 100,000 Soviet troops as well as 10,000 Soviet Interior Ministry troops and 5,000 paratroopers. This is concrete proof, that despite the United States' longstanding policy of not recognizing Soviet sovereignty over the Baltic countries, Estonia, Latvia, and Lithuania remain occupied by Soviet troops.

One thing gives us hope that the Baltic countries, as well as the other captive nations, will soon join Eastern Europe in breaking free of the yoke of communist oppression. And that is that despite 50 years of oppression, the history of the Baltic States shows that no government can stamp out the natural human desire to be free and independent.

We look forward to that day when the tide of freedom will inevitably wash over all the captive nations. We ask that President Bush and the other leaders meeting this week work toward hastening that goal. Let us hope that next year at this time we will be celebrating the freedom of all the nations once held captive by communism.

THE NAVY AND U.S.-FLAG SEALIFT FLEETS AND HOSPITAL SHIPS IN DESERT SHIELD/STORM AS REPORTED BY THE NAVY LEAGUE

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. BENNETT. Mr. Speaker, the Navy League's report "The Sea Services' Role in Desert Shield/Storm" contains a section on the importance of the Navy and U.S.-flag sealift fleets and the Navy's two hospital ships. The entire report will be printed in the September issue of the Navy League's Sea Power magazine.

THE SEA SERVICES' ROLE IN DESERT SHIELD/STORM

Sealift: When the Desert Shield build-up commenced, that aspect of the operation which initially was criticized the most was sealift. However, that criticism was for the most part focused on the absence of enough immediately available sealift assets to move Army and Air Force equipment to the Middle East more rapidly. Even so, Gen. Colin Powell, Chairman of the Joint Chiefs of Staff, would testify before Congress in December that the first phase of the build-up was completed a month earlier than expected. But by the time the ground campaign began, at which time the necessary ground forces were in place, the Military Sealift Command had utilized 21 chartered U.S.-flag ships, 162 foreign charters, and 106 ships of its own to move 2,424,700 short tons of dry cargo and ammunition to the Middle East in 551 lifts. It also had moved with its own tankers millions of tons of POL within theater. Interestingly, only 4.4 percent of all cargo moved was for naval forces. Another 600,000 short tons of containerized cargo was lifted by U.S.-flag container ships. The movement of cargoes originated in 19 U.S. ports and 22 in foreign countries; they included everything from helicopters to howitzers to hospitals, from tanks that had to be moved hurriedly from Europe or else be destroyed under an arms-control agreements to minesweepers moved by heavy-lift ship. Ships utilized ranged from just-completed Henry J. Kaiser-class tankers to one 45 years old, from the eight fast-sealift ships, which carried 13 percent of all cargo moved, to 74 ships activated from the Ready Reserve Force, most with relatively ancient steam-propulsion plants that required equally ancient mariners recalled from civilian life, one of whom was 83, to operate them. Of particular note was the shortage of roll-on/roll-off ships needed for rolling stock. Only 17 were in the RRF; as a consequence, 47 were chartered, 41 from allied-flag shipping companies.

Although the media often focused on the length of time required to load ships and sail them to the Middle East, they rarely described conditions attendant to both loading and sailing that resulted in unanticipated delays. For example, in Savannah, where commencing on 11 August the equipment of the Army's 24th Mechanized Division was loaded aboard the eight fast-sealift ships, only two berths were available for loading, and these frequently were unavailable for as much as six hours a day because of tide conditions and ramp angles. Further, one of the FSS broke down halfway across the Atlantic and had to be towed to Rota for trans-

shipment of her cargo to other ships. Despite these impediments, the movement of the entire division over the 8,700 miles to Saudi Arabian ports was completed by 23 September, only six weeks from the time the first vehicle was put aboard. And during the movement of troops, vehicles, and equipment from Europe during Phase II of the build-up, mariners had to cope with the normal bitter winter conditions of northern Europe, which included below-freezing temperatures, 50-60-knot gales, and 30-foot seas.

An overwhelming success in all respects was the first use of the 13 Maritime Prepositioning Ships, all of which were completed and loaded with equipment for Marine expeditionary brigades from 1984-1986 but had not been used except in limited exercises. The five ships of MPS Squadron TWO arrived at Saudi Arabian ports from Diego Garcia on 15 August, and by 25 August the 7th Marine Expeditionary Brigade, whose personnel had been flown to the Middle East, had been linked up with its equipment and was ready for combat—the first heavy ground combat capability in theater. The four ships of MPS Squadron THREE from Guam were close behind, and during Phase II the four ships of MPS Squadron ONE, which sailed in Atlantic waters, were deployed to the combat theatre. Delivering all of the equipment those ships contained to the 45,000 men of the 1st Marine Division would have taken 2,100 flights of giant C-5 aircraft, the largest U.S. transport aircraft.

Backing up these ships were 12 Afloat Prepositioning Ships (Prepo) based in Diego Garcia, which contained ordnance, supplies, and fuel for the Army and the Air Force and a field hospital which was in place and operating only 16 days after being offloaded from the 450 international containers in which it was stored. The presence of all 25 prepositioned ships, with their invaluable assemblage of cargo vital to combat operations, in relatively nearby waters and ready for immediate deployment to this particular crisis area, clearly justified beyond all doubt the concept that had led to their procurement and creation and undoubtedly made mandatory the future construction and equipping of additional ships for use by the Army.

Also used for the first time were the Navy's two hospital ships, Mercy (TAH 19) and Comfort (TAH 20) based on the west and east coasts respectively. Underway within 5 days of the order for their deployment, they were active in theater by 23 September. Thankfully, at no time did these 1,000-bed floating hospitals, with their tremendous medical support systems, have to be used to anywhere near the full capacity for treating those wounded and injured in combat.

ROBYN JUBA—PROUD TO BE AN AMERICAN

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. CAMPBELL of Colorado. Mr. Speaker, I rise today to share with my colleagues an essay by one of my constituents, Robyn Juba. In March, Robyn was declared the Colorado winner of the Veterans of Foreign Wars' Voice of Democracy Broadcast Scriptwriting Program. I wish to congratulate Robyn on this outstanding achievement and to also urge my

colleagues to read Robyn's essay and to take her words to heart. As we continue our work in the House of Representatives, each one of us can be inspired by her eloquence and her wisdom.

DEMOCRACY—THE VANGUARD OF FREEDOM
(By Robyn R. Juba, Colorado winner, 1990/91 VFW Voice of Democracy Scholarship Program)

Up until a few nights ago, I honestly didn't think too much about the word "democracy". I came home from school one day and I sat down on the couch and turned on the T.V.; something that I usually do when I come home from school and there was a woman crying about her son. Her son was in the reserves and being sent over to Saudi Arabia, and I felt really bad for her. Then, it hit me. I don't know why it took me so long, but I thought, we're helping to win another country's freedom. Winning freedom. Hmm. Something I never really concentrated on unless I was studying for a history test. I began to think about all the things that I couldn't do if America wasn't a free country. I couldn't write editorials in the school newspaper as I do now. I couldn't choose my college major. I couldn't even drive into the next state. What would happen to Oprah Winfrey? Then, once I started to think about all of this, I began to think about the trip my ancestors made for freedom. They risked so much; possible starvation and disease, even death, to be free. What a trip to make! But can you imagine how beautiful the Statue of Liberty must have looked to them? They were free at last.

I really felt guilty after thinking of all of this and the many freedoms that I have all too often taken for granted.

So now I have this wonderful sense of pride. On Monday morning when we said The Pledge of Allegiance, instead of concentrating on my test that hour, I concentrated on every single word of the Pledge. I realized that I was getting louder and louder and a few people were looking at me kind of funny, but I didn't care. I'm free; that's all that I could think of.

To think that we have set such an example for other countries. Everywhere you turn America's either trying to win freedom in another country, or we're watching walls come down. Personally, I think that I'm living in a phenomenal time. Much of the world is taking a closer look at democracy and seeing how great it really is.

After thinking of all of this, I know that I can do anything that I want to. I can choose any career and travel just about anywhere to pursue that career.

So I think that I'll continue to say the Pledge of Allegiance as loud as I have been. Who knows? Maybe someone else might really start to think about the word "democracy".

SPORTSMEN NEED PUBLIC LANDS FOR WILDLIFE HABITAT

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SCHULZE. Mr. Speaker, as chairman of the Congressional Sportsmen's Caucus in the House of Representatives, I, along with my caucus member colleagues, have been concerned about the intensified attack by the

antsportsman groups to eliminate hunting and trapping on Federal lands, and, more recently, on national wildlife refuges. With the material loss of wildlife habitat, our Nation's sportsmen need access to public lands in order to have a quality hunting experience where the renewable wildlife resources are managed properly, where hunting pressure is controlled and safety is a paramount concern. Our National Wildlife Refuge System offers thousands of men, women and young people possibly their only opportunity to pursue their sporting heritage. Such uses of wildlife refuges are certainly not incompatible with the purpose and intent of the National Wildlife Refuge System established more than 85 years ago.

I was extremely pleased to note that such compatibility determination was recently recognized in Federal litigation where the Humane Society of the United States sued the Department of Interior to ban whitetail deer hunting on the 2,300 acre Mason Neck Wildlife Refuge in Fairfax County, VA. The opinion of the court provides a thorough and thoughtful analysis of the parameters the Fish and Wildlife Service employs in determining whether or not hunting is a compatible use of a given refuge. I commend its reading to my distinguished colleagues:

[U.S. District Court for the District of Columbia, Civil Action No. 89-2772]

THE HUMANE SOCIETY OF THE UNITED STATES, ET AL., PLAINTIFFS, v. MANUEL LUJAN, JR., ET AL., DEFENDANTS

MEMORANDUM AND ORDER

This case is brought by a public interest organization, the Humane Society of the United States, and various coalitions of homeowner/citizens, against the United States Secretary of the Interior and the Director of the Fish and Wildlife Service ("FWS" or "the Service") to prevent the implementation of defendants' decision to permit limited public deer hunting on a national wildlife refuge in Fairfax County, Virginia. The case is now before the Court on the parties' dispositive cross-motions for final judgment on the record, having been preceded by some evidentiary proceedings in open court on plaintiffs' several attempts to obtain preliminary injunctive relief.⁷ For the reasons to follow, the Court will deny plaintiffs' motion and grant the defendants' motion, dismissing the complaint with prejudice.

In August, 1989, the FWS issued a final rule, 54 Fed. Reg. 36032 (Aug. 31, 1989), opening the Mason Neck National Wildlife Refuge ("the Refuge") for deer hunting during the fall hunting season in Virginia. The Refuge, comprising approximately 2300 acres of Mason Neck, an 8000-acre peninsula on the south shore of the Potomac River 18 miles downstream from Washington, D.C., was established in 1969 as a habitat and sanctuary for bald eagles. It has been altogether closed to hunting for the first 20 years of its existence. The decision in 1989 to open it to deer hunting was impelled, in principal part, by FWS' desire to find an expedient to control the Refuge's burgeoning white-tailed deer population.

The Humane Society questions the legitimacy of the Service's justification for the hunt, as well as its refusal to acknowledge the potential for harm to the wildlife species to which the Refuge is dedicated, the bald eagle. The homeowner organizations are pri-

marily fearful of injury to people and property in the vicinity, although some individuals apparently share the Humane Society's abhorrence of animal hunting generally.

Plaintiffs bring this action under an array of federal statutes respecting the Nation's wilderness assets. Each statute cited imposes some obligation or duty upon *inter alia*, the Secretary and the Service, of which defendants' decision to open the Refuge to deer hunting, according to plaintiffs, arguably places them in breach. If, for example, bald eagles should be adversely affected by the hunt, accidentally or otherwise, the defendants will have been accomplices to a violation of the Bald and Golden Eagle Protection Act of 1940, 16 U.S.C. §§ 668-668d. So also with respect to the Migratory Bird Treaty Act of 1918, 16 U.S.C. §§ 703-712. The Endangered Species Act of 1973, 16 U.S.C. §§ 1531-1544, requires all federal agencies to "conserve" endangered species. The hunt, plaintiffs say, will actually place bald eagles in jeopardy, not "conserve" them. Moreover, plaintiffs allege defendants' finding that the hunt will have no "significant" environmental impact is simply wrong. It most assuredly will have such an impact—on deer, on eagles, and possibly on people and property—and, thus, the decision contravenes the National Environmental Policy Act of 1970, 42 U.S.C. §§ 4321-4335, by the absence of an environmental impact statement in the administrative record compiled in conjunction with the rule-making process resulting in the decision to implement the hunt.

I.

The Secretary and FWS have moved to dismiss Count IV of the complaint on procedural grounds. Count IV purports to assert a direct cause of action under the Endangered Species Act of 1973, 16 U.S.C. §§ 1531-1544 ("ESA"), the statute imposing the general obligation upon federal departments and agencies to "conserve" endangered species of wildlife, 16 U.S.C. § 1531(a)(1). The bald eagle is an endangered species, and ESA makes it unlawful for anyone to "take" a specimen of such species, 16 U.S.C. § 1532(a)(1)(B). It also provides expressly for its enforcement by "citizen" civil suits commenced by "any person" against any other person, including the United States and its officials, to enjoin its violation. 16 U.S.C. § 1540(g)(1)(A). The final rule, the plaintiffs allege, does nothing to "conserve" the endangered bald eagles; to the contrary, it poses a significant danger that bald eagles will be "taken," even if inadvertently.

"Citizen suits" to enforce the ESA, however, are required by the Act itself to be preceded by at least 60 days' written notice of the violation to the Secretary and to the "alleged violator" (in this case, presumably the FWS). 16 U.S.C. § 1540(g)(2)(A). Defendants assert that plaintiffs failed to give the required 60-day pre-suit notice before commencing this action; indeed, they have yet to give it. Plaintiffs respond that their announced intention to sue, made in the comments they submitted to FWS during the notice-and-comment period of the rulemaking in opposing the idea of a hunt, sufficed as notice to the Secretary and FWS that litigation would be forthcoming if the final rule were adopted.

In *Hallstrom v. Tillamook County*, 493 U.S. 20, 110 S.Ct. 304 (1989), however, the Supreme Court interpreted a similar statutory pre-suit notice requirement, observing that the statutory provision "could not be clearer." The Supreme Court continued to hold that, by the literal language of the statute, "compliance with the 60-day notice provision is a

mandatory, not optional, condition precedent for suit." 110 S.Ct. at 309. For this Court's purposes, the holding of *Hallstrom* is equally clear, and plaintiffs make no effort to distinguish *Hallstrom*.

ESA clearly states that "written notice" of the violation must be given to the Secretary and to the violator as a condition precedent to suit. It was not given here. A party's "comment," submitted to an agency in the course of a rule-making, does not constitute for formal pre-suit notice required by ESA, no matter how vehemently it may have conveyed the party's intention to go to court if the rule ultimately adopted were not to its liking. Count IV of the complaint will be dismissed.

II

Other counts in the complaint, however, are based on the Refuge Recreation Act of 1982, 16 U.S.C. § 460k; the National Wildlife Refuge System Administration Act of 1966, 16 U.S.C. §§ 668dd-668ee; the National Environmental Policy Act, 42 U.S.C. § 4332 and a FWS regulation. "Agency action" alleged to be in contravention of those statutes is presumably amenable to judicial review under the Administrative Procedure Act, 5 U.S.C. § 706(2)(A) ("APA"). The parties have cross-moved for summary judgment on these remaining counts.

In reviewing the FWS' decision to open the Mason Neck Refuge to deer hunting, the Court is, of course, obliged to apply the APA standard of review, *viz.*, whether the agency acted "arbitrarily or capriciously, committed an abuse of discretion, or acted otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).⁵ As always under the APA, the reviewing court is expected to limit itself to the contents of the administrative record.⁶ *Camp v. Pitts*, 411 U.S. 138 (1973). The reviewing court is also not to substitute its judgment for that of the agency. It is simply to ascertain whether the agency has examined the relevant data and articulated a satisfactory explanation for its actions, including a rational connection between the facts found and the choice made. Only a "clear error of judgment" may be set aside. *Motor Vehicle Manufacturers Assoc. v. State Farm Mutual Ins. Co.*, 463 U.S. 29, 43 (1983) (quotation marks and citations omitted).

The National Wildlife Refuge System Administration Act of 1966, 16 U.S.C. §§ 668dd-ee, and the Refuge Recreation Act of 1962, 16 U.S.C. § 460k, authorize the Secretary of the Interior to permit "appropriate incidental or secondary use(s)" of wildlife refuges, even though "recreational" in character, including hunting, which are "compatible with, and will not prevent accomplishment of, the primary purpose for which the[Se] areas were established." 16 U.S.C. §§ 460k, 668dd(d). The applicable regulation provides that any action the Secretary takes must be "consistent with principles of sound wildlife management, and must otherwise be in the public interest." 50 C.F.R. 32.1.

The parties are in voluble disagreement as to how to ascertain whether a secondary use of a wildlife refuge is "compatible" with its primary purpose.⁷ Plaintiffs postulate the existence of an "almost absolute presumption" against secondary uses of wildlife refuges, a phrase derived from the case of *Defenders of Wildlife v. Administrator, Environmental Protection Agency*, 685 F. Supp. 1334, 1355 (D. Minn. 1988), *aff'd in relevant part*, 882 F.2d 1294, 1299-1301 (8th Cir. 1989). They also cite an earlier decision of another judge of this district court in *Defenders of Wildlife v. Andrus*, No. 78-1220 (D.D.C. July 14 & Aug. 18, 1978) ("*Ruby Lake*"), permanently enjoining

Footnotes at end of article.

the FWS from permitting recreational motorboating at the Ruby Lake National Wildlife Refuge in Nevada. The Ruby Lake court declared that the "burden of proof is necessarily on [the Service] to demonstrate that [recreational] use is incidental to, compatible with, and does not interfere with the primary purpose of the refuge," and that the RRA "does not permit [FWS] to weigh or balance . . . recreational interest against [that] purpose." *Defenders of Wildlife v. Andrus*, No. 78-1210, slip op. at 9 (D.C.C. July 14, 1978).⁸

Defendants reject plaintiffs' suggestion that anything resembling a formal "presumption" against secondary uses is to be found in the legislation. They submit that the Act requires only that the Secretary make a "finding" that the proposed secondary use is "compatible" with the primary purpose of the Refuge, as he has in this case, and this Court must review that finding under the familiar inhibitions of APA review. See *Humane Society of the United States v. Modal*, 840 F.2d 45 (D.C. Cir. 1988); *Friends of Animals, Inc. v. Modal*, Civil Action No. 88-2978 (D.D.C. Nov. 10, 1988).

The Service has contended throughout these proceedings that the hunt is actually part of an overall "refuge management plan," and that the hunt will, in fact, further the primary purpose of the Refuge in providing an authentic natural habitat for bald eagles. FWS asserts that deer overpopulation in the Refuge is causing its degradation; excessive browsing has shorn away much ground level new growth. Plaintiffs argue that the relevant data on the deer population at Mason Neck is too sparse, dated, and sporadic to provide a reliable indication of the size of the deer herd. Further, because deer are nomadic and can be found throughout the Mason Neck peninsula, including other parklands adjacent to the Refuge, it is far from certain that reducing the herd indigenous to or found in the Refuge itself will solve the problem of overbrowsing. The hunt may not, therefore, significantly reduce the foraging deer population in the Refuge.⁹

Nevertheless, the administrative record reflects that the FWS has monitored the deer presence in the Refuge since the 1970's by several methods, all of which, flawed or not, showed it to be steadily increasing. By 1988 the size of the herd was estimated to be roughly double the number the land area could comfortably support. Inspection of the vegetation reinforced the population estimates; browsing to excess was, at least in the Service's opinion, apparent, to knowledgeable observers. Examination of deer carcasses disclosed evidence of malnutrition, a sign, the Service said, that the deer, as well as the flora upon which they fed, were suffering as a result of their overabundance.

Having concluded that the deer population must be reduced, the record shows, the FWS did give thought to alternative means of doing so. Trapping and transportation were rejected as too time-consuming, labor-intensive, and costly, as was chemical sterilization of the deer. The introduction of predators was contraindicated by the proximity of human habitation. FWS was without sufficient personnel at the Refuge to do the job in-house by itself. A well-controlled public hunt was in its judgment, the optimum solution. That it would simultaneously gratify the desire of some local sportsmen for the opportunity to hunt Mason Neck was merely a felicitous by-product.

FWS then turned to the matters of the eagles' and public safety during the hunt. The hunt territory was to be limited to the in-

land areas, away from the eagles' preferred roosting sites near the river shore. The single extant eagles' nest would be circumscribed by a buffer zone in which neither hunting nor transit would be permitted.¹⁰ And boundaries would be fixed, and well-marked, to keep hunters away from dwellings and roads adjacent to the Refuge.¹¹ See, generally, AR 25-42.

This Court need only conclude that the agency took account of the relevant factors, and that the decision was not arbitrary and capricious, in order to sustain it. FWS appears to have done as it was obliged to do here, as this district court has concluded in other cases challenging similar decisions by the Service to open other wildlife refuges to deer hunting. See *Friends of Animals, Inc. v. Hodel*, Civil Action 88-2978 (D.D.C. November 10, 1988) (Supawna Meadows, New Jersey); *Humane Society of United States v. Clark*, Civil Action 84-3630, slip op. at 8-12 (D.D.C. January 27, 1987), *aff'd in pertinent part, reversed on other grounds sub nom. Humane Society of United States v. Hodel*, 840 F.2d 45 (D.C. Cir. 1988) (Chincoteague, Virginia).

As was true in those cases, this controversy, too, it appears, is animated primarily by the plaintiff's fundamental philosophical and public policy disagreement with the government over the wisdom and perhaps the morality, of the sanctioned killing of wild game on public lands ironically denominated a "wildlife refuge." Neither wisdom nor morality, however, is countenanced as a ground upon which this court may substitute its judgment as to the proper uses to be made of the Refuge for that of the defendants, even were it wholly in sympathy with plaintiffs.

For the foregoing reasons, therefore, it is, this 18th day of June, 1991.

Ordered, that plaintiffs' motion for summary judgment is denied; and it is

Further ordered, That defendants' to dismiss and motion for summary judgment is granted, and this case is dismissed with prejudice.

THOMAS PENFORD JACKSON,
District Judge.

FOOTNOTES

¹See Memorandum and Order of November 6, 1990, the findings and conclusions of which are adopted and incorporated herein.

²To "take" a species is, *inter alia*, "harass" or "harm" it in any way, not merely to shoot, kill, or capture it. 16 U.S.C. § 1532(19).

³The *Hallstrom* case proceeded under the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6972 ("RCRA"), but the Supreme Court itself noted that the ESA notice provision would have compelled a similar result. 110 S. Ct. at 307, n.1.

⁴Defendants also move to dismiss those counts charging violations of the Bald and Golden Eagle Protection Act, 16 U.S.C. §§ 668-668d ("BGEPA") (Count III), and the Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712 ("MBTA") (Count V), neither of which provide expressly for private causes of action. Plaintiffs respond that they are really proceeding in Counts III and V via the Administrative Procedure Act, 5 U.S.C. § 706(2)(A), as a party aggrieved by agency action that is "not in accordance with law," i.e., the BGIFA and MBTA. The Court assumes without deciding that plaintiffs may do so. *But See Defenders of Wildlife v. Administrator, Environmental Protection Agency*, 882 F.2d 1294 (8th Cir. 1989).

⁵See, e.g., *Humane Society of United States v. Hodel*, 840 F.2d 45 (D.C. Cir. 1988).

⁶Although, in theory, judicial review under the APA is confined to the administrative record, as a practical matter in this case the administrative record has been abundantly supplemented by additional filings by both sides; live testimony taken in conjunction with plaintiffs' requests for preliminary relief; the Court's own inspection on-site of the portions of the Refuge on which hunting has taken and will take place; and the presence afforded for the future by the actual experience with the 1989 arch-

ery hunts and the 1990 shotgun hunt which the Court permitted to go forward while the case was pending.

⁷The ADA states that secondary uses of wildlife refuges may be regarded as "compatible" with their primary purposes if they would (1) "not prevent accomplishment of," (2) are "not inconsistent with," or (3) "will not interfere with" the primary purpose." 16 U.S.C. § 460(k). The term is not otherwise, however, further statutorily defined.

⁸The Ruby Lake Refuge's "primary purpose" was to serve as a breeding ground and sanctuary for migratory birds, principally waterfowl.

⁹Plaintiffs actually find nothing about the decision to allow the hunt to be defensible. Not only is the ostensible justification offered for it specious, they contend, but the precautions taken by FWS against injuries to persons or property are inadequate or futile; the disturbance of the bald eagles' tranquility, not to mention their health, a virtual certainty; and the hunt as a means to an end, i.e., a reduction of the deer herd, as cruel as it is inefficient.

¹⁰Several studies contained in the record suggest that any human presence, and, in particular, gunfire, disturb eagles, causing them to "flush", or fly out of their roosts and flee from the disturbance. At the preliminary injunction hearing in November, 1990, the Court received extrinsic evidence regarding eagles' sensitivity to the presence of humans, and it concurred with the Secretary's finding that the shotgun hunt would not unduly disturb the eagles. Experience with the 1990 shotgun hunt has not disproved that conclusion.

¹¹Plaintiffs contend that the proximity of private dwellings to the Refuge, as well as a major thoroughfare which is traversed daily by school buses, makes the hunt inordinately dangerous to humans. Plaintiffs assert that the buffer zones which the FWS has established are inadequate to assure safety, because shotgun blasts can, according to plaintiffs, travel distances in excess of the buffer zones, and because certain hunters will "inevitably" either not see or will ignore the markers delineating the buffer zones.

As the Court observed upon its own visit to the premises of the hunt, the hunt area is separated from homes and from the road by buffer zones of a minimum of 275 and 100 yards, respectively. The boundaries are well-marked by swatches of brightly colored material every several yards, each visible from its nearest neighbor. Additionally, all hunters wishing to participate in the hunt must attend a safety orientation session.

It is possible that some hunters may disregard the markers or disrespect the rules, but as the Court has previously observed, the fact that some people will break the rules does not demonstrate the folly of promulgating such rules in the first place. And again, experience with the 1990 shotgun hunt is reassuring.

A SALUTE TO FRANCESCO CANTARELLA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, today I rise to pay tribute to Francesco Cantarella.

After obtaining a B.A. from Bard College and an M.S. from Columbia School of Journalism, Mr. Cantarella began his working life as a reporter for a Newark, NJ newspaper. Following a successful career as a journalist, Mr. Cantarella changed careers to become a vice president with Chase Manhattan Bank. After more than a decade of success in the financial industry, Mr. Cantarella joined Abraham & Straus in 1980. Through tireless and diligent effort, he has risen to hold the office of the vice president of Abraham & Straus, Bloomingdales and Sterns.

In addition to his personal success, Mr. Cantarella has vigorously contributed to the growth and development of the financial and

social of life his community. He has served on the board of directors of numerous organizations including: the New York Urban Coalition; the Better Business Bureau of Greater New York; Brooklyn Chamber of Commerce. As founder and co-chair of Career Opportunities for Brooklyn Youth and a vital member of the Randolph Evans Memorial Scholarship Fund he has served as an indispensable link between business leaders and civic leaders. His efforts have forged and polished this essential partnership. Because of his sincere desire to improve the life chances for economically disadvantaged students, countless young people have benefitted from educational and career opportunities.

I rise to salute this renaissance man who has rendered significant contributions to Brooklyn.

JAZZ GREAT DUKE JENKINS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. STOKES. Mr. Speaker, on Friday, July 19, 1991, citizens of Cleveland will pause to pay tribute to one of this Nation's greatest jazz musicians, Duke Jenkins. Duke and his brother, Fred, and Ralph Jackson, who together comprise the Duke Jenkins Trio, have become legendary in the music field in our city. It has been my personal pleasure to have been the beneficiary of their friendship for many years. Additionally, they have been staunch supporters of my brother, Carl B. Stokes, during the period that he served as the mayor of Cleveland.

It is indeed a great pleasure for me to share with my colleagues a recent article on Duke Jenkins which appeared in the Call & Post Showtime magazine on July 11, 1991.

Mr. Speaker, I ask all my colleagues to join me in paying tribute to a great musician and even greater human being, Duke Jenkins:

DUKE JENKINS TO BE HONORED AT THE
STATLER

(By Tina Killings)

Jazz great Duke Jenkins, who is best known in the Cleveland area for his appearances with his Quintet back in the early 1950's, and later for his television variety shows sponsored by area Dodge dealers, will be honored at the Swingo's Ballroom at the Statler. Jenkins appeared on his variety show for two years before he decided to take his now famous Quintet on the road. Duke and his band went to Miami Beach, where they began playing at the ever popular "Harry's American Bar" inside the Eden Roc Hotel. The Quintet played at the Miami Beach Hotel for a lasting three-year engagement.

While performing at "Harry's," the quintet shared the spotlight with outstanding performers such as, the late, great, Sammy Davis Jr., musical legends, Pearl Bailey and Nancy Wilson, the musical and comedic talents of Dean Martin and Jerry Lewis, as well as the ever popular calypso sounds of Harry Belafonte, just to name a few.

Duke Jenkins, born Herman Jenkins, received the name "Duke" during his days at Miami University of Ohio, while singing with the campus orchestra. Because of his style

EXTENSIONS OF REMARKS

and flair, students dubbed him "Duke", after the legendary maestro Duke Ellington.

Jenkins, a native of Canton, soon returned to the Cleveland area, after three long enjoyable years in Miami. Once back in Cleveland, Jenkins replaced the popular Quintet with the Organ Trio.

It was in 1962 when the Duke Jenkins Trio began playing area hot spots. The Duke Jenkins Trio played the Marriott and Ramada Inns in Cleveland for a combined period of five years.

During the five years that The Jenkins Trio performed the Cleveland area clubs, Duke managed to record his first album entitled, "Melodies to fit your mood," which was recorded for Lanco Records. In 1980 Duke came back with another album called "Night Songs".

Duke then hit the public with what was to be his final album, entitled "Something New" in 1985. This was something new for Duke; to finally receive recognition as a national recording artist—a new approach.

The Duke Jenkins Trio are still performing together, and can be "experienced" Tuesday through Sunday at the Quail Hollow Inn in Painesville.

For over one quarter of a century, Duke Jenkins has been thrilling jazz lovers of all backgrounds with his smooth, melodic baritone voice. He has been described as being versatile enough to perform all phases of jazz, which is why he has such a loyal following.

Duke and his lovely wife Christina (credited with inventing the original hair weave process) have two children, daughter Sheila 42, and son Herman Jenkins, Jr. 40, and granddaughter Sheilly 19, who will be cheering on as the great Duke Jenkins is appreciated on July 19th.

Duke Jenkins has been a pillar of Cleveland's jazz community since the early 1950's. He has since become a significant part of jazz history. Cleveland is truly richer for the musical contributions he has made to our community.

THE BRADY BILL: IN SMALL INCREMENTS, WE SURRENDER FREEDOM

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. ROTH. Mr. Speaker, I have here an article written by author Robert Ringer that appeared recently in the May 19 issue of the Orange County Register.

The article is entitled "The Brady Bill: In Small Increments We Surrender Freedom," and in it, Mr. Ringer speaks to us about the issue of gun control, and the need to protect our individual freedoms against Government's natural tendency to restrict those freedoms.

Government's attempt at gun control, Mr. Ringer points out, do not attack the problem of crime. Rather, they erode the hard-won freedoms secured by our Founding Fathers. What is needed are tougher laws that hold individuals responsible for their actions. Those who commit crimes should pay the price, not law-abiding citizens who want to exercise their constitutional rights.

I commend this article to my colleagues as we move toward consideration of the crime bill.

[From the Orange County Register, May 19, 1991]

THE BRADY BILL: IN SMALL INCREMENTS, WE SURRENDER FREEDOM

(By Robert J. Ringer)

Now that Congress has jumped on the gun-control bandwagon by passing the Brady Bill, and President Bush is poised to sign it, the proponents of personal disarmament are almost giddy with excitement.

Hard-core gun-control advocates make no bones about the fact that they want all guns outlawed. They would prefer to accomplish their end quickly, but if the only way they can do it is through time-tested gradualism, so be it. We Americans are easygoing, even lackadaisical. It seems we are willing to acquiesce to just about any kind of moral outrage, so long as we are given enough time to digest it.

In another interview, a gun-control advocate said, "If the Brady Bill keeps just one person from acting on impulse and killing someone, it's worth it." Says who? I contend that even if the Brady Bill saved thousands of lives (which it wouldn't), it still should not be enacted. Five times as many people get killed in automobile accidents as by guns, but this unfortunate fact of life doesn't deny responsible individuals the use of automobiles. Likewise, just because some people use guns for criminal purposes is no reason to deny prudent, honest people the right to own them. There seems to be an illogical assumption in some quarters that just because something can be used to harm someone, it will be used for that purpose.

I wish the defenders of gun ownership would stop basing their arguments on statistics, which implies, through omission, that they accept the moral position of the gun-control lobby. Instead, they should have the courage to make their stand on moral grounds and let it be known that gun control is a freedom issue. The government simply has no right to forbid you to own a gun, for the same reason it has no right to forbid you to own anything.

In point of fact, the term gun control is a misnomer. What advocates really mean by this term is people control. The right to bear arms is not only a means of protecting one's life and property from other citizens; it is a last resort of defense against a repressive government. People have learned this lesson the hard way throughout history—in Hitler's Germany, in the Soviet Union and its eastern European satellites, and, most recently, in Iraq.

Owning guns has nothing to do with crime. It has to do with preventing crime. Isn't it remarkable that there are laws preventing law-abiding citizens from carrying "concealed" weapons, yet in every city in America criminals walk the streets carrying such weapons? Thus, gun-control laws result in criminals having a one-sided advantage over noncriminals!

Guns are a form of self-defense, and by removing a tool of self-defense from someone, government not only violates his rights but endangers his life. A gun is an individual's ultimate means of preserving his freedom. Could there be a connection between government's increasing violation of our individual rights and its stepped-up efforts toward gun control? As Morgan Norval has said, "Ending violence may be the dream, but the nightmare of reality is total tyranny of the state."

For the media to tie their push for gun-control legislation to tragedies like the Stockton playground killings and accidental shootings by kids playing with their parents'

guns is shameless. There are thousands of criminals doing quite nicely without guns—raping, beating, burning, strangling, and smothering children. Should we outlaw matches, handkerchiefs, and pillows, too? Or how about just castrating the entire male population? The only sensible way to deal with crime is through tougher crime laws and a system that strips criminals of most of their rights.

It's nice to cheer the troops on their return from victory over a third-world potentate, wave American flags, and extol how wonderful it is to live in a free country, but if the governments can tell you what you can and cannot own, what real meaning is there to this so-called freedom?

It would serve all of us well to stop being taken in by the moral droolings of Hollywood confuseniks and heed the words of Etienne de la Boetie in the 16th century: "It is incredible how as soon as a people becomes subject, it promptly falls into such complete forgetfulness of its freedom that it can hardly be roused to the point of regaining it, obeying so easily and so willingly that one is led to say . . . that this people has not so much lost its liberty as won its enslavement."

TRIBUTE TO FELICIANO SABATES,
JR., A PRODUCT OF THE AMERICAN DREAM

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, it is my pleasure to take this moment to tell the Nation of a most inspiring citizen, Feliciano Sabates, Jr. The July 5, 1991, issue of the Miami Herald featured an article about Mr. Sabates and his struggle to the top as one of the leading businessmen in the United States.

The article is as follows:

Daytona Beach.—Feliciano Sabates, Jr., then 16 and a bit rebellious, had not yet formed firm convictions about communism. He simply didn't like Fidel Castro. In Cuba, in 1959, that was not a healthy attitude.

"I had gotten involved with some of the underground people," Sabates said. "I wanted to go into the mountains and fight. That's how stupid I was. My father figured I'd be dead if he didn't get me out."

That's why Sabates flew into Miami International Airport late that year with \$25 in his pocket and two boxes of cigars.

"They wouldn't let you take money out of the country," he said. "But everyone in Cuba knew cigars were like cash in the United States. A man came up to me in the airport and said, 'I'll give you \$20 for the cigars.' I said 'I'll take \$25.'"

He was born not to become a captain of freedom fighters, it turns out, but a captain of American commerce.

Today, Felix Sabates heads a Charlotte, N.C., company that does \$400 million in annual sales. His Top Sales Inc. deals in domestic and import products ranging from Nintendo games to personal care items by Windmere, a Hialeah-based company.

He has the country's largest dealership in Hatteras yachts and sportfishing boats. He is a minor partner in the NBA's Charlotte Hornets. And he has a zest for life and adventure that has steered him onto thunder road.

You can't really call Felix Sabates a good ol' boy. But in three short years, he has managed to fit right in on the NASCAR circuit.

His entry, a Pontiac, carries the black, green and gold colors of Mello Yello, number 42, and, normally, Kyle Petty. On Saturday, Bobby Hillin Jr. will be at the wheel in the Pepsi 400 at the Daytona International Speedway, and will be until Petty recovers from the injuries he suffered in a crash May 6 at the Winston 500 in Talladega, Ala.

Sabates believes in hiring people and then getting out of their way. But he always has his finger on the team's pulse, and he's always visible, and excitable, on race day.

"I've had more highs and lows in five years in auto racing than I've had in 25 years in the other businesses," he said, glee in his voice. "Every race day you hold your breath. Every race day you experience the joy of victory or the agony of defeat."

Felix Sabates radiates pride when he speaks of his own father, a highly successful Havana businessman until Castro took power and then, piece by piece, the senior Sabates' empire.

Sabates' mother, four sisters and two brothers would follow Felix to the United States in 1963, four years after he arrived. Sabates' father came to the United States in 1965. His parents, four sisters and dozens of other relatives still live in Miami, while his brothers work for him in Charlotte.

"At one point, my father had four or five jewelry stores in Miami," he said. "I remember he first rented this little hole in the wall, at 141 NE First St. He's 73 now, but he still has one jewelry and two optical stores. He goes to work at 9 in the morning and works until 8 at night. And when he was 69, he took refresher courses to pass the boards and be able to practice optometry."

Clearly, Sabates' zest for the business world is inherited. But beginnings get no humbler than those Felix endured. "My first job was in a hospital washing pots and pans," he said. He's fond of adding that he quickly got a promotion. "To washing dishes."

Sabates stayed in Miami for only three days after arriving from Cuba, leaving to live with an aunt and uncle in Boston and later in Columbia, Mo., where he worked as a hospital orderly before going to work selling pots and pans door-to-door—while still learning English.

In 1963, his mother, brother and sisters left Cuba and settled in Lexington, N.C., through a Catholic Church relocation program, and for a while Sabates became their sole support. He worked as many as 80 hours a week sanding furniture.

Later that same year, the family moved to Charlotte. Sabates first got a job parking cars for a rental agency. Then he began selling cars. That indirectly started him on the business path that made it possible for him to own race cars.

"I made a lot of money selling cars," Sabates said. "But I didn't like it."

One of Sabates' customers, Walter Reich, also was a Cuban immigrant, and Reich had known Sabates' father. "I asked Walter, 'What do you do?' He said he was a manufacturer's rep." That sounded good to Sabates. He asked Reich to hire him. A year later Reich had an opening and obliged.

Sabates' sales ability transferred easily. Reich first gave Sabates a small percentage of the business. In 1973, Sabates bought out Reich, who was retiring.

One of the products Sabates reluctantly agreed to market as the company gradually grew in those early years was a game called Pong. The manufacturer? Atari. "I was involved with Atari from the beginning when it came to this country in 1976."

But the first great financial windfall for Sabates came when a former Atari employee

approached Sabates and three others about marketing a battery-powered, talking bear. Does the name Teddy Ruxpin ring a bell?

"We had one sample," Sabates said, chuckling. "And that didn't really work. All we had to show customers was a concept. We didn't even have a manufacturing company. But we went out and sold \$100 million in less than six months."

That venture was separate from Sabates' Top Sales Inc., and led to Nintendo hiring Sabates as its Southeast representative when it first came to America.

"I can remember asking Walter Reich one time, 'Do you think we'll ever do \$5 million in [annual] sales? Now we have that in defective returns,'" he joked.

Sabates decided to start his own Winston Cup team in 1988 and swore to apply the same business principals to stock car racing that served him well at Top Sales. Sabco Racing is fully computerized, and every department produces a profit-and-loss statement.

But even in a business where a \$3-million sponsorship is not rare, and Mello Yello is one of the best sponsors, Sabates admits: "You'll never show a big return on your investment."

But the man who has turned \$25 and two boxes of cigars into millions also admits the return on his stock car racing investment is much more a dollar-sign bottom line.

"The greatest thing that's happened to me in auto racing is the people I've met," Sabates said. "They're genuine."

Mr. Felix Sabates is an asset to our country and an inspiration to its citizens. He gives hope to the many immigrants seeking refuge every year in our great land of opportunity.

LOGISTIC CHALLENGES FOR NAVY
AND DEFENSE DEPARTMENT
PLANNERS IN DESERT SHIELD/
STORM

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. BENNETT. Mr. Speaker, logistics challenges were discussed in a segment of the Navy League's report "the Sea Services' Role in Desert Shield/Storm." These challenges faced both Navy and DOD planners. This part of the report is submitted for inclusion here and the entire report will be printed in the September issue of the Navy League's Sea Power magazine:

THE SEA SERVICES' ROLE IN DESERT SHIELD/
STORM

Logistics: The massive, outstandingly successful logistics effort mounted to support all forces during Desert Shield/Storm perhaps served best to emphasize the importance of the leadership and organization that characterized the Navy during the decade of the 1980s and the establishment and fine-tuning of a system which, when called upon in time of crisis, worked almost flawlessly. As hosts of statistical data bear out, the Navy was out in front logistically from the time President Bush ordered U.S. forces deployed to the Middle East and remained in front throughout the build-up and the ultimate conflict.

The scope of the logistics effort was so broad it almost defies being encompassed into a brief commentary. However, a focus

on a few areas of diverse logistics endeavor does make possible a better understanding of what was done even before a shot was fired, and after hostilities began, to help bring about the smashing victory that ensued.

Long before Desert Shield began, and as a result of the experience gained in the more than 40 years of operating in Middle Eastern waters and the large and lengthy naval presence there during the escorting of Kuwaiti tankers in 1987-1988, many steps had been taken to prepare for logistical emergencies. Contracts had been completed for repair work to be accomplished on battle-damage ships, if necessary in shipyards and drydocks in Bahrain and Dubai in the Persian Gulf area and in Turkey and Israel in the eastern Mediterranean. Many fuel-supply outlets had been arranged for. The future use of countless airfields and naval facilities had been coordinated. And the magnificent Saudi Arabian ports of Al Jubayl and Ad Damman on the Persian Gulf were more than ready for any kind of onslaught of cargo ships.

Meanwhile, carriers departing the United States were sailing routinely with 90 days of aviation supplies, 75 days of provisions, 60 days of ship supplies, 30-60 days of medical supplies, and 30 days of ammunition. Their escorts were supplied accordingly, as were other combatants headed for the Middle East. And combat logistics forces ships (CLF) sailing with those task forces carried another 90 days of ship supplies and 30 more of ammunition. To support them as necessary Military Airlift Command channel services were expanded and established, from Norfolk to Bahrain in the Atlantic, from Subic Bay in the Philippines to Al Fujayrah in the United Arab Emirates in the Pacific, and from Sigonella, Sicily, to Jiddah, Saudi Arabia, in the Mediterranean. Additionally, "Desert Express" air service was established from Charleston to Bahrain for the movement of small, critical items of supply. At the time the Navy began using the 12,000-foot runway at the ultra-modern new Al Fujayrah airport, and also its vast and unused warehouse, it was handling only two commercial flights a day. That situation changed quickly! Also used to good advantage by the amphibious-ship armada were the Omani airfield and naval facility at Masira, on the Gulf of Oman.

To augment the 24 fleet replenishment ships that were in constant use, 10 tankers and six other ships of MSC's Naval Fleet Auxiliary Force were used, as were sizeable numbers of MPS and RRF ships after they were offloaded. Seven repair ships, including two which were veterans of World War II, Korea, and Vietnam, performed yeoman service. One, for example, completed 10,000 repair jobs on 30 U.S. and allied ships. Another returned *Tripoli* to full duty 6 April, just two months after she has sustained severe hull damage from an Iraqi mine.

To ensure there were no aircraft grounded because of shortages of engines, aircraft-rework facilities at Rota and Sigonella had their work days extended to 20 and 24 hours daily, respectively, seven days a week. As a consequence, asserted a senior Navy logistician, "We never came close to having a bare firewall."

Also supporting afloat forces were over 5,000 measurement tons of dry and frozen provisions, ship's store stock, high-usage consumable items, and many bulk petroleum items stocked in warehouses at Jiddah after Desert Shield began. The provisions represented over two months of anticipated demand.

To handle the tons of Marine Corps combat equipment being moved to Saudi Arabia, the

Navy once again called on its cargo-handling battalions, 80 percent of whom are Naval Reservists. More than 2,400 were airlifted to Saudi Arabia along with 40 tons of equipment; once there, they were moved where needed. It was they who made possible the tremendously quick link-up of Marines and their combat equipment by offloading ships of MPS squadrons TWO and THREE with amazing speed. These cargo handlers were used as far afield as Rota, too, where they transhipped 24th Division equipment from the disabled fast-sealift ship *Antares* for the onward voyage to Saudi Arabia. In all, they operated out of 21 different ports.

To build practically anything that anyone asked for the ubiquitous and ever-responsive Seabees—5,000 in all, of whom 1,000 were Naval Reservists—were called upon. They responded with the zeal for which they became known throughout island campaigns in the Pacific in World War II and with new techniques as well, including the use of arches produced by automatic building machines that made possible the erection of buildings 80 percent faster than with older methods. They built, among other things, hospitals, barracks, messhalls, security towers, and parking aprons, and provided water piping and power lines for all. They laid 7 million square feet of matting for Marine aircraft parking and taxiways, enough to cover 233 football fields. They moved over 3 million cubic yards of sand for fill and 255,000 cubic yards of select fill. The latter amount alone would have required a 120-mile column of dump trucks bumper to bumper. They used 7.7 million board feet of lumber, representing enough 2 by 4s to stretch from Pittsburgh to Los Angeles, and 262 miles of electric wire. They created mock gun turrets and tanks to deceive the enemy. But their crowning feat was the most dramatic—the construction just before the ground campaign began of 200 miles of four-lane highway out into the desert, over which Army forces would sweep in their dramatic flanking move that would envelop Iraqi forces.

One action that typified logisticians' ingenuity and resolve was the movement from the darkness of northern Norway in December of Field Hospital 15, which had been stored in caves carved out of rock along with other Marine Corps equipment that might have had to be used in event of a Soviet strike against Scandinavia. The officer who supervised its loading acquired the nickname of "The Arctic Camel", and in preparation for his foray into the snows had encountered a laughable bureaucratic bottleneck, namely, a reluctance on the part of supply personnel to issue cold-weather gear to one who carried orders to Saudi Arabia!

Defense industry, too, was responsive. On 21 separate occasions in January 1991 the Navy went to defense manufacturers and exercised priorities with regard to the manufacture of equipment, weapons, and supplies that might be required during hostilities. The overall response was immediate and positive. And in one instance, a defense contractor who had in the past manufactured a particular item utilized frequently by naval forces, but which he was not then building for the Navy (although he was for a foreign navy), elected on his own to increase the production of that item—just in case. His hunch was right, and in time the Navy bought what he had produced and contracted for more.

Logisticians pointed out, justifiably, that "the system was revalidated by Desert Storm". Now what was needed was assurance that there was no return to the "hollow" forces of the late 1970s which never could have accomplished these logistics feats.

A BILL TO ESTABLISH THE CURECANTI NATIONAL RECREATION AREA

HON. BEN NIGHTHORSE CAMPBELL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. CAMPBELL of Colorado. Mr. Speaker, last year the people who live near the Curecanti National Recreation Area [NRA] celebrated its 25th anniversary. The Curecanti National Recreation Area was first recognized through an agreement between the National Park Service and the Bureau of Reclamation. This 40,000-acre recreation area served more than a million visitors last year, making it one of the most popular attractions in Colorado.

Although the area has been operating under a cooperative agreement, approved by the Secretary of the Interior, Congress has never formally recognized it, making it difficult for the Park Service to secure adequate funding. Today, I am introducing a bill to accomplish this unfinished goal.

This proposal legislatively establishes the boundaries of the NRA on existing Federal lands and acknowledges the recreational purpose for which the land has been set aside.

Recreation and tourism have become a mainstay of Colorado's economy. The visitation at federally owned and State-run recreation facilities far exceeds any original predictions. For instance, even at the small Rifle Gap Project the Government estimated that only 16,000 people a year would visit the project, yet annual visitation exceeds 100,000.

Fortunately, the Aspinall Unit and Curecanti were built with more than just water storage, irrigation, and hydropower in mind. In fact, all new Army Corps of Engineers and Bureau of Reclamation water projects have a significant recreation component. This area was designed with the comfort and enjoyment of the public in mind. It was designed to be a place where families could come to rest and recreate.

Tragically, at most other recreation areas, the Federal Government has turned the operation of the areas over to the States, but has not ensured an adequate level of Federal funding to maintain them.

The legislation I have introduced will ensure that will never be the case at Curecanti. I have also introduced the Bureau of Reclamation Recreation Act, H.R. 2368, to permit up to 50 percent Federal cost-sharing to operate, maintain, replace, and expand recreation facilities associated with Federal water projects through partnerships with non-Federal sponsors. The bill will also give the Bureau needed authority to manage its lands for recreation, fish and wildlife, wetlands, cultural resources, and other purposes, while still meeting its first mission to provide water.

My Curecanti legislation accomplishes this goal in accordance with section 1 of the Park Parkway, and Recreation Area Study Act of June 23, 1936, and section 8 of the Upper Colorado River Storage Project Act [CRSP] of April 11, 1956. I believe it will also gain administration support because the Park Service and the Bureau agree this legislation is necessary.

The bill grandfathers in such existing uses as grazing, hunting, fishing, off-road vehicle use, snowmobiling, and other uses that do not interfere with the primary purpose of the CRSP Act, which was water storage and power generation.

The bill also allows the National Park Service to convey a parcel of land next to the Gunnison River, 7 miles west of Gunnison, to the community if it wishes to develop a city park between the town and the recreation area. This would help Gunnison realize one of its many long-term goals for keeping tourists in "Gunnison Country."

Last year's 25th anniversary celebration also provided an opportunity to reflect on the accomplishments of the man who wrote the CRSP Act—former Interior Committee Chairman Wayne Aspinall.

Aspinall helped shape the natural resource policies of the West and is directly responsible for ensuring projects like the Glen Canyon Dam, Navajo, Flaming Gorge, and the Aspinall Unit of CRSP that bears his name, would be built to make it possible to store water for municipal use, industrial use, and for irrigation in a semiarid region.

I believe formally recognizing the Curecanti National Recreation Area will make millions more Americans aware of the excellent natural and cultural resources available on Colorado's western slope. It doesn't matter how you choose to recreate, if it can be done in public, and outdoors, you'll be able to do it at Curecanti. This is the public's facility. Public funds paid for it and it is nice to see that money coming home to enrich the lives of the people in local communities.

This measure, when combined with legislation I have introduced to redesignate the Black Canyon of the Gunnison as a national park, establish a national conservation area and add the Gunnison River to a growing list of nationally recognized "Wild and Scenic Rivers" will make the Gunnison Basin America's playground.

I have also attached letters of support for this legislation from the city of Gunnison, the Gunnison Country Chamber of Commerce, the city of Montrose and the Montrose Chamber of Commerce.

I hope my colleagues will wholeheartedly endorse this bill and help me push it through legislative process.

The letters follow:

CITY OF MONTROSE,
Montrose, CO, July 2, 1991.

BEN NIGHTHORSE CAMPBELL,
Congress of the United States,
Washington, DC.

DEAR REPRESENTATIVE CAMPBELL: As the Mayor of the City of Montrose, Colorado, I am writing in support of the Bill to establish and designate Curecanti National Recreation Area as an official unit of the National Park Service system. It would transfer jurisdiction of Federal lands within the boundaries of the area to the National Park Service which has been administering them under a Memorandum of Agreement with the Bureau of Reclamation for 26 years. The Bill's action would also continue to provide for such compatible activities as general recreation, off-road vehicle and snowmobile use in designated areas, hunting, and fishing.

Designations have been done by Congress for other areas such as Lake Mead and Glen

Canyon national recreation areas, and enhance the formal standing of the area in planning and budgetary considerations, and policy and decision making.

As you are well aware, Curecanti is located in Gunnison and Montrose counties in the heart of one of the most scenic areas of the central Rocky Mountains, well known for its outdoor recreational opportunities. The recreation area is made up of three reservoirs impounded on the Gunnison River, each unique for scenery and recreational opportunities. Blue Mesa is the largest lake in Colorado and supports one of the finest fisheries and water-based recreation sites in the State. A portion of the famed Black Canyon of the Gunnison is found in the fiord-like lakes of Morrow Point and Crystal and is geologically significant. Boating, fishing, and camping on these two lakes forms a different use and challenge to the sportsperson engaging in their use.

Lakes, vast rising mesas, steep canyons and volcanic pinnacles create a landscape represented nowhere else in the nation. This diversity provides for a full range of recreational experiences such as boating, fishing, ice fishing, windsurfing and water skiing, sailing, camping, hiking, hunting, snowmobiling, ice skating, and others.

There are hosts of significant historic and prehistoric remains, adding to the varied history of the area. Recent studies into the prehistory have given national prominence to the park's archeological resources. Evidence indicates human presence here as early as 10,000 years ago. Several locations within the park memorialize the more recent historical events of mountain narrow gauge railroad building and operation. Additionally, the story of water use and development in the west is depicted.

The diverse resources of Curecanti National Recreation Area, be they scenic, recreational, or historical, have been drawing people to the Gunnison country for many years and have been important contributors to local economies. Curecanti is often among the four most visited attractions in the State with an annual following in excess of 1.1 million visitors. This visitation is vital to the continued growth and well being of the Gunnison Country. Establishment of the national recreation area with the National Park Service would help ensure the long term protection of these significant resources for the enjoyment of generations to come.

Sincerely,

TRICIA DICKINSON,
Mayor.

CITY OF GUNNISON,
Gunnison, CO, June 17, 1991.

BEN NIGHTHORSE CAMPBELL,
Congress of the United States,
Washington, DC.

DEAR REPRESENTATIVE CAMPBELL: As the Mayor of the City of Gunnison, Colorado, I am writing in support of the Bill to establish and designate Curecanti National Recreation Area as an official unit of the National Park Service system. It would transfer jurisdiction of Federal lands within the boundaries of the area to the National Park Service which has been administering them under a Memorandum of Agreement with the Bureau of Reclamation for twenty-six years. The Bill's action would also continue to provide for such compatible activities as general recreation, off-road vehicle and snowmobile use in designated areas, hunting and fishing.

Designations have been done by Congress for other areas such as Lake Mead and Glen

Canyon national recreation areas, and enhance the formal standing of the area in planning and budgetary considerations, and policy and decision making.

As you are well aware, Curecanti is located in Gunnison and Montrose counties in the heart of one of the most scenic areas of the central Rocky Mountains, well known for its outdoor recreational opportunities. The recreation area is made up of three reservoirs impounded on the Gunnison River, each unique for scenery and recreational opportunities. Blue Mesa is the largest lake in Colorado and supports one of the finest fisheries and water-based recreation sites in the state. A portion of the famed Black Canyon of the Gunnison is found in the fiord-like lakes of Morrow Point and Crystal and is geologically significant. Boating, fishing, and camping on these two lakes forms a different use and challenge to the sportsperson engaging in their use.

Lakes, vast rising mesas, steep canyons and volcanic pinnacles create a landscape represented nowhere else in the nation. This diversity provides for a full range of recreational experiences such as boating, fishing, ice fishing, windsurfing and water skiing, sailing, camping, hiking, hunting, snowmobiling, ice skating and others.

The area hosts significant historic and prehistoric remains, adding to the varied history of the area. Recent studies into the prehistory have given national prominence to the park's archeological resources. Evidence indicates human presence here as early as 10,000 years ago. Several locations within the park memorialize the more recent historical events of mountain narrow gauge building and operation. Additionally, the story of water use and development in the west is depicted.

The diverse resources of Curecanti National Recreation Area, be they scenic, recreational, or historical, have been drawing people to the Gunnison country for many years and have been important contributors to local economies. Curecanti is often among the four most visited attractions in the state with an annual following in excess of 1.1 million visitors. This situation is vital to the continued growth and well being of the Gunnison Country. Establishment of the national recreation area with the National Park Service would help ensure the long term protection of these significant resources for the enjoyment of generations to come.

Sincerely,

DIANE LOTHAMER,
Mayor.

GUNNISON COUNTRY
CHAMBER OF COMMERCE,
JUNE 13, 1991.

BEN NIGHTHORSE CAMPBELL,
Congress of the United States,
Washington, DC.

DEAR REPRESENTATIVE CAMPBELL: The Gunnison Country Chamber of Commerce supports the Bill to establish and designate Curecanti National Recreation Area as an official unit of the National Park Service system.

Such designation would enhance the formal standing of the area in planning and budgetary considerations, and policy and decision making.

Curecanti is known for its outdoor recreation opportunities provided by a diversity of terrain. It welcomes over 1.1 million visitors each year, thus having a significant economic impact on the Gunnison area. The continued growth and prosperity of

Curecanti National Recreation Area is very important to Gunnison, therefore, we support the Bill which would help insure the long term protection of this valuable resource.

Sincerely,

LAYNE MEREDITH NELSON,
Executive Director.

Montrose, CO, June 14, 1991.

HON. BEN NIGHTHORSE CAMPBELL
Congress of the United States,
Washington, DC.

DEAR REPRESENTATIVE CAMPBELL: The membership of the Montrose County Chamber of Commerce wishes to express its support of your bill to establish and designate Curecanti National Recreation Area as an official unit of the National Park Service system. As I understand it, this bill would transfer jurisdiction of the Curecanti National Recreation Area to the National Park Service which has been administering the Recreation Area under a memorandum of agreement with the Bureau of Reclamation for twenty six years. The bill's action would continue to provide such activities as general recreation, Off Road Vehicle and Snowmobile use in designated areas as well as hunting and fishing.

Designations have been done by Congress for other areas such as Lake Mead and Glen Canyon National Recreation Areas and this bill will enhance the planning, budgeting, policy and decision making process.

Curecanti National Recreational Area is located in Montrose and Gunnison Counties, one of the most scenic areas of the Rocky Mountains, well known for its outstanding recreational opportunities. The recreation area is made up of three reservoirs on the Gunnison river, Blue Mesa, Morrow Point and Crystal, each unique for scenery and recreational opportunities.

Lakes, vast rising Mesas, steep Canyons and volcanic Pinnacles create a landscape unlike anywhere else in the Nation. The diversity of the recreation area provides for a full range of recreational experiences such as boating, fishing, ice fishing, windsurfing, sailing, camping, hiking, hunting, snowmobiling, ice skating and numerous other activities.

The diverse resources of Curecanti National Recreation Area, be they scenic, recreational or historical have been drawing people to Western Colorado for many years and has been an important contribution to the local economies. Curecanti is often among the four most visited attractions in the State of Colorado with approximately 1.1 million visitors.

Establishment of the National Recreation Area with the National Park Service would help to ensure the long term protection of these resources for the enjoyment of future generations.

Sincerely,

KENNETH G. GALE,
Executive Director.

SALUTE TO CHARLES INNIS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, I rise today to give my salutations to Mr. Charles E. Inniss—tireless, dedicated community worker. Charles Inniss holds a B.S. in economics and a mas-

ters in public administration from New York University. Along with serving 23 years in the Army National Guard, Mr. Inniss was director of area development at the Bedford Stuyvesant Restoration Corp., the administrator of the Brooklyn Model Cities, and the director of development and public information for the Brooklyn Public Library.

The dedication Charles Inniss has displayed throughout the past years of community service hasn't been in vain. As vice president responsible for the Urban Affairs Department at Brooklyn Union Gas, he is able to continue his long history of service to the community. Taking on a position with such responsibility has not slowed down his involvement within his community; the list of his current community activities demonstrates that fact. Mr. Inniss serves the Greater New York/United Way, the NYC Partnership, the Brooklyn Children's Museum, the Brooklyn Psychiatric Center, the New York Urban League, the Studio Museum in Harlem, the Catholic Interracial Council, and the Marcus Garvey Nursing Home.

Charles Inniss is a man who deserves to be recognized and commended for being a role model whose undying determination to help his fellow citizens demonstrates his considerable generosity.

PORT CHICAGO 50

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. MILLER of California. Mr. Speaker, I rise today to bring to the attention of my colleagues the 47th anniversary of the worst World War II-related disaster to occur in the continental United States. The Port Chicago Naval Magazine was once the largest munitions supply facility on the west coast and was responsible for supplying the Pacific Fleet with ammunition. The disaster that occurred on July 17, 1944, left 320 men dead and over 390 more injured, both military personnel and civilians. This disaster alone accounted for over 15 percent of the total African-American naval casualties during the war. The blast was the equivalent to 5 kilotons of TNT, on the same order of magnitude as the atomic bomb that was to be dropped a year later at Hiroshima, Japan.

After this explosion, 258 men—all African-Americans—refused to return to a similar task of loading ammunition, a job that none of the men had been trained to do. Of these men, all but 50 eventually returned to their jobs. Because of their refusal to engage in a highly dangerous activity that they were never trained for, these 50 men were tried for mutiny. All 50 were discharged under less than honorable conditions.

I would like to take this opportunity to share with my colleagues a recent article from the Los Angeles Times. This article points to many of the issues behind the events surrounding the discharges of the men at Port Chicago. I encourage my colleagues to keep this article in mind as we await Senate action on the Department of Defense authorization bill that we passed earlier this year to ask the

Secretary of the Navy to review the court-martial of these men.

[From the Los Angeles Times, July 16, 1991]

BREAKING THE SILENCE

(By John Boudreau)

(Military: Were 50 black sailors wrongly convicted of mutiny after a 1944 explosion that killed 320 men? Some of them say yes—and they want their names cleared.)

SAN FRANCISCO—On the night of July 17, 1944, Seaman 1st Class Robert Routh settled into his top bunk in a barrack at the Port Chicago Naval Magazine, about 30 miles east of Oakland. The 19-year-old had skipped leave in San Francisco to write letters, do laundry and save money for a trip home.

In a nearby barrack, Seaman 1st Class Joseph Small stretched out after an exhausting day of dockside duty. Hundreds of sailors were working around the clock to load two Liberty- and Victory-class munitions ships, bound for the war in the Pacific.

Other black sailors, many of them friends, worked into the night as Small tried to sleep.

They were men who would never finish their shifts.

The first of two explosions ripped open the night shortly after 10:18 p.m. "It was the biggest and the brightest Fourth of July coloration you've ever seen," says Routh, now 66, who was blinded by flying glass.

Then came the second blast, which also rocked Small's barrack, one of a cluster a mile from the dock. "The explosion lifted me and my mattress off the bunk," Small says. "I unconsciously gripped the edge of the mattress. I landed on the floor with the mattress on top of me. A lot of the falling glass was caught by the mattress. I'd have been butchered if [the mattress] hadn't fallen on me."

There were hundreds of sailors working on the docks, and most of them were killed or wounded; a few casualties were reported in the nearby town of Port Chicago. In all, 320 men died, 390 were injured. A majority of the casualties were African-Americans. During that era of segregation in the armed forces, blacks tended to be assigned to manual labor, including the loading of munitions.

The Quinalt Victory and the E.A. Bryant, two of the ships in the area, were tangles of metal; the dock, heaps of splintered wood. The force of the blasts destroyed the town of Port Chicago, scattered unexploded bombs miles from the harbor and registered on seismographs as far away as Nevada. It was the worst war-related disaster in the continental United States.

Some Navy investigators suspected sabotage; others hinted that sloppiness, bad training or equipment failure caused the calamity. In the end 50 black sailors were convicted of mutiny because they refused to return to work until safety measures were implemented.

According to sociologist Robert Allen, who has written a book on the disaster, the incident helped inaugurate the desegregation of the Navy that started in 1945.

But for the Port Chicago 50, that movement meant little. They served brief prison terms, were sent to sea for a year without leave, received less-than-honorable discharges and were refused veterans' benefits. Now the surviving sailors want their names cleared.

Last May, the House passed a resolution, written by Rep. George Miller (D-Martinez), directing the secretary of the Navy to review the case and the extent to which racial prejudice or "other improper factors" may have

tainted the original investigations and trials. The directive is under review by the Senate Armed Services Committee. If it is signed by President Bush, it's up to the Navy secretary to determine how or if the sailors might be compensated.

"It's an American tragedy," says Allen, who wrote 1989's "The Port Chicago Mutiny: The Story of the Largest Mass Mutiny Trial in U.S. Naval History." "It was the world as it was, and it was pretty grim. These guys were victims of racism and the military legal system. They were railroaded into jail. There was no mutiny. It was simply a wild-cat strike."

Port Chicago, now part of the Concord Naval Weapons Station, was a sweltering and desolate outpost. The young black sailors, under the command of white officers, worked around the clock to load munitions.

The job produced jagged nerves, sore joints and distrust, according to the men who survived. The sailors lifted, rolled and stacked everything from eight-foot shells for battleships to two-ton bombs that pounded the enemy into oblivion.

"We were just shown a boxcar full of ammunition, wire nets spread out on the docks and the hole in the ship and told to load," recalls Small, 69, of Somerset, N.J. "Our greatest beef was that we were given no instructions. No one talked about the dangers we believed existed, and we were green, right out of boot camp."

In a ship's belly, the air is hot, sticky and stagnant. Bombs, slathered in grease, tumbled down ramps to awaiting sailors.

"Sometimes, you wouldn't catch them because they were coming down too fast and they would hit together," recalls Freddie Meeks, a 71-year-old Los Angeles resident and one of the Port Chicago 50. "They would make a big noise and scare you to death."

"I believe if we had been white, they would have given us some sort of instructions on how to handle the ammunition safely," says Small, who was accused of leading the mutiny.

According to Allen's book, during an investigation of the explosions, a Navy judge advocate quoted white officers as saying: "The colored enlisted personnel are neither temperamentally [nor] intellectually capable of handling high explosives." Allen based much of his book on official records from the Navy transcripts of an investigation of the explosions and the later courts-martial of the Port Chicago 50.

On Aug. 9, three weeks after the explosions, the survivors were ordered to fall in for a new work detail at nearby Mare Island, where another munitions ship, the San Gay, was berthed awaiting ammunition.

Survivors say black sailors, mourning the death of comrades, were stung by fear and frustration after being denied the 30-day leaves white survivors received.

"I thought we were treated pretty unfairly," says Percy Robinson, 66, a retired engineer who lives in Los Angeles and who was a seaman 1st class at the time. "My face was mutilated. When you passed the mirrors, the skin was hanging off your face and you couldn't recognize yourself. After you were wounded, you were supposed to go home for leave. After we were wounded they made us go back to work. That's why I struck."

Small called cadence that day for the men of the 4th Division.

"At the end of the street was a podium," he recalls. "Right was toward the parade grounds, left was toward the docks. When the lieutenant said, 'Column left!' everybody stopped dead in his tracks. He called me up

front. He said, 'Small, are you going to work?' I said, 'No sir.' When I said 'No sir,' somebody in the ranks behind me said, 'If Small doesn't go, we're not going.'"

Initially, 258 men refused to work and were imprisoned on a barge for three days. Rear Adm. Carleton H. Wright gave the sailors a stern warning.

"He said, 'If you don't go back to work, you'll be charged with mutiny, and mutiny is punishable by death, by firing squad,'" recalls Robinson, who was among those who backed down. "He asked us again, 'Will you go back to work?' Everybody said yes, except 50 guys."

"That didn't turn the 50 sailors," Meeks says. "When it came time to decide, they said, 'Those who want to go to work, step to the left. And those who don't want to work, step to the right.' So we stepped to the right. We said, 'If we're going to be shot, we'll be shot.' We were not going back to those conditions. I wouldn't call that mutiny. It was just a refusal to load ammunition."

Sailors who agreed to work were interrogated to provide evidence against the 50. Those who agreed to go back to work received summary courts-martial and were sentenced to three months' hard labor; eventually, however, they were granted honorable discharges. The Port Chicago 50 went to Treasure Island, a Naval installation in the Bay Area.

The court-martial started Sept. 14. A young attorney named Thurgood Marshall, chief counsel for the NAACP, had arrived to defend them.

"He told us the public was in our favor and there was a lot of sentiment against the trial," Small recalls. "He told me he was going to Washington to put in a formal protest against the Navy."

During the six-week proceedings, Marshall became enraged, according to Allen's account.

"This is not 50 men on trial for mutiny," Marshall told the press. "This is the Navy on trial for its whole vicious policy toward Negroes. Negroes are not afraid of anything any more than anyone else. Negroes in the Navy don't mind loading ammunition. They just want to know why they are the only ones doing the loading! They want to know why they are segregated: why they don't get promoted."

On Oct. 24, the Navy trial board, after only eight minutes of deliberations, declared the Port Chicago 50 guilty of mutiny. Sentences ranged from eight to 15 years in prison. The sailors also were busted to the lowest rank: seaman apprentice.

"I considered myself blessed," says Small, who received a 15-year sentence. "I could have been sentenced to death."

The black community and liberal white groups decried the convictions. First Lady Eleanor Roosevelt appealed to Secretary of the Navy James V. Forrestal. But the findings stuck.

The sailors were taken by train to the Terminal Island Disciplinary Barracks in San Pedro, where they remained for 16 months. Then the men were sent to sea but were denied shipside duties and liberty at ports of call.

A year later, the convicted sailors were quietly released from captivity and discharged "under honorable conditions"—a step above dishonorable discharge, but one that nevertheless negated veterans' benefits.

No one knows how many of the Port Chicago 50 are alive today; only a handful have been accounted for.

"Many of them have made their peace with it and tried to forget it," Allen says. "Others

are still traumatized by the experience. They still feel ashamed."

Most remained silent.

"I kept all those things inside of me," Meeks says. "I didn't want to hurt my family. We were supposed to be bad people. People would turn their thumbs down on you. I was pretty bitter about it."

Now Meeks wants to correct the record.

"I hope that all of America knows about it," he says. "It's something that's been in the closet for so long."

The Navy has no official opinion on the incident or on the proposal to reopen the case. Lt. Mark Walker, a Navy spokesman at the Pentagon, said: "It's in the hands of the Congress. If we're directed to reopen the investigation, to look at the facts again, we will do that. But that's as far as we can go."

Rep. Miller says the Navy owes the survivors a review of their cases. "In this case, you read the documents, you talk to the men and you feel justice wasn't done."

"If things work out right with this challenge to have the record corrected, it will prevent the next generation from repeating that tragedy."

WHY U.S. MILITARY AID TO EL SALVADOR SHOULD BE TERMINATED

HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SANTORUM. Mr. Speaker, today I would like to draw to the attention of my colleagues an essay by Dr. Edward T. Brett entitled, "Why U.S. Military Aid to El Salvador should be Terminated."

Dr. Brett is a distinguished author and widely recognized Central American expert. He currently is professor of history and chair of history department at La Roche College in Pittsburgh. His "Overview of El Salvador" provides a foundation for determining our individual positions on issues that affect El Salvador.

Over the next few months, we will be making crucial decisions that will effect United States aid to El Salvador. El Salvador has been involved for 12 years in a civil war. Can we help end this conflict? Dr. Brett offers observations that should receive full consideration and debate. I look forward to our review of economic and military aid to El Salvador.

WHY UNITED STATES AID TO EL SALVADOR SHOULD BE TERMINATED

(By Edward T. Brett, Ph.D.)

OVERVIEW OF EL SALVADOR

In order to understand the current troubles in El Salvador, a basic knowledge of the country's past is necessary. About the size of Massachusetts, it is the smallest of the five Central American countries. It is also the most densely populated with about 400 inhabitants per square mile, a situation which has compounded its problems. Its soil is rich and consequently its economy has for five centuries been based on agriculture for export.

Nearly all scholars agree that the primary cause of El Salvador's present unrest is its system of land domination by a small, elite class. This long-entrenched structure was set up by the Spanish conquerors of the sixteenth century and has not substantially changed since. The primary motive of the

Spanish in colonizing Central America was personal enrichment and this goal was pursued at the expense of the native population. At first the land was stripped of its surface gold and an Indian slave trade was created. However, when these sources of wealth were quickly depleted, the Spanish turned to the production and export of cacao and later indigo. In both cases, Indians labor was so exploited that large numbers of natives were actually worked to death while creating profits for their Spanish masters.

After independence, the Salvadoran elite was forced to look for a new, more lucrative export. They found it in the 1860s in the production of coffee. Since large tracts of land were needed for the successful development of this crop, the new Liberal government passed laws enabling the landowning elite to confiscate the subsistence farms of the rural peasant class. Thus, *campesinos* (peasants) whose families had resided on these properties for generations now became landless. Moreover, to assure an adequate supply of cheap labor, a system of debt peonage was created and vagrancy laws were passed which required the landless unemployed to work on the coffee *fincas* (plantations). To maintain the status quo a law was also promulgated in 1907 outlawing rural unions and strikes. In 1912 a National Guard was created, which large coffee-growers routinely used to "keep law and order" on their estates. The above developments resulted in the consolidation of coffee lands into the hands of a few growers, the so-called "fourteen families" (actually an oligarchy of 75 families in fourteen extended groups).

When the Great Depression struck, the plight of the Salvadoran poor became more desperate. Male rural unemployment reached 40 percent in 1929 and steadily grew worse in the next few years. For those peasants with work, wages fell from fifty cents a day to twenty cents. In 1930 Arturo was elected president when he promised reform. The coffee elite and military, however, refused to allow any change in the system and ousted Araujo from office in 1931, replacing him with General Maximiliano Hernández Martínez. With their expectations for economic relief dashed and unable to feed their families, large numbers of peasants rose in rebellion in 1932 at the instigation of the communist Augustín Farabundo Martí. Although the revolt was easily put down, the elite determined to show the peasants that such actions would not be tolerated. Thus, on orders from Hernández Martínez, the army rounded up and executed as many as 30,000 peasants. This message was not lost on those who survived. For the next four decades the terrified peasantry remained docile, while the military directly governed the country in its own interest and that of the landowning oligarchy.

During the 1940s, the Salvadoran elite, attempting to reverse their declining economy (the price of coffee had more or less been steadily falling since the Depression), began expanding into cotton and sugar production. Again this entailed the removal of large numbers of peasants from their land, peasants who had previously been ignored since their small lowland plots had been useless for growing coffee. In the long run, however, agricultural diversification failed to reverse the country's economic downspin. To make matters worse the Salvadoran population soared from 1,443,000 in 1930 to 3,549,000 by 1969, due in large part to the reduction of malaria and yellow fever. As historians Benjamin Keen and Mark Wasserman point out:

"The swelling population put great pressure on wage levels: The average daily wage

for field hand in the early 1960s was about 62 cents a day. . . . Since labor on coffee plantations was seasonal and a peon was lucky to get 150 days of work a year, the labor of an entire family for that period might yield a total yearly cash income of \$300 by 1964."¹

Obviously this was not nearly enough to provide even the basics for survival; nevertheless, the landowning elite and the military still refused to allow even the most minimal land or wage reforms. Faced with massive rural unrest, the Salvadoran government opted to take additional repressive measures to maintain the existing socio-economic structures. In the mid-1960s, President Julio Rivera and National Guard chief José Medrano formed ORDEN (order), a secret paramilitary organization consisting of tens of thousands of peasants who received patronage and other special favors in return for keeping rural order through spying, intimidation, and violence.

Not surprisingly, in the 1970s the Salvadoran situation deteriorated even further. By 1974 the annual inflation rate was 60 percent; unemployment was 20 percent and underemployment 40 percent. The proportion of landless peasants rose from 11.8 percent in 1950 to 41 percent in 1975. Of those who owned cultivatable land, 0.85 percent held 77.3 percent, while 99.15 percent held only 22.7 percent—²one of the worst land distribution ratios in the entire world. The disastrous economic situation caused opposition political parties to put aside their differences and join together, forming the Unión Nacional Opositora (UNO), in hopes of capturing the presidency. But the 1972 and 1977 elections were so blatantly fraudulent that all hopes of reform through the electoral process were abandoned. When a massive demonstration was held in San Salvador to protest the 1977 election, the army and police attacked the peaceful demonstrators, killing over 200 of them, this attack and the ones that followed produced a reaction from those they were intended to coerce. Labor and peasant unions and other mass organizations now came together for joint agitation against the government. Their protest rallies and occupations of church and municipal buildings were frequently answered by police and military repression. On the radical left, hitherto small revolutionary groups now grew in size and popularity when they began kidnapping and assassinating those perceived to be on the side of the government. Later, in 1980, these guerrilla groups would unite under the name Frente Farabundo Martí de Liberación Nacional (FMLN) and the Salvadoran civil war would begin.

Another factor further complicated the situation in the 1970s. The Catholic church, which had previously refrained from criticizing the Salvadoran authorities, now entered the fray. Many priests and nuns, influenced by the Second Vatican Council (1962-65) and the Medellín Latin American Bishops' Conference (1968), came out in vigorous support of the poor. They soon found a charismatic leader in San Salvador, Archbishop Oscar Romero, whose Sunday morning homilies calling for justice and an end to violence became the most popular radio broadcasts in the country. But the Catholic church paid a costly price for its courage. Between 1977 and 1979 seven priests were murdered. Leaflets were posted throughout the capital city urging people to "Be a Patriot! Kill a Priest." On March 24, 1980—after calling on the U.S.

to terminate all military aid to El Salvador and the day after he appealed to soldiers to refuse to obey orders to kill unarmed civilians—Archbishop Romero was gunned down while saying mass. As then U.S. Ambassador to El Salvador Robert White affirms, overwhelming evidence indicated that the assassination was planned by General Medrano, founder of ORDEN, and Major Roberto d'Aubuisson, a founder of ARENA, the political party currently in power in El Salvador.

The killing of Romero shocked the world and intense pressure was put on the Carter Administration to cut its Salvadoran aid. Washington feared, however, that if such a course was taken, the leftist FMLN, which had just launched an unsuccessful offensive, might come to power as the Sandinistas had in Nicaragua in 1979. Thus, although the Carter Administration loudly condemned the murder, aid continued to flow and even increased. White House officials reasoned that such aid could be a means of prodding the Salvadoran government to initiate land reform and political reform, but the failure of this logic was soon graphically demonstrated.

On December 2, 1980, three U.S. nuns and a Catholic lay missionary were raped and executed by the Salvadoran National Guard. President Carter immediately cut off all military aid, but within a month it was renewed, even though the U.S. Government was fully aware that the Salvadoran military was involved in a coverup of the crime. On January 4, 1981, U.S. AIFLD advisers Michael Hammer and Mark Pearlman and José Viera, director of the Salvadoran Agrarian Transformation Institute, were gunned down by the Salvadoran army. Although the murderers were known, the Salvadoran authorities refused to bring them to justice. Nevertheless, the new administration of president Reagan not only refused to cut aid, but actually increased it dramatically.

More government-sponsored killings followed. Frustrated, the U.S. Congress passed a law in 1981 requiring the president to provide assurance every six months that "indiscriminate torture and murder" by security forces were being brought under control; if he could not do so, aid was to be terminated. Nevertheless, in spite of overwhelming evidence produced by human rights groups such as Amnesty International and Americas Watch that government-sponsored terror was actually on the rise, President Reagan merely gave his certification of progress every six months. Members of his administration justified his action by claiming that right-wing dictatorships are preferable to leftist-Marxist dictatorships and that if aid is cut a Marxist government, aligned with the Soviet Union, might gain power. Reagan critics, however, contended that such unmerited certification sent a message to Salvadoran security forces that they need not end their repressive tactics in order to continue to receive U.S. aid.

After its 1980 election victory, the Reagan Administration had devised its own two-part plan for achieving peace and reform in El Salvador. First, it concluded that only by destroying the FMLN militarily could meaningful peace be assured; thus, a negotiated compromise settlement with the opposition was ruled out as an option. Instead, enormous amounts of military aid were sent to Salvadoran forces along with U.S. military advisers. Moreover, large numbers of Salvadoran soldiers were sent to the U.S. for training and professionalization. The second part of the Reagan plan was to create a process of honest democratic elections; it was

¹Benjamin Keen and Mark Wasserman, *A History of Latin America* (Boston: Houghton Mifflin, 1988), p. 496.

²*Ibid.*, pp. 493 and 497.

reasoned that meaningful reform would naturally follow such elections.

Between 1981 and 1987 the Salvadoran government and military received \$2.7 billion in U.S. aid.³ Yet little, if anything, was achieved. The FMLN was no closer to defeat, as its 1989 offensive—arguably its most successful offensive to date—made clear. The Salvadoran security forces still opted for murder and torture on a regular basis. The 1989 bombing of the FENASTRAS union headquarters, in which ten union leaders were killed and thirty wounded, and the executions of six Jesuits, their cook, and her daughter a few weeks later graphically demonstrate the brutal methods of the military. Moreover, there is much evidence indicating that the entire army high command knew beforehand and approved of the killing of the Jesuits.

At great effort and expense, the U.S. was successful in bringing about relatively honest and democratic elections. In 1984 José Napoleón Duarte won the presidency and the following year his Christian Democratic Party (PDC) emerged victorious in legislative elections. They won with a campaign that promised peace and reform. Yet the Christian Democrats were unable to achieve either goal during their tenure in office. The failure to bring about peace was due in part to Reagan's refusal to allow Duarte to enter into serious peace negotiations with the leftist opposition FDR and FMLN. It was also due largely to a Salvadoran military which saw no advantage for itself in a termination of the civil war; indeed, the high command realized all too well that its lucrative U.S. aid would be drastically reduced if the war ended.

Duarte's plans for socio-economic reform also ended in failure for reasons which are too complex to enumerate in this study. Suffice it to say that by the end of Duarte's term in office the Salvadoran economy was worse than ever: Just as the disastrous Cuban economy is only kept afloat due to massive injections of Soviet aid, that of Salvador is kept from total collapse due to billions of U.S. dollars. The situation of the poor Salvadoran majority only deteriorated further during the 1980s. Terrorized by both sides in the civil war and unable to find sufficient work to feed their families, the poor "took to their feet" to survive. Hundreds of thousands entered the United States, Mexico, Honduras, and other countries, often illegally.

The ineptness of the Duarte Administration, coupled with extreme corruption on the part of Christian Democratic officials, caused Salvadorans to vote for the only real opposition in the 1988 legislative and 1989 presidential elections, the ARENA Party. It is important, however, to emphasize that these votes were less an endorsement of ARENA than a reaction against Christian Democratic failure. Although President Alfredo Cristiani of ARENA seems to be similar to Duarte, albeit somewhat more conservative, many experts argue that the fanatical Roberto d'Aubuisson still dominates the party he created. In truth, ARENA seems to have split into two factions, with the army siding with the d'Aubuisson wing. The Cristiani faction has been able to enter into negotiations with FMLN, even though the military views such talks with suspicion. To prevent the army from sabotaging this peace process, the U.S. Congress delivered a strong message when it cut military aid to El Salvador by 50 percent and promised to

terminate military aid entirely if the government causes the peace negotiations to fail. Even though Cristiani, for his own political reasons, has called for a renewal of military aid, it seems clear to the current writer that such an action would be counterproductive. Instead, all military aid should be ended. If peace negotiations are successful, the U.N. should then renew its Salvadoran aid. But instead of sending it to the military, it should be channeled into grassroots developmental programs aimed at ameliorating the root cause of El Salvador's crisis, which is the antiquated, but long entrenched, unjust structural system that impoverishes and brutalizes the vast majority of the population for the benefit of a few.

REASONS FOR TERMINATING MILITARY AID TO EL SALVADOR

Both houses of the U.S. Congress will soon debate and vote on the Peace, Democracy and Development in El Salvador Act (S. 601 and H.R. 1346), the Adams-McDermott Bill. This bill, if passed in its initial form, would end all war-related aid to El Salvador and aid still in the pipeline and any new military aid as well as economic aid not specifically targeted for development projects. (This would eliminate much of the U.S. economic aid that is direct cash transfer from Washington, D.C., banks to the treasury of the Salvadoran government.) The bill includes a provision that requires that both houses of Congress vote before any aid can be restored.

There are many reasons why this bill should be supported. Among them are the following:

1. After 12 years of civil war in El Salvador, the conflict still continues and a brutal status quo built on violence, injustice, and repression is as well entrenched as ever.
2. Over \$4 billion in U.S. aid since 1980, much of which has directly or indirectly been used for military purposes, has failed to end the conflict.
3. Only a tiny percentage of this U.S. aid has gone for health, nutrition, and agrarian reform or for grassroots initiatives.
4. U.S. aid has on the whole failed to address the root causes of the civil war—hunger, inequitable land distribution, lack of true democracy, and oppressive government by a small oligarchic elite.
5. U.S. military aid has actually proved counterproductive. With hundreds of millions of dollars flowing continually to the Salvadoran military, there is no incentive for the high command to end the civil war. Indeed, it realizes well that once the war ends, its U.S. military aid will be drastically reduced or terminated. Thus, there is actually incentive to perpetuate the war.
6. The Salvadoran military and its paramilitary associates have a dismal human rights record, including the murder of 13 priests, an archbishop, 4 U.S. churchwomen, countless political opposition, labor, and peasant leaders, and thousands of Catholic lay catechists. Aid obviously has failed to bring human rights reform.
7. In all, over 70,000 civilians have been killed since the civil war began in 1980, about 85 percent by government forces or paramilitary associates.
8. Tens of thousands have been displaced from their homes and forced to live as refugees. Thousands have entered the U.S. illegally.
9. The Cold War is no longer a factor; thus, an argument can no longer be made that military aid is necessary to prevent the Soviet Union from acquiring "another Cuba."
10. There is a large body of evidence that the Salvadoran high command was involved

in planning the murders of the six Jesuits; there is also growing evidence indicating that they are involved in a coverup (see Moakley Report).

11. In the past, every time the military has committed an especially abhorrent atrocity, the U.S. has responded by terminating or reducing military aid, only to renew it and increase it within a short period of time. When the Jesuits were killed, Congress cut military aid by 50 percent. President Bush, however, in June 1991 released most of what has been withheld. This pattern of behavior sends the wrong signal to the Salvadoran military and government. It indicates that they can kill without penalty.

12. There is overwhelming evidence indicating that the FMLN is serious about ending the civil war through negotiations. It realizes that the vast majority of Salvadorans are weary of war; it knows that it cannot win the war; it realizes that it can no longer count on aid from the Soviet Union or Eastern bloc countries. Thus, it has every reason to negotiate a fair peace and get involved in a democratic process.

INTRODUCTION OF THE ST. CROIX, VIRGIN ISLANDS HISTORICAL PARK AND ECOLOGICAL PRESERVE ACT OF 1991

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. DE LUGO. Mr. Speaker, imagine a park that would combine an ecological treasure chest with a window on human history that may go back to 2000 B.C. and even earlier.

Imagine an area so rich in natural and historical attributes that a National Park Service study concludes there is no other location like it in the entire West Indies.

I am speaking of Salt River on the north shore of St. Croix in the U.S. Virgin Islands.

The wealth of the attributes in this one area is staggering:

One of the few carbonate submarine canyons in the world;

The largest and last remaining mangrove estuarine system in the Virgin Islands;

The last remaining undisturbed fish hatchery area on St. Croix;

One of the few remaining nesting grounds for endangered species such as the West Indian whistling duck;

Evidence of preceramic occupation;

The only ceremonial ball court ever found in the Lesser Antilles; and

Village middens and burial grounds going back hundreds of years before Columbus.

If that were not enough, Mr. Chairman, consider that Salt River is the only site now under the American flag where Columbus' party is known to have set foot. We know that after leaving St. Croix, Columbus went by St. Thomas and possibly the British Virgin Islands and that he stopped in Puerto Rico, but exactly where is not known.

There is no ambiguity with Salt River. The encounter between the Old and New World that took place there on November 14, 1493, during the second voyage of Columbus is well documented.

³ *Ibid.*, p. 505.

Michael Paiewonsky, a former Virgin Islands senator whose family has played a key role in our modern history, has written a beautifully illustrated and documented book on these first contacts called: "Conquest of Eden 1493-1515."

While Columbus' diary of his second voyage is lost, Mr. Paiewonsky has compiled eyewitness accounts of those who accompanied Columbus on his voyage, and of his son, Fernando Colon, who had access to his father's journals. Here are their descriptions:

Guillermo Como, was aboard the flagship, *Marigalante*, with Columbus: "Having come near the coast (of St. Croix) the island was so attractive in appearance and location and inviting in the eyes of the mariners that it was decided to make port there."

Michele De Cuneo, who led the 25-man party that went ashore at Salt River, said of St. Croix: " * * * very beautiful and very fertile and we arrived at a beautiful Harbor."

Dr. Chanca, also on board the flagship: " * * * the island seemed to be very populous judging from the many tracts of cultivated land which were on it."

From his research, Mr. Paiewonsky infers that the St. Croix population at that time would have been about 20,000 to 40,000 people, and he quotes Como in describing a typical native West Indian dwelling:

Their houses were built of thick reeds in the form of canopies; we were moved to admiration by their elegance. The beams were so ingeniously constructed and the timbers were fashioned so perfectly as to excite both wonder and envy.

Post-Columbus, Salt River became a center of colonial activity well over 100 years before the founding of Christiansted and Frederiksted. Spanish, British, French, Dutch, and even the Knights of Malta had settlements there, and the ebb and flow of their fortunes mirrored the turbulence of the Reformation, Counter-Reformation, and wars of succession that swept across Europe.

The whole history of the Caribbean is here at Salt River. As miraculous as it may seem, Mr. Speaker, this area that has been a center of human activity for 4,000 years is today relatively untouched. By sheer good luck, by quirk of history, we have the opportunity to preserve this window on history—Salt River.

Practically all of my colleagues on the Interior Committee, Democrats and Republicans, are joining me today as original cosponsors of this bill: The St. Croix, Virgin Islands Historical Park and Ecological Preserve Act of 1991.

This bill will bring together Federal and local government into a partnership to preserve this very special area for the benefit of present and future generations.

This legislation is the culmination of years of effort to save the site that started in 1958 when the Virgin Islands Legislature voted—Act 350—to purchase over 50 acres including the beach at the Columbus landing site. As a member of the legislature then, I was proud to be a cosponsor along with then-Senators Aubrey Anduze, Frits Lawaetz, Theovald Moorhead, Lucinda Millin, and Anne Abramson. My only regret is that the administration at that time did not acquire the entire 50 acres as called for in the legislation, but at least the key 5 acres at the beach were purchased.

In 1965 that site was established as a national historic landmark. In 1979, the entire

shoreline, including the Cape of the Arrows and out into the Canyon area was established as a national natural landmark, and in 1986 it was placed on the endangered list.

In 1986, the local legislature again took a critical step, thanks to the urging of Senator Virdin Brown and Senator Holland Redfield and others, and appropriated \$60,000 for the National Park Service to develop options for the preservation and management of the site. This same bill also officially recognized the Christopher Columbus Jubilee Committee whose president, Jessie Thomson has been one of the first and staunchest supporters of the preservation effort.

In 1987, I wrote to the park service requesting a new area study to assess the options and reach a consensus for the ultimate disposition of the site.

The resulting cooperative agreement was signed on July 12, 1988, by Gov. Alexander A. Farrelly and NPS regional director, Robert Baker. A 25-member planning committee, representing a broad cross-section of Federal and local government officials and the private sector was assembled and their resulting recommendations were the subject of public hearings on May 10, 1989, ably moderated by Barbara Gilliard-Payne. Practically all of the many people testifying spoke in strong support of preserving the entire area, including Senator Lilliana Belardo de O'Neal, Dr. Donna Green, Rudy O'Reilly, Jr., with the UVI Extension Service, Oscar Henry with the St. Croix Landmark Society, Liz Wilson with the League of Women's Voters and representatives of several other local and national conservation groups. Michael Walsh and Joan Eltman of the St. Croix Environmental Association have been especially supportive, as have the National Trust for Historic Preservation and the National Parks and Conservation Association. The Nature Conservancy, and in particular Brad Northrup, were indispensable to this effort.

Special mention for going above and beyond the call of duty has clearly been earned by Ro Wauer, then head of the NPS on St. Croix, now retired and the author of several books, and William Cissel, curator of the Christiansted National Historic Site and a native of St. Croix, for their extraordinary efforts in assembling data and encouraging public input. Bill Cissel is becoming known as "Mr. Salt River" so extensive is his knowledge of the history and ecology of the area. Ralph Bullard with NPS regional office in Atlanta was extremely professional and conscientious in compiling the study report. Richard Maeder and Mark Koenings, past and present NPS superintendents also played key roles.

The bill we have before us today, Mr. Speaker, is drawn from that park service study which was completed last summer.

The legislation states that in order to protect, preserve and interpret for the benefit of present and future generations the historical, cultural and natural sites and resources at Salt River, 1,046 acres of land and water encompassing the basin and its mangroves up to the surrounding ridge lines and out to the Sea Canyon will be established as the St. Croix, Virgin Islands Historical Park and Ecological Preserve.

Of the total acreage roughly 600 is water, under the trusteeship of the Government of

the Virgin Islands. The Government of the Virgin Islands also owns 50 acres in estate St. John and the 5 acres on the beach at Estate Salt River containing the landing site, the ballfield, Mudfort and other archeological sites. Both the Secretary of Interior and the Government of the Virgin Islands will have authority to acquire by purchase or donation lands in the remaining 370 acres, and a commission will be established to make recommendations on how all the lands within the boundaries can be jointly managed by the Federal and local government.

The commission is precedent setting. It is jointly chaired by the Secretary of Interior and the Governor of the Virgin Islands, with each adding four members, an even number deliberately selected to underscore the need for mutual cooperation, respect, and understanding.

A companion bill is also being introduced this week in the Senate by the chairman of the Energy and Natural Resources Committee who last year stood with his family on the site and became a wholehearted supporter of its preservation. I thank the chairman of the Energy Committee for his commitment and support on Salt River and for his continuous support on many issues of benefit to the people of the Virgin Islands. We are indebted to him.

Our former colleague and now Secretary of the Interior, Manuel Lujan, also paid a personal visit to Salt River earlier this year, and when he stood on that beach and looked at the beautiful vista all around him, and realized the sweep of history that lay literally beneath his feet, he too became fully committed and personally dedicated to saving Salt River.

I thank my good friend, Secretary Lujan. He has visited with me in my office, not once, but twice to personally work out the details of this bill. Clearly he was the right person, the right Secretary of Interior, at precisely the right time, that was needed to help save this special place.

I have discussed this bill with Governor, Gov. Alexander A. Farrelly, and he is in full support.

Mr. Speaker, I urge my fellow colleagues of the House to support this bill and I thank my colleagues on the Interior Committee for their strong endorsement and support, especially the chairman of the full committee, Mr. MILLER, and the chairman of the Parks Subcommittee, Mr. VENTO, and the ranking Members, Mr. YOUNG and Mr. LAGOMARSINO.

FRIENDS AND FAMILY MOURN
THE LOSS OF JOHN H. KINNEY
OF ARGYLE, NY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SOLOMON. Mr. Speaker, a long-time friend of mine has passed away, leaving a great void in the lives of all who knew him. I'd like to say a few words about him.

John H. Kinney, of Argyle, NY, died earlier this month. He was 81. He founded his own insurance agency in 1930 and operated it until his retirement. But that only tells part of the story of a truly good man.

He was active at Argyle United Presbyterian Church and a 64-year member of the Argyle Grange 1081. He also was active in the Argyle Emergency Squad.

In short, Mr. Speaker, John H. Kinney displayed that spirit of voluntarism which has made such a comeback in the last 10 years. But even before that spirit reemerged John H. Kinney was practicing it.

Among those who mourn his loss are his immediate survivors, his wife Adah; his four daughters, Mrs. Marilyn Peck of Stillwater, Mrs. Betty Simmons of Orchard Park, Mrs. Karen White of Greenwich, and Mrs. Phyllis Snell of Argyle; a sister, Helen Reid of Argyle; and many grandchildren, great-grandchildren, nieces, nephews, and cousins.

Mr. Speaker, I ask all Members to join me in mourning the loss of John H. Kinney, a good citizen and a great friend.

A PLACE WHERE OLD-TIME SKILLS STILL SURVIVE

HON. DOUGLAS APPELEGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. APPELEGATE. Mr. Speaker, the growing emphasis placed on the need for voluntarism throughout America is much discussed, but oftentimes is not convincingly demonstrated.

That's certainly not the case in Noble County, OH. Citizens in Noble County have demonstrated what an all-volunteer organization can achieve and accomplish, without tax dollars or any kind of government assistance whatsoever. The result has been the development of the Johnny Appleseed Center for Creative Learning, located just outside of Dexter City, OH.

The Johnny Appleseed Center, dedicated in May 1989, offers craft artists and others an outlet with which to offer their goods, their art, and their craftwork. "Country Living," the official publication of the Ohio Rural Electric Co-operatives, recently told the outstanding story of the Appleseed Center and about the remarkable people who made it possible.

Mr. Speaker, I would like to share with you and my colleagues this interesting and remarkable story of voluntarism and true dedication by the people of Noble County.

**A GROUP OF VOLUNTEERS WORKS TO KEEP
TRADITIONAL CRAFTS GROWING IN SOUTH-
EASTERN OHIO**

(By Gary and Mary Williams)

In southeastern Ohio's Noble County, a group of citizens is showing what an all-volunteer organization can accomplish.

With no tax money or government help of any kind, the Noble County Historical Society has opened the Johnny Appleseed Center for Creative Learning. The center provides an outlet for area craftspeople to market their wares and gives a boost to the local economy. A secondary function is to teach and preserve the crafts of the past and help to maintain local heritage and culture.

Located on St. Rte. 821, just south of Dexter City and one mile north of the Macksburg interchange of I-77, the center comes by its Johnny Appleseed name quite honestly. The building is on land once homesteaded by Johnny Appleseed's family, and

one of his half-brothers is buried on the hillside above the center.

Unlike his fellow legends, Paul Bunyan and John Henry, Johnny Appleseed was a real person who spent most of his life paving the way for settlement of the Ohio frontier. Born John Chapman in Massachusetts in 1774, he was not yet 2 years old when his mother died. His father, Nathaniel, was serving as an officer in Washington's army at the time, so young Johnny was cared for by his maternal grandparents.

When Nathaniel Chapman returned from the war, he remarried and fathered 10 children with his new wife. This second family moved west to Ohio in 1805 and staked out a claim along Duck Creek, about 20 miles north of Marietta. By this time, John Chapman had been on the frontier for several years, but it is believed he was on hand to help his family select the site and build their cabin. He was known to have frequently visited his family here, with his last known visit in 1842, less than three years before he died near Fort Wayne, IN.

Johnny Appleseed is known by schoolchildren everywhere as the kindly hermit who had apple trees ready for the first settlers. He was a wanderer, a storyteller, a missionary and a friend to pioneers everywhere. It is the aspect of his character the Johnny Appleseed Center for Creative Learning seeks to emulate.

According to Noble County Historical Society President Myrtle Ake, "There has been a need in this area for people who produce things to be given an opportunity to sell." With the local economy in decline, many people engaged in crafts out of necessity or because they had lots of time on their hands. And since tourism represented an opportunity to offset the losses in local natural resources-based industry, a craft center seemed like a good idea.

The site of the Center was formerly Ogle's Restaurant, a popular local establishment. The building had been vacant and was owned by Eaker-Noon Coal Company. Baker-Noon offered use of the building to the historical society, and a \$1-per-year lease was signed in November 1988.

Ake recalls first touring the building with fellow society members on a rainy night that revealed several leaks in the roof. "They still said 'Let's do it'—I guess you have to be a little crazy to visualize what can happen when things look discouraging," Ake said.

VOLUNTEERS ANSWERED THE CALL

A call went out for volunteers, and many organizations and individuals responded. Painting, wallpapering and plumbing were among the skills donated by nearly 200 volunteers. Outside support also was available. In particular, C. Burr Dawes and Bob Williams of the Johnny Appleseed Foundation offered encouragement and support. After a busy winter, the center was dedicated on May 28, 1989.

The Johnny Appleseed Center reflects its namesake's helping-hand philosophy. All items are sold on consignment and are made by 127 different craftspeople in seven counties. Many are from Noble County, but they are also from the adjacent counties: Guernsey, Belmont, Monroe, Washington, Morgan and Muskingum.

The historical society administers the center through a board of directors. In the yard near the building is a monument to Johnny Appleseed, erected in 1942 to commemorate the Chapman homestead. It serves as a reminder of the spirit of the place and the original source of inspiration. As board member Joy Flood puts it, "We decided to

use Johnny Appleseed because we wanted a cottage industry. And since the monument was there, we decided to make it about Johnny Appleseed." The center is open from 10 a.m. to 5 p.m., Monday through Saturday, and from 1 p.m. to 5 p.m. on Sunday.

In the lobby of the center stands a spreading "tree" with more than 100 wooden apples bearing the names of hard-working volunteers. The volunteers' talent and effort which launched the center represents thousands of dollars of manpower and is the core of the entire endeavor.

The showrooms on the main floor feature ever-changing displays of a boundless variety of crafts. In addition to four rooms of craft displays, the center also sells two books it has published. One is a cookbook of apple recipes and one is a biography of Johnny Appleseed, both written by local volunteer authors. There is a classroom in the basement and the upstairs features a library and a quilting room.

It is the crafts and the craftspeople who are the central part of operations now. Sales Manager Sue Garvin says, "Most of the crafters have been in here and some of them have been real interesting." Board member and craft selector Pauline Robinson adds, "People can't believe we have such good craftsmen in this community."

The craftspeople also are pleased with the arrangement. Leo Schwallie, who work with stained glass, says "Johnny Appleseed Center gives a lot of crafters an outlet." Irene Peters, a woodrafter and Washington Electric Co-op member, says, "I got tired of packing my stuff and taking it to craft shows. Someone told me about the Appleseed Center and I took some of my work there."

Fran Miller, another Washington Electric member who makes fabric rabbits, also prefers the center as an outlet. "It's a lot less hassle than doing a show. Besides, when you go down to the Center, you can see what's new," Miller said.

The creative learning aspect of the center has not been ignored. Education Coordinator Paul Wallace has set up several different classes. Among the offerings so far have been courses in photography, stained glass, basket-making, and apple-head dollmaking.

Another related activity is the Noble County Historical Society's Soakum Festival. Held at Heritage Park in the Noble County Fairgrounds at Caldwell, Soakum celebrates the pioneer way of life.

The festival is named for a small settlement about one day's journey from Marietta. The town of Matrim tried to increase its fortunes by charging exorbitant prices for its whiskey. This earned the town the nickname "Soakum." Soakum is held on the last weekend of September, so it roughly coincides with Johnny Appleseed's birthday on Sept. 26.

This past year at the Soakum Festival, a natural-foods birthday dinner was held for Johnny Appleseed. Guest speaker Edlene Wood of Parkersburg, WV, president of the Natural Wild Foods Assn., gave a slide show and a meal of foods similar to fare enjoyed by Johnny Appleseed. Also at the festival, the Friends of Johnny Appleseed was organized to help support the center's activities.

Despite its humble beginnings, the economic prognosis for the Johnny Appleseed Center for Creative Learning is encouraging. What's more, everyone involved is proud of what already has been accomplished because, as Ake puts it, "We did it all with good old-fashioned work!"

A SALUTE TO MICHAEL AMON-RA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, today I rise to pay tribute to a man who has devoted time and effort toward improving the educational opportunities available to the young people of Brooklyn.

In the wake of the 1977 shooting of Randolph Evans, Mr. Michael Amon-Ra served as rally and demonstration coordinator of Concerned Citizens and Leaders to Save our Youth Coalition. His efforts played an integral part in fostering an ongoing dialog between civic officials and business leaders.

Through his organizational talents, a diverse group of Brooklyn residents participated in rallies and demonstrations which led to unprecedented discussions and negotiations between activists, community leaders, business and government leaders. Mr. Amon-Ra played a key role in these negotiations by serving as the chief adviser to the Coalition for Economic Fairness. Ultimately, these negotiations led to the creation of the Randolph Evans Memorial Scholarship Fund and the Randolph Evans Crisis Center.

Today, Michael Amon-Ra serves on the advisory board of the Randolph Evans Memorial Scholarship Fund. I salute his longstanding and committed effort to inspire hope and encourage scholarship.

THE NEW AMERICAN ORDER

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TRAXLER. Mr. Speaker, I would like to share with my colleagues an editorial which appeared in the June 17, 1991, issue of U.S. News & World Report. In the editorial, David Gergen, former speechwriter and press spokesman for Presidents Nixon, Ford, and Reagan, argues that far more critical than building a "New World Order" is the creation of a "New American Order." I absolutely agree with Mr. Gergen and would strongly encourage all of my colleagues, on both sides of the aisle, to take time to carefully review his editorial:

A NEW AMERICAN ORDER

Every morning at 8 o'clock, George Bush begins his day by pouring over a report from the Central Intelligence Agency telling him of the latest rebellion in the Soviet Union, a coup in Africa, a cyclone in Bangladesh. A CIA officer briefs him personally on the details before he moves into a second meeting with National Security Adviser Brent Scowcroft, the man who hovers at his side all day. As many as 40,000 people in Washington's national-security establishment work hard so that Bush, like every recent president, can stay abreast of and remain focused on overseas threats.

But suppose the president got up on the other side of the bed for a change. Might we all be better off if the nation's chief executive began his day with an intelligence brief-

ing not on the world but on America? Would he and others in Washington re-direct their mental energies if, first thing out of the box, a high-powered briefer told him what now happens on a typical day in this country? "Mr. President," he might report, "in the past 24 hours, 93 Americans died from guns; 16,000 were raped, mugged or robbed; 274 babies were born exposed to illicit drugs; 2,478 children quit school; 1,340 teenagers gave birth; commuters wasted 216,000 hours in traffic jams; the U.S. sent 14.5 million tons of carbon dioxide into the air; the national debt increased by \$1.4 billion; Washington paid \$80 million to foreign creditors in interest on the debt; 355 U.S. companies went belly up, and 5,500 Americans lost their jobs."

The point is obvious: In the new world of the 1990s, as the Soviet bear is finally locked in its cage, the most serious challenges to America are no longer overseas but here at home, and it's time for Washington to change focus. Strikingly—encouragingly—some of the most serious thinkers in the foreign-policy establishment are now advancing that argument, so that officialdom may soon take notice. William Hyland, editor of the prestigious quarterly *Foreign Affairs* recently wrote that with its triumph in the cold war, the United States "has never been less threatened by foreign forces," but "never since the Great Depression has the threat to domestic well-being been greater." His recommendation: "We have earned about a decade of freedom to reorient our foreign policy and concentrate our resources, energy and attention on dealing with the domestic crisis."

The chairman of the Council on Foreign Relations and the Institute for International Economics, Peter G. Peterson, weighed in a week ago with an essay that set off a storm of debate among national-security thinkers at an American Assembly conference. America must recognize, Peterson wrote, that failure to make progress on an economic and social agenda will place the country in greater peril than more traditional concerns of Soviet nuclear weapons and conventional attacks on our territory or vital interests. After thrashing it out, the American Assembly participants voted in support of that thesis.

The plea here is not that we lift another \$10 billion from the defense budget or from foreign aid and invest it in our schools and highways. To be sure, we must end what Peterson calls a "choiceless" society—a debilitating incapacity to make hard trade-offs on a range of public policy issues. But before we even reach questions of where to find funds for domestic needs, we must first have a change of mind about what is urgent, demanding serious attention in our democracy, and what is less pressing. At the moment, the White House and many of the president's best and brightest are striving mightily to build a "New World Order." Far more critical is the creation of a New American Order.

In focusing on the domestic crisis, we need not and should not retreat into isolationism. We must remain leaders of the globe, engaged in far-flung missions to protect and extend freedom. Our economy and our culture must remain integrated with others. Yet, just as Dwight Eisenhower warned four decades ago, we must realize that our national security rests fundamentally upon our strength at home. An economy that limps into the future, built upon a population that is undernourished, undereducated and underachieving, will not only make us poorer and less just; it will also rob us of our ca-

capacity to act and lead overseas. To its credit, the foreign-policy establishment now sees this threat clearly. When will the White House wake up?

TRIBUTE TO KEVIN D. HARRIS

HON. RICHARD T. SCHULZE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SCHULZE. Mr. Speaker, today I wish to commend a young constituent of mine for his outstanding achievement in winning second place in a National High School Videotaped Speech Contest, "Faces of China."

Kevin D. Harris, of the Chapel Christian Academy in East Norriton, PA, wrote and delivered a tremendous speech entitled, "The Potential for Freedom in China," and was awarded a \$1,000 scholarship to the college or university of his choice.

The contest was sponsored by Friends of Free China and specified only that the contestant write and deliver a 6 to 8 minute speech on the topic of "Faces of China" and relate it in some fashion to the Republic of China on Taiwan. Friends of Free China is a national organization dedicated to the preservation of freedom and understanding between the people of the United States and the people of Taiwan.

I commend Kevin Harris for his achievement of excellence and include his speech in the RECORD:

THE POTENTIAL FOR FREEDOM IN CHINA

(Speech by Kevin Harris)

Nestled in the Southeast Corner of Asia, the people of China are divided. Despite a rich heritage in culture and tradition, the Chinese people are separated by two contrasting systems of government. Although their lifestyles are vastly different, their hearts are united by an urgent longing for freedom.

The People's Republic of China is characterized by the world's largest population—over 1.1 billion people, including the largest Communist party in the world. Ninety miles southeast of this nation is the "Beautiful Island" of Taiwan, also known as Formosa. This second group of people is called the Republic of China. Both of these countries claim to be the legitimate China and both seek the unification of China in the future.

As we analyze these two nations, we notice that Taiwan, under a system of free enterprise, enjoys many freedoms. This free enterprise system has proved effective as the country advanced in technology, wealth, and education. In contrast, the people on the mainland experience very little freedom. Let us ask ourselves, "What is freedom? And further, what is the potential for freedom in China?"

We know freedom as simply being the right of people to make their own decisions, to chose their own destiny. According to Noah Webster, freedom is also, "A state of exemption from the power or control of another. Exemption from slavery, servitude, or confinement." China's potential for freedom depends on the people themselves.

From the city of Beijing, Deng Xiaoping, the most powerful man in China, rules essentially one fifth of the world. "All important industries have been placed under state own-

ership and direction. The government also controls most trade and finance."¹

The Republic of China on Taiwan traces its beginning all the way back to the Nationalist Party on the Mainland. This political party was founded by Sun Yat-sen in the earliest part of the twentieth century. Ever since his death, tyranny and oppression have dominated Chinese society in the motherland. With the rise of communism and the later defeat of the Nationalists in 1949, the prosperity of China rapidly declined. After the Nationalists fled to Taiwan, the Communists set out to restore the war-devastated economy. But in fact, they enslaved the people as they endeavored to build their own power. Jimmy Yen, a Chinese man recently said, "Few governments in world history have ever really developed the 'bitter strength' of their peasants. Many regimes may talk of setting up programs for them—relief. I want release not relief. I want to set up programs by the people. I believe in people!"² The communists continue to oppress the Chinese people today.

The pressure of communism on its people has occasionally surfaced, each time growing louder and stronger. The 1989 massacre in Beijing's Tiananmen Square illustrates this perfectly. It was prompted by the student's call for government dialogue on democracy. "The protests were peaceful. But to a tyranny what counts in the opposition, not the method."³ Official figures say that student deaths reached to over 10,000.

The brutalities of this massacre have frightened Hong Kong as they wonder if communism is going to devour their country. As the 1997 unification of China approaches, 100,000 citizens of Hong Kong are emigrating every year.⁴ But while most of Hong Kong is dreading the coming unification, Taiwan is seeking for unification on their own terms. Their terms call for a democratic society and a free economy.⁵

Unification alone cannot achieve democracy and freedom. The conflict for the government of Communist China is in their desire to keep their people ignorant, while maintaining their goals for modernization of China. We said earlier that freedom is the right of people to choose their own destiny. The people of China are not given many choices. How can they be free without an education? To be superior in technology, China must be superior in education.

Political freedom is desired by every human being, but even more fulfilling is the freedom that is found only in the heart. Numerous reports prove that many Chinese people have found this freedom. It is a freedom based on a decision to personally trust in the death of Jesus Christ as sufficient to pay for our sins and to provide assurance of eternal life in Heaven. We would do well to heed the Chinese Proverb, "The road to hell is paved with good intentions". "Righteousness exalteth a nation,"⁶ but communism does not allow its people simple religious freedom.

Peace and freedom are long awaited and long desired on the mainland. The need and desire for freedom is evident. We must support the unification of Taiwan and com-

munist China on democratic and free terms. Education is essential to the progress for China's freedom. Above all else, the freedom found in the Bible will liberate the soul. But all these aspects of the potential for China's freedom depend on the individual. The progress may be slow, but nonetheless, the people are the key to liberating China!

An elderly Chinese man put it this way, "Only those who have almost been suffocated can know the value of air." The Chinese people breathed very deeply, exultantly in 1989, they will do so again."⁷

THE SUPREME COURT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington report for Wednesday, July 17, 1991, into the CONGRESSIONAL RECORD:

THE SUPREME COURT

One of the most important things we do when we elect a President of the United States is to shape the Supreme Court. The President nominates the justices and the Senate confirms them. In that way the Court is shaped over a period of time by our democratic institutions. The views of Ronald Reagan and George Bush have now been reflected in recent decisions of the Supreme Court, such as those restricting abortion and narrowing the rights of the accused. The Court is conservative, though increasingly activist.

SOLID MAJORITY

The struggle between the liberals and the conservatives on the Supreme Court is over. The Court now has a solid and energized conservative majority. The momentum for change in the Court is strong, and it is most obvious in the area of criminal law. Criminal defendants have not fared well under this court in recent years.

It was striking to see how many cases in the past term were decided by a 6-3 margin, once President Bush's nominee David Souter was added to the Court. The shift away from 5-4 votes is important because the narrow margin constrains the majority by the need to hold a justice who may be wavering. When the majority is larger, the opinions tend to become more sweeping, as they did in this term.

CONSERVATIVE COURT

Although the terms "liberal" and "conservative" are slippery when referring to courts, many of the Supreme Court's decisions this past term typified the conservative view that power should flow from Washington to the states. For example, in one case the Court held that federal law against age discrimination included an implicit exception for state judges. The Court warned the Congress to use caution in exercising its extraordinary power in a federal system and referred to the tenth amendment as a source of state immunity against federal regulation. The Court also indicated in a school desegregation case that the era of federal judges administering school systems, prisons, and other local institutions may soon be over. The Court deferred often to ac-

tions by the executive branch, as it did in the most controversial decision of the year upholding federal regulations that bar federally financed clinics from providing information about abortion.

The Court's conservatism was also exhibited in its decision limiting personal rights against those of the state or community. It threw out a number of rulings protecting the rights of defendants with respect to coerced confessions, search warrants, and federal habeas corpus jurisdiction.

The Court never moves only in one direction, and there were cases in this term when the conservatives were not able to muster a majority. For example, the Court gave a broad reading to equal protection. It ruled that prospective jurors could not be excluded because of their race and that the federal voting rights acts covers the election of state and local judges. But by and large the Court turned noticeably to the right.

ACTIVIST COURT

Another mark of a conservative court is that it sees itself as no place for resolving questions better left to the legislative branch. But even as the Supreme Court kicked some issues back to the lawmakers, the justices have been willing to do some of their own legislating from the bench. A case in point is the effort to streamline capital punishment. Unwilling to wait for the Congress to act, the Court set up procedural obstacles to repeated habeas corpus requests, thereby expediting executions. At times it reached beyond the narrow legal questions directly before it and addressed constitutional issues. For example, it ruled that coerced confessions from criminal defendants were not automatically barred from use as trial evidence, even though the case at hand did not require them to pronounce on that question.

The Court is increasingly moving away from judicial restraint into judicial activism, supporting political objectives especially in the area of criminal law. At one point Justice Thurgood Marshall said that the majority was serving as a "back-up legislature". Moreover, the Supreme Court usually only rarely and with greatest care dismantles its own precedents. Yet this Court has overturned four constitutional precedents and sharply restrained another in the past term. It has written that adherence to precedent is "not an inexorable command". It is acting with increasing boldness and is writing more far-reaching opinions than it did only a few years ago.

THE FUTURE

Next term the Supreme Court will tackle some controversial issues such as school desegregation, school prayer, individual privacy, and the constitutionality of laws prohibiting cross burning. Given its willingness to overturn precedents, if another conservative justice is appointed to replace Thurgood Marshall, the Court will likely make major changes when it has the opportunity.

The Court today is somewhat right of center but probably within the mainstream of popular opinion and attitudes. If the Court keeps moving to the right, such as by severely restricting individual rights, then public opinion may begin to change about the role of the Court.

NOMINATIONS

As a final note, I have an uneasy feeling about the process for nominating new justices. The Supreme Court was once roamed by legendary figures such as Oliver Wendell Holmes, Louis Brandeis, and John Marshall.

¹ "China," *The World Book Encyclopedia*, 1990 ed., p. 475.

² Jimmy Yen, *Reader's Digest*, October 1987, p. 263, 264.

³ A. M. Rosenthal, "From China with Contempt", *Reader's Digest*, November, 1989, p. 198.

⁴ Ross Terrill, *Countdown to 1997*, *National Geographic*, February, 1991, p. 125.

⁵ *Free China Review*, January 1991, p. 20.

⁶ The Bible, King James Version, Proverbs 14:34.

⁷ Scott Simmlie, *Bon Nixon, Tiananmen Square*, August 15, 1989, preface.

I wonder if President Bush was really right when he called Clarence Thomas, a very fine person, "the best person for the job". For all his attributes, Thomas has not shown himself to be a preeminent scholar, brilliant judge, or prized lawyer.

Presidents have many different criteria before them when they make their selection, and they may not simply put forward the name of the most brilliant jurist. In some of the most recent nominations, especially after the Senate's rejection of Judge Bork, Presidents seemed to be looking for candidates who have very little to say about most things. That may be politically necessary but it is unwise. It means that the Supreme Court will not be peopled with the giants that have so enriched its history.

TRIBUTE TO ANNE LESLIE ASHER

HON. BARBARA BOXER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mrs. BOXER. Mr. Speaker, I rise today to pay tribute to Anne Leslie Asher, a soon to be doctoral student at the California School of Professional Psychology in Berkeley/Alameda. Anne will receive one of the 1991 public service scholarships offered by the Public Employees Roundtable.

Throughout her undergraduate college career, Anne devoted herself to caring for and counseling others. At the same time, she had to overcome her own severe medical problems. Anne knows the hardships she will experience, but even with this knowledge, she is an optimist and excited to gain formal experience in her chosen field of clinical psychology.

Anne hopes to work in a public hospital or clinic with economically disadvantaged individuals. Once Anne made her decision to be a psychologist, she has never looked back, always intending to help others more in need than herself. Anne is a true public servant. With her positive attitude and strong record of experience, she will undoubtedly do what she has set out to accomplish.

Mr. Speaker, please join with me in letting our colleagues know of Anne's accomplishments by entering into the RECORD her winning essay on helping others and herself succeed. Anne's essay, titled "Why I Have Chosen To Pursue a Government Career," shows exactly why Anne was indeed chosen as the recipient of the scholarship award. Anne Leslie Asher is a superb American and will be a truly splendid public servant.

WHY I HAVE CHOSEN TO PURSUE A PUBLIC SERVICE CAREER

(By Anne Leslie Asher)

Throughout the past nineteen years I have remained determined to pursue a public service career within the field of psychology. It is natural that I would aspire to become a psychologist, since the range of options within this profession includes the diverse pursuits to which I was exposed during my childhood and adolescence. Due to the influence of my parents' wide variety of abilities and interests, I am both empirically and artistically-oriented. Psychology draws from science and the arts in a unique manner, and I would be hard pressed to suggest a field which more exhaustively utilizes this wealth of perspectives!

I initially became interested in psychology while I was attending high school. I was determined to gain as much awareness as possible regarding the spectrum of applications within my intended profession; and I spoke with practicing psychologists from various specialties. In order to ascertain if I had the potential to perform effectively within the domain of psychology, I gained "hands-on" experience serving the public as a volunteer counselor. I derived tremendous satisfaction from counseling others, and became confident that I would find fulfillment and challenge within the "helping profession." I have devoted a combined total of ten and a half years to working as a counselor within four community service agencies.

Upon entering college, I enrolled in as many psychology courses as my schedule permitted. As soon as I completed the lower division requirements of university study, I declared a major in psychology. These studies increased my awareness of the various aspects of psychology, and my appreciation for this discipline was heightened. However, until I encountered serious medical problems, my professional goals within psychology lacked definition. I had intended to combine an empirical background with my desire to make an impact as a psychotherapist within a publically funded institution; yet I was uncertain about how to channel these interests.

Although others might consider me a "disabled" person, I perceive myself as challenged rather than disadvantaged. I do make use of crutches or canes to walk about; yet, I have been enriched and fortified by the adversity which I have faced. My experiences contending with a life-threatening and disabling neuromuscular condition have not only enhanced my strength and stamina; the obstacles I have encountered have deepened my appreciation for life, clarified my goals and toughened my resolve.

I aspire to treat clients within public hospitals, clinics and physical rehabilitation centers. Specifically, I visualize myself working with people confronting physical challenges such as life-threatening, chronic, terminal and disabling conditions. I am greatly interested in caring for economically deprived individuals receiving medical services within publically funded health facilities, since I am especially sensitive to the unique problems which are encountered by low-income ill and disabled persons.

I desire the finest training possible in order to make the most profound and lasting difference within the field of clinical psychology. I have been admitted to the Doctor of Psychology program at the outstanding California School of Professional Psychology in Berkeley/Alameda, and I will begin my studies there during the coming fall semester. I am confident that my doctoral training will allow me to attain my professional goals within public service. No accomplishment could give me a greater sense of satisfaction and achievement than assisting ill and disabled patients within public health facilities to lead the most independent, productive and fulfilling lives possible!

INTRODUCTION OF THE LEAD PAINT HAZARD ABATEMENT ACT

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. CARDIN. Mr. Speaker, today I am introducing, along with Congressman HENRY WAXMAN, the Lead Paint Hazard Abatement Act of 1991, an innovative measure for preventing the "most common and societally devastating environmental disease of young children"—U.S. Department of Health and Human Services, "Strategic Plan for the Elimination of Childhood Lead Poisoning," February 1991, p. 1.

This legislation provides for the only real cure for lead poisoning—prevention. The bill establishes a Trust Fund of about \$1 billion per year for use by States and cities to operate comprehensive programs addressing the most intractable source of high-dose lead exposure for children: deteriorating lead-based paint in low-income housing and child care centers.

This dedicated source of funds will be used to cleanup lead paint hazards in older housing, the primary cause of the epidemic of childhood lead poisoning which affects one out of every six American children—causing IQ reductions, reading and learning disabilities, reduced attention span, hyperactivity and other learning and behavioral problems.

By generating revenues from an excise fee on lead, this legislation is consistent with the pay-as-you-go requirements of last year's budget agreement and will not increase the Federal budget deficit. Funds will be allocated from this trust fund based on a statutory formula reflecting local needs in terms of poverty and lead paint health hazards. To receive grants each year under the formula, cities and States must match a portion of the Federal grant and demonstrate their capacity to carry out an effective cleanup program.

The tax will be 75 cents per pound on newly mined lead and 37 cents per pound on recycled lead. The price of lead with the tax, however, will be roughly the same as it was a decade ago—adjusted for inflation. This two-tiered tax structure will provide strong incentives for expanded recycling of lead, a major environmental goal. Consumers will most frequently see this tax reflected in the price of a car battery which will increase by about \$15. Since most car batteries last 4 to 5 years, the actual cost to the consumer will amount to only \$3 per year.

The Secretary of Health and Human Services will review and approve local plans—in consultation with the Department of Housing and Urban Development). A minimum of 75 percent of the funds will go into actual cleanups, with 10 percent allowed for inspections to identify the worst hazards, 5 percent for training contractors and workers, 5 percent for oversight and quality assurance, and 3 percent for counseling occupants in lead poisoning prevention methods. Only 2 percent will be permitted for administrative expenses. A statutory requirement will guarantee that funds will be targeted to low income families.

This legislation is the product of months of deliberation, drafting and revision by a great

many people. The final product is a bill of which everyone involved can be proud. I recognize, however, that it is not the final word on this issue. I look forward to the constructive comments and suggestions of my colleagues and other interested parties for further improvements in this legislation. It is incumbent upon those who would criticize the tax portion of this bill to suggest a viable alternative. To suggest continued inaction is not an acceptable criticism of this bill.

My deepest gratitude is extended to the Environmental Defense Fund and the Alliance to End Childhood Lead Poisoning for their leadership in saving children from lead poisoning and their assistance in drafting this legislation. The original idea for this bill came from the EDF report "Legacy of Lead" and staff from both EDF and the Alliance worked tirelessly in helping me craft the bill I introduce today.

The national mandate to wipe out lead paint poisoning was established by Congress 20 years ago. Since then little action has been taken as millions of American children continue to suffer from this fully preventable disease. This bill provides the urgently needed resources to wage a concerted attack on the nation's most severe lead poisoning problems. I urge my colleagues to join me in sponsoring this legislation.

The following is a section-by-section explanation of the bill:

SECTION-BY-SECTION EXPLANATION

SECTION 101.—THE PROGRAM.

(a) **ELIGIBLE ENTITIES.**—This paragraph gives the Secretary authority to make grants from the trust fund. It defines eligible entities as states, cities over 100,000 and urban counties over 200,000 that submit an approvable plan of action to the Secretary. For any fiscal year a grant under \$250,000 will be terminated and those funds redistributed to other eligible entities in the same fiscal year.

(b) **ENTITLEMENT STATUS.**—Eligible entities are entitled to their share as established by formula of any funds in the trust fund as of October 1 of the fiscal year. The bill creates an entitlement to this share for the eligible public entity, but does not create an entitlement status for any individual. An entitlement is created only to the extent that monies exist in the trust fund, only to the degree that the local matching requirements are met, and only if the grant is not terminated because it is less than \$250,000 or is not used within 18 months of allocation.

(c) **MATCHING FUNDS.**—The local matching requirement starts at 5% in the first fiscal year a grant is received and increases 5 percent each subsequent year until it reaches 25 percent. This paragraph defines eligible forms of non-federal contributions.

(d) **PURPOSE OF GRANTS.**—Defines the purpose of the grants: inspecting residential structures and child care centers for lead hazards (no more than 10 percent of grant can be expended for inspection); abating lead hazards; disposing of debris from abatements; providing temporary housing during abatements; monitoring the abatements for safety and effectiveness (limited to 5 percent of grant amount); training workers and contractors (5 percent limit); counseling families at risk (3 percent limit). Administrative costs are capped at 2 percent of the grant amount.

(e) **PROGRAM SAFEGUARDS.**—No abatement can begin unless the residents of the structure have an income less than 80 percent of

area median income; an official of the local public health agency certifies the presence of a lead hazard; an official of the local housing agency certifies the abatement plan and costs are commensurate with the risk identified; and workers and contractors have met federally approved accreditation standards.

(f) **ISSUANCE OF PROGRAM STANDARDS.**—The Secretary will issue regulations to implement this legislation within one year of enactment using the notice and comment process. The regulations will be revised 18 months later and every 24 months subsequently. The Secretary of HUD, the Administrator of EPA and an advisory council will advise the Secretary on the regulations and standards pertaining to this program. If the Secretary fails to issue regulations within one year of enactment, the regulations in effect in the State of Massachusetts will be considered applicable for the federal program.

(g) **SPECIFIC STANDARDS.**—The regulations issued under paragraph (f) will specify standards for conducting inspection activities, abatement activities, monitoring activities, training activities and lead counseling. The standards will specify standards for identifying significant lead-based paint hazards in eligible structures, including methods and standards for determining the level of lead in paint and interior surface dust as well as determining when temporary housing is called for. The regulations shall specify standards for making the determination that abatement activities have adequately abated the hazards involved and rendered the structure safe for occupancy.

(h) **APPROVABLE PLANS.**—To receive a grant an eligible public entity must submit a plan to the Secretary not later than May 1 of the preceding fiscal year containing agreements to abide by the requirements of the program. In addition, the public entity must have in effect local laws providing for the enforcement of federal standards. One agreement must provide for the continued occupancy by low income families of residential structures that receive federal funds for abatement activities. To enforce this requirement a lien must be attached to any property in the amount of the federal assistance for a period equal to one month for every thousand dollars expended. These agreements will not be considered violated if the income of the residents was at or below the required level prior to the abatement. Grant recipients must also certify compliance with federal requirements for the most recent year in which the entity received federal funding.

(i) **ANNUAL REPORTS.**—Public entities receiving assistance must submit to the Secretary reports documenting: sources and amounts of non-federal contributions; the number of children screened for elevated blood lead levels and the number determined to have elevated blood lead levels; the amount of funds expended for each eligible activity; and the types of housing for which abatement funds were utilized. In addition, the entity must report the number of eligible structures with respect to which: inspection activities were conducted; significant lead-based hazards were identified; abatement activities were commenced; abatement activities were completed and determined to have been adequately abated; abatement activities were completed and were determined to have failed to adequately abate the hazards involved. A list of the addresses of the eligible structures and their owners must also be provided to the Secretary.

(j) **ALLOTMENTS.**—The amount of an allotment for an eligible public entity for a fiscal

year shall be a product of the amount in the fund on October 1 and a percentage reflecting the entity's need compared to the need of other eligible entities. An entity's need is expressed as the mean of three percentages. The first variable reflects the number of children living in poverty in the entity as a percentage of the number of children living in poverty in all eligible entities. The second variable reflects the number of families living in pre-1950 housing in all eligible entities. The third variable reflects the number of families living in pre-1960 housing as a percentage of the number of families living in pre-1960 housing in all eligible entities.

(k) **CITIZENS' SUITS.**—Any person may bring an action against the Secretary where there is an alleged failure to perform any act or duty under this section that is not discretionary with the Secretary.

(l) **EVALUATION OF PROGRAM.**—The Secretary will provide for evaluations of the program and will report to Congress no later than February 1 of 1994 summarizing the findings of such reports.

(m) **DEFINITIONS.**—

SECTION 201.—THE TAX

An excise tax is created on lead removed from any United States smelter or lead and any taxable lead product entering the United States for consumption, use or warehousing. The amount of the tax to be imposed shall be \$0.75 per pound on primary lead and \$0.37 per pound on secondary lead. Imports shall be considered to be primary lead unless the person liable for the tax establishes to the satisfaction of the Secretary of the Treasury that any portion of the lead is secondary. The tax will terminate ten years after enactment.

SECTION 202.—THE TRUST FUND

Any funds collected by the above tax will accrue to the Lead Abatement Trust Fund which shall be available only for the purposes of making grants under Section 101.

CHANGES IN YUGOSLAVIA HAVE LED TO THE BRINK OF CIVIL WAR

HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SANTORUM. Mr. Speaker, as Yugoslavia steps into the future toward greater freedom and democracy, shadows have appeared of past dissension and militancy. These tensions and other recent changes in Yugoslavia have led that country to the brink of civil war.

Despite the efforts of both the United States and the European Community to encourage change, certain Yugoslavian republics have decided that the time has finally arrived for political self-determination. The right of citizens to determine their own future should be vigorously supported. Clearly, this principle was central to the concept of nationhood of our own Founding Fathers.

On June 25, 1991 the republics of Slovenia and Croatia took the dramatic steps of declaring their independence from the federation. Slovenia has begun to exercise its increased autonomy by securing its international border positions. This action resulted in a use of force by the Serbian-dominated Yugoslavian People's Army [JPA]. The use of force was successfully resisted by Slovenian defense forces

and now a tenuous cease fire exists. The federal government now appears willing to allow Slovenian independence.

Croatia has advanced its independence measures with more moderation because of its large Serbian population and potential for ethnic conflict. Serbia, the largest member of the federation, has vowed to resist Croatian independence for fear the Serbian Croates would suffer as minorities in an independent Croatia. Because of the sensitive nature of this relationship a potential for intense violence exists.

The problems confronting the people of the Balkans are extremely complex. Any solution to this crisis must take into account the historical realities of the region. Rivalry, ambition, and conflict have plagued this corner of the world for hundreds of years.

In past centuries, the control of the Balkans by the Austria-Hungary Habsburg monarchy to the north and by the Ottoman Turks to the south has left an indelible mark on the Balkan republics. The republics are fundamentally different from one another; religious, economic, political, and ethnic diversity characterize the region. These factors have created historical divisions which 70 years under the flag of Yugoslavia have only been able to contain, not resolve.

After World War I, Yugoslavia was created to prevent the further outbreak of war in the region. At the insistence of Croatia and Slovenia a federal republic was formed in order to ensure their collective security and prevent domination by external forces. This served as a unifying force in the Balkans. After World War II the combination of the commanding force of Marshal Tito, Communism, and federal troops preserved the "territorial integrity" and legal standing of the state. Now that most of the "glue" which had preserved the state has evaporated, the underlying frictions have been allowed to rise to the surface.

The tensions which have accumulated during that span are being expressed. The task for policymakers in Washington and the European Community, is to encourage discussions and prevent the proliferation of arms. The republics of Yugoslavia may join the ranks of the western nations, not by resorting to armed conflict but through economic and social reforms. This will not be easy. We hope that there now exist the mechanisms to resolve conflict through a peaceful and democratic process.

International pressure to encourage peaceful negotiations, halting the influx of arms to the region, and attending to the civil and human rights of the ethnic minorities should be priorities. The bloodshed caused by the terrifying use of arms during recent weeks lends proof to the importance of this goal.

Armed struggle in this region has traditionally ended in tragedy for the people. The lessons of World War I and World War II should be enough to discourage the citizens of these republics from the use of violence against one another. Unfortunately, armed clashes this year alone have resulted in the deaths of scores of citizens. Every effort should be made to promote a peaceful solution and prevent further tragedy from occurring.

A SALUTE TO JOB MASHARIKI

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, today I rise to recognize the monumental efforts of Job Mashariki.

Mr. Mashariki has devoted his life to enriching the community by becoming involved in numerous projects and volunteer programs designed to enhance and enrich the economic, social, political, and cultural life of Brooklyn. He has held pioneering leadership roles in numerous groups and organizations including: the Black Agenda Convention Consortium of Brooklyn Organizations, Black Veterans for Social Justice, and the New York Urban Coalition.

In 1977, the death of Randolph Evans compelled Mr. Mashariki to become involved in the struggle to create a lasting memorial to this young man. Over the years, he has participated in many meetings, rallies, demonstrations, and strategy sessions. This activism led to the establishment of the Coalition for Economic Fairness and Justice, a fund which provides scholarship support for poor and minority youth. For over a decade Mr. Mashariki has worked on behalf of youth.

I salute Job Mashariki for his vision and commitment to the young people of Brooklyn.

THE SAN FRANCISCO GAY MEN'S CHORUS

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Ms. PELOSI. Mr. Speaker, I rise to recognize the achievements of the San Francisco Gay Men's Chorus.

For more than a decade, the San Francisco Gay Men's Chorus has striven to change the perceptions of gay men and lesbians everywhere, worked for the advancement of their rights, and helped to achieve public recognition of their contributions to the greater good. Their primary means of accomplishing this monumental task has been through music and their vocal talents.

The chorus began on a tragic day in November 1978, when San Francisco Mayor George Moscone and Supervisor Harvey Milk were slain in their city hall offices. That night a group of gay men gathered on the steps of the San Francisco City Hall to sing a memorial hymn as a gesture of unity with the residents of a city that had suddenly found itself gripped by panic and stunned by grief.

Less than a month later, on December 20, the original group of men and others made their official debut as the San Francisco Gay Men's Chorus. It was the first chorus in the world to openly and bravely identify itself as consisting of homosexual men.

For the first few years, the chorus primarily performed for audiences in its beloved home city of San Francisco. Then, in June 1981, it decided to undertake a pioneering effort with

a national tour. The chorus performed across the country in Dallas, Minneapolis, Lincoln, Detroit, New York, Boston, Washington, and Seattle.

Over the years, the San Francisco Gay Men's Chorus has endured tremendous personal tragedy. More than 75 members of the chorus have died in recent years from AIDS. In an effort to help, the chorus has generously performed at numerous fundraising benefits for AIDS research and relief. Individual members of the chorus have also contributed to their community by volunteering as caregivers and service providers.

Mr. Speaker, in the decade since the landmark national tour, the San Francisco Gay Men's Chorus has brought happiness to many, hope and comfort to those in despair, and an understanding and brotherhood to men and women who have been shunned by society because of their individuality. The chorus' contributions and accomplishments are most noteworthy and I am honored to bring their achievements before the Congress.

CLEVELAND'S UNEMPLOYMENT CRISIS

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. STOKES. Mr. Speaker, I rise today to bring to the attention of my colleagues a portion of a very interesting series of articles that were recently published in the Cleveland Plain Dealer. This series focuses on the plight of the unemployed in the Greater Cleveland area.

The Plain Dealer series provided an in-depth examination of the unemployment crisis from a number of perspectives. This first section of the series takes a look at racial factors in getting a job, and the generally exhausting task finding a job can be.

I want to commend the Cleveland Plain Dealer for the publication of this very informative series. The various reporters who contributed to this work should also be commended.

Mr. Speaker, I hope my colleagues will take a moment to read this most interesting series.

[From the Cleveland Plain Dealer, May 15, 1991]

RACE IS A FACTOR IN JOB INTERVIEWS—BLACKS TREATED DIFFERENTLY, STUDY SAYS (By Rodney Ferguson)

WASHINGTON—If you are young, black and interviewing for a job, you are less likely to be considered for it than your white counterpart—even if your qualifications are equal, according to a study released yesterday by the Urban Institute.

The report matched 476 pairs of young male job-seekers in Washington, D.C., and in Chicago—one black, one white—with virtually identical academic records, work experience and personality profiles. The candidates, the report said, were matched so closely that any difference in treatment "could only be attributable to race."

The candidates were sent to interview for the same job, chosen at random from classified advertisements in the Washington Post and Chicago Tribune.

The report concludes that when all factors except race are equal, the white candidate

moved further along in the job process 20% of the time, while the black candidate moved further only 7% of the time.

The results confirm a suspicion many black people say is common knowledge in their communities, that a young white man is more often encouraged to submit an application, more successful in securing an interview, and more likely to be offered a job than a young black man is.

"I'm not the least bit surprised by these statistics," remarked Pauline Tarver, director of the Cleveland branch of the NAACP. She said 90% of complaints from people who fail to get a job or a promotion come from young black males.

Black job applicants were more likely to experience "negative comments, longer waits for scheduled appointments, and cursory interviews" than white applicants, the report says.

In one case, the white candidate was told a job was a "great prospect and offered great opportunity for future advancement." The interviewer was less encouraging with the black candidate, telling him the job involved "drudge work," and that "your supervisor will work your butt off."

The report, commented co-author Margery Turner, "contradicts the view that reverse discrimination is commonplace."

The report comes amid an intense lobbying effort by both business and civil rights groups over a federal civil rights bill. If it passes, the bill would overturn a half dozen Supreme Court decisions that made it more difficult for minorities to sue employers for discrimination.

President Bush vetoed a similar measure last year, and has stated his opposition to the "quotas" he says businesses would be forced to use to comply with the law. The House will consider the measure next week, and the Senate will look at it this summer.

Ralph Nease, executive director of the Leadership Conference on Civil Rights and an advocate of the bill, thinks the study may convince some undecided members that the civil rights bill is necessary "to overturn those disastrous Supreme Court decisions."

Women were not included in the study. Unemployment and wage rates for black women are traditionally fairly close to those of white women, experts say, which makes the problem of discrimination among black men even more acute.

That situation should prompt policy makers to take a hard look at the report, said Ronald B. Mincy of the Washington-based Urban Institute, and work "to give black children access to two earners . . . because their fathers are not working, and when they do work, they are working at low wages."

Unemployment rates for young black men are three times as high as for young white men, and black men get paid only two-thirds of what their white counterparts earn.

A similar Urban Institute study in 1989 found that the situation was even worse for Hispanics than for blacks. That study said whites were advanced in job interviews over Hispanics 31% of the time.

The results were most dismal for young black men who seek relatively high-paying jobs in sales and service. They were even less likely to be encouraged in their search for jobs that called for extensive contact with the public.

The study found that black applicants were treated worse in Washington than in Chicago. The study also concluded that black men were not more likely to face greater discrimination in the suburbs of Chicago or Washington than in the cities themselves.

The Urban Institute is a private, non-profit research group. The study was funded by the Rockefeller Foundation.

[From the Cleveland Plain Dealer, May 16, 1991]

CITY'S BLACK JOBLESS RATE HIGHEST IN UNITED STATES

(By Norman Parish and Michael Sangiacomo)

Cleveland had the highest unemployment rate for blacks and the second largest overall rate among the nation's big cities last year, according to U.S. Labor Department statistics.

One in five of the city's employable blacks (20.7%) and more than one in eight of all employable Clevelanders (13.8%) were unemployed in 1990. The city's 9% white unemployment rate, which ranked as the third worst in the national survey, was less than half of Cleveland's black unemployment rate, statistics show. In 1989, Cleveland also had the highest rate of black unemployment in the survey.

Cleveland Mayor Michael R. White hasn't seen the statistics, but the results did not surprise him.

"I walk the streets, I walk the neighborhoods, I see the results of unemployment," he said yesterday. "In one way or another, we all will pay for this problem, whether it's in welfare costs or having a man break into your home. We all pay sooner or later."

The annual survey examines the unemployment rates of 17 large U.S. cities, including 13 by race. About 60,000 households were sampled nationally for the survey. Because of the survey's sample size, there is an error range of plus or minus 5%, officials said.

The department's Bureau of Labor Statistics is scheduled to release a report on 1990 unemployment figures next month.

White said Cleveland businesses should take stock of their employees and see just how many Cleveland residents and minorities they have.

"We need a total commitment by businesses and the community to hire Clevelanders and minorities," he said. "It's better to have a person working for you on the inside than outside throwing rocks."

Cleveland's high unemployment rate among blacks has a significant impact because nearly half of the city's population is black.

The Labor Department's study shows that St. Louis had the second highest black unemployment rate, 18.9%; Chicago, third, 18.6%; Detroit, fourth, 16.1%; and Milwaukee, fifth, 17.5%.

Detroit's 16.1% overall unemployment rate was the highest in the country—more than double the national average of 5.5%.

Nationally the unemployment rate for blacks was 11.3%—twice the 4.7% unemployment rate for whites. Milwaukee had the largest disparity between white and black unemployment. While white unemployment in Milwaukee was among the survey's lowest at 2.8%, it was more than six times lower than the black unemployment rate.

"The large disparity between blacks and whites had to do with the large discrimination in the labor market," said Billy Tidwell, director of research at the National Urban League in Washington, D.C.

Experts blame the disparity between black and white unemployment on education, blatant racism, racial segregation or jobs being located outside the immediate reach of blacks.

At the same time, experts blame overall unemployment problems in Midwestern

cities like Cleveland on a loss of manufacturing jobs in the 1970s and '80s and a work force that is unprepared for high-tech and service jobs that have emerged in recent years.

Cleveland NAACP Director Pauline Tarver was not surprised by the latest employment figures because she has seen an increase in the number of job discrimination complaints during the first four months of this year.

"We had 475 complaints in the early part of this year, but normally we have only 600 in a year," Tarver said. "Elected officials and business leaders need to see what we can do to address unemployment in the city, particularly as it relates to black males."

Kenneth Moore, labor market analyst for the Ohio Bureau of Employment Services in Columbus, says the high price of labor is another reason for high unemployment in Cleveland.

"We have lost a lot of jobs to the sun belt," Moore said. "Some of the factories in the Cleveland area are aging. It is a lot cheaper to build new factories than fix up the old ones, especially when you take into account that labor is cheaper in the South."

The effects on unemployment are wide-ranging, causing instant despair among those searching unsuccessfully for work to increasing costs to support the numerous safety nets of the newly unemployed, experts say.

Tidwell, who has done several studies on unemployment for the Urban League, said that unemployment, particularly in minority communities, actually was much higher than what national figures show. He said unemployment figures did not factor in "hidden unemployment," those who are unemployed but not counted by the system.

Government labor analysts count only those looking for jobs, not those who have dropped out of the job hunt and those who are underemployed because they have part-time jobs, Tidwell said.

Because of the undercount, Tidwell said, Cleveland's black unemployment rate could be 30% to 35%.

"That is depression-level unemployment," Tidwell said. "The numbers for (black) teens are probably even higher. Based on the adult figures, teen unemployment could be 50 to 70 percent."

High unemployment is not new in Cleveland. Last year, the city had the second-highest ranking overall unemployment rate, 12.8%, and the highest black unemployment rate, 21.6%. And for most of the 1980s, the city's black unemployment figures were near or surpassed 20%.

In 1982, the black unemployment rate peaked at 24.5%. Overall unemployment figures in other larger Ohio cities were considerably lower in 1990.

For example, the unemployment rate in Columbus was 4.5%; Dayton, 7.9%; Cincinnati, 5.2%; and Akron, 6.5%.

"The major reason for the unemployment difference (between Cleveland and the other Ohio cities) is the shift from manufacturing to service-producing industries," said Roger Fleming, assistant director of the labor market information division of the Ohio Bureau of Employment Services in Columbus.

Mayor White said there would be no solution until business, government and school leaders get together and address the problems.

"There is no magic wand to wave that will fix everything, and it's going to get worse before it gets better," he said. "We have allowed our educational system to be run by politics. When you have non-productive people in society, you have the problems with

welfare, crime and law enforcement. We need to work on this together."

[From the Cleveland Plain Dealer, May 17, 1991]

FOR MANY, SEEKING EMPLOYMENT IS A JOB IN ITSELF

(By Michael Sangiacomo)

The unemployed sat stone-faced, staring straight ahead, silent. They didn't talk because it seemed pointless to burden each other with tales of similar pain.

Instead, they read the posters on the wall of the Ohio Bureau of Employment Services office on Euclid Ave., stared down at the thin, gray carpet, and waited.

Most looked sad. Too many had the vacant look of those who face too many lines, too many applications and too little hope.

They were among the 22,400 Cleveland unemployed, part of the mass that gave the city the distinction of having the highest black unemployment rate of 17 major U.S. cities and the second-highest unemployment rate overall.

Among them was Pierre Nappier. He was waiting to sort out a problem with a missing employment check, his mind racing about the events that led him there.

"I'm 49 years old," he said. "I have worked my entire life, my entire life. This is all new to me. I just want to work. I'm no good at being unemployed."

Unemployment can hit you like a heart attack, swift and unexpected. One minute you're working, and the next you're on the street with the pictures of your wife and kids torn from the wall. The place you once regarded as a part of your life has rejected you.

When Jackie Carter, 25, was laid off, it was a total shock. She never saw it coming. It was her first day back, from a five-month maternity leave. She walked into her office in the credit accounting department of a large downtown firm and was welcomed back by her colleagues. They happily chatted about her new baby, passed around photos.

"They put some candy on my desk," she recalled. "It was great to be back. You see, I really loved my job."

That day she sat down and was readjusting her desk and getting ready to begin work again. Her boss came over and said there was a layoff and she was among the casualties. Bang. She hadn't been back at work a half-hour.

Other times, unemployment creeps up slowly, like cancer. You get the hints, the warnings and then one day, it's over.

Nappier, an attendance officer at the Cleveland Job Counseling Center, said that in January there was a change in management. There was a lot of talk about coming changes in the operation. Seniority was wiped out, so his 17 years on the job now counted for nothing. After four weeks of living with the anxiety of not knowing who would be forced out, the bell tolled for him.

The ax fell, and he joined the ranks of the unemployed in Cleveland.

Nappier, Carter and the thousands of others who got the bad news now make frequent pilgrimages to the employment office with a single hope: getting back what they once had.

On this day, a Friday, several dozen people were in the building. Most people show up earlier in the week.

"It's rough, man," said Gregory Johnson, 31. "It's hard. People with jobs don't know what it's like being out here, day after day, trying to find work. I used to work at Azelrod Pontiac and I really liked it, but there was a change of administration there

that left me out. I'd love to be back there again, parking cars, working a little bit in sales.

"I hear some people complaining about their jobs and it drives me crazy," he said. "I tell them to quit, give me their job. I don't care what it is. I'll take anything."

For the last week of April, 16,200 people were signed up for unemployment in the four Cleveland area bureaus. Those were the people on active unemployment, meaning they are still seeking a job and are compensated with weekly unemployment checks for 26 weeks. But Cleveland residents could have registered in other cities, and people from other cities could have registered here.

It's even tougher to determine the number of the city's hidden unemployed. Those are the people who have been out of work for so long they no longer receive unemployment compensation, and those who have stopped trying to find work. It's estimated there are 10% to 15% more people in that category than those signed up for employment compensation.

The statistics also can't measure the defeats, the disappointments and the icy fear of men and women who wonder how they will support their families.

Julius West, manager of the employment section of the Euclid Ave. office, said that in the last 11 months, the office found jobs for 2,100 people. He hopes to help 2,800 people get back on the job market by June but fears he will fall short of that goal.

"I come in and I see all the people waiting for help and I see it as a challenge," he said. "It fires me up. Then when I think about all the people we have helped find work, I'm elated."

"I think we've all come to realize that we can't help everyone," he said. "But we can help a few."

No one at the unemployment office was surprised that a U.S. Labor Department study showed Cleveland had the highest percentage of unemployed blacks among 17 large U.S. cities and the second-highest overall unemployment rate in 1989 and 1990.

"I know it," said Calvin Stanley, a 40-year-old Cleveland carpenter, who was in the unemployment office with his 10-month-old daughter Nephethiah. "It's bad out there. I've been laid off for two months. I go through the carpenters union for jobs and they said there are 225 carpenters out of work."

Stanley was the exception in the unemployment office. He stood out because he smiled and laughed as he played with his daughter. He didn't seem to carry the weight of worry on his shoulders. When asked why he didn't seem as crushed as the others, he smiled and said, "It's in God's hands."

For those who have not succumbed to despair, or, as one man put it "surrendered to the lure of making money illegally through drugs and crime," living with unemployment is a daily struggle.

Roy Holt, 37, has been "out there" for a little more than a year since his job buffing floors ended with the Lubrizol Co., of Euclid, an office-cleaning company.

It showed on his face. He has lost count of the number of jobs he has tried for and the number of times he was told, "We'll call you."

"Every week I look through the want ads in the Sunday paper, that's the big day," he said. "I look for almost anything that I can handle—truck driver, floor waxer, furniture refinisher—anything. I gave up being choosy a long time ago."

"Then early Monday morning I call them and try to set up interviews," he said "It's

always the same. I go in and they are very nice. I fill out an application and ask about an interview. They say they'll call. They never do."

Holt sighed, looked around the employment office at the other people waiting.

"I don't know," he said. "It's very depressing. It takes a lot just to keep your head up and keep trying. Nowadays, I don't even expect a job anymore. I keep trying just to keep myself going. I just wish they wouldn't lie to me."

The people interviewed that day at the unemployment office didn't feel they were being singled out for joblessness because they were black, white, male or female. They blamed the state of the economy. They said the general economy of the nation caused plants to close up and lay off people.

"I was making boxes that are used for gift boxes by people like the May Co. and Higbee's," said Pamela Goldy, 26. "I was very good at operating the machine at the Color Tech Coating and Finishing Co. I was sick for a while. When I returned, I was laid off because they had to cut back. I was good at making boxes, there aren't many other places around where they make boxes."

Her wound is fresh. She was laid off last week.

Jackie Carter, the woman who was laid off the day she returned from maternity leave, was not upset with her former employers. She didn't even want to name them for fear they would be embarrassed.

Carter said if she didn't get a job offer soon, she planned to take her two young children and move.

"We moved to Cleveland in 1987 because the job opportunities were better," she said. "I grew up in Cuyahoga Falls. Now we hear that Atlanta has a lot of opportunities for blacks, so does Washington, D.C. and Baltimore."

Several others also talked about leaving the city for other places where they can get a job, any job as long as it pays a living wage.

"I'm ready for anything," said Johnson. "I think you've got to keep showing that you are ready and willing to work and keep trying. Stay with it, don't give up, and something's got to come your way."

POSTMASTER HAL HEMMINGSEN,
GLENDALE, CA

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. MOORHEAD. Mr. Speaker, I take this opportunity to acknowledge before my colleagues in the House of Representatives an exemplary citizen and civil servant, postmaster Hal Hemmingsen of Glendale, CA. Mr. Hemmingsen has served the Glendale community with unwavering dedication, loyalty, and professionalism for 30 years both in his official position with U.S. Postal Service and in his volunteer activities.

Appointed acting postmaster of Glendale on July 7, 1961, Hal was named to the position permanently on June 8, 1963, by President John F. Kennedy, one of the last postmasters commissioned during his Presidency. Kennedy also selected Hal as one of 15 Postal Service representatives to the Federal Executive Board. Hal served for 8 years heading the Board's Management Improvement Center.

Under his leadership the Glendale Post Office has served 190,000 residents at 90,000 delivery points. Last year it had total revenues of \$28 million, total expenses of \$16 million, and an employee complement of 400. Hal considers the construction of two Glendale post offices during his tenure among his most important accomplishments.

In addition to his formal postal duties, Hal has served as a president of the National Association of Postmasters and as an editor of its publication the *Postmasters Gazette*. He recently received a national award from the Postmaster General, Anthony M. Frank, for his role in speaking to numerous local community organizations about the U.S. Postal Service and its programs.

Active in community affairs, Hal has contributed his time and leadership skills serving as chairman of the Glendale Community Chest Board in 1963-64; chairman, Glendale Community United Way Board in 1965-66; chairman of the 1968 Verdugo Hills area United Crusade; and chairman, Verdugo Hills United Way Board, 1969-70. He is a past commander and honorary life member of American Legion Post 127.

Cognizant of others' needs, Hal founded the Glendale Committee To Recognize Vietnam Veterans which sponsored an all-day festival at Verdugo Park to honor Vietnam veterans and their families.

Hal, and other members of the Glendale community, value Hal's contributions. The Glendale Board of Realtors recognized Hal for his outstanding community activities with its first Community Service award in 1971. In 1975, he received the Glendale Chamber of Commerce's Recognition Award for Distinguished Service to the City of Glendale.

Residents of the Glendale area continue to benefit from postmaster Hemmingsen's service endeavors. Currently Hal is president of the advisory board of the Positive Directions Activity Center; president, Jewel City 29 Toastmasters Club; and president, Glendale Committee to Recognize Veterans. He also is a member of the Optimist Club of Glendale, Glendale Business & Professional Women's Club, Kiwanis Club of Glendale, and Sister City.

It is my great pleasure to commend postmaster Hal Hemmingsen for his years of outstanding service and to wish him all the best in the years ahead.

CAPTIVE NATIONS WEEK

HON. RAYMOND J. McGRATH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. McGRATH. Mr. Speaker, I rise in recognition of this country's 33d year of commemorating Captive Nations Week, which arrives as the Baltic States of Estonia, Latvia, and Lithuania are still struggling for a peaceful solution to end more than half a century of Soviet military occupation.

Twenty-six million U.S. citizens trace their heritage to one of these countries considered captive nations. Among these people, Baltic-Americans along with their relatives abroad,

have rejoiced as the countries of Eastern Europe are breaking free from Communist rule. Unfortunately, the Soviet Union has been reluctant to release their hold on the Baltic States. Hence, Estonia, Latvia, and Lithuania, remain on the list of captive nations.

The Baltic countries became captive nations as a direct result of the 1939 Molotov-Ribbentrop Pact signed by Hitler's Nazi Germany and Stalin's Communist Soviet Union. Through this pact, Hitler and Stalin divided Eastern Europe into spheres of influence. The Soviet Union has attempted to hold the Baltic States captive ever since. Despite numerous attempts to erase the memory of independence from the minds of Baltic citizens, the Soviet Union has been unable to crush the invincible Baltic spirit. Estonians, Latvians, and Lithuanians are well aware of the Soviet's illegal occupation of their homeland and yearn for freedom from Soviet Communist domination.

Although the Baltic nations have taken great strides forward in their struggle for independence, the events of the last year and a half illustrate the unwillingness of the Soviet Union to fully release these captive nations. The Soviet Union is reluctant to acknowledge the independence of the Baltics and has reacted with repeated military intimidation and economic boycotts. Despite such hardships, the people of Estonia, Latvia, and Lithuania have not given up the hope for complete freedom and their parliamentary leaders are currently undergoing negotiations with Soviet leaders to coordinate economic relations based on free trade.

It is important that the United States gives its full support to peoples seeking self-determination. I would like to take this occasion of Captive Nations Week to make clear to my colleagues the difficult road to freedom that still remains for the people of the Baltic States.

A TRIBUTE TO JUSTICE MICHAEL DILLON

HON. HENRY J. NOWAK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. NOWAK. Mr. Speaker, last week, citizens in western New York were saddened by the death of State supreme court justice, Michael F. Dillon, a distinguished and valued public servant. His career spanned more than three decades, starting in 1958 as corporation counsel for his native city of Lackawanna.

For 10 years, he was the district attorney of Erie County. I was privileged in 1964 to serve as an assistant district attorney under his administration. In 1973, he was elected a justice of the New York State Supreme Court and subsequently was designated presiding justice of the appellate division, fourth department, a position he held at his death.

A gregarious, energetic man who liked meeting the public as well as serving the public, Mike Dillon set a sterling example by his dedication and hard work. He will not only be missed by the judicial system but also by our community as someone who served broadly, even after his ascendancy to the bench. He possessed enormous talent and personality

and his dedication to his family and contributions to western New York will long be remembered and admired. Following is a page 1 article from the July 10, Buffalo News, detailing his career:

JUSTICE DILLON DIES FOLLOWING HEART ATTACK

(By Anthony Cardinale)

Justice Michael F. Dillon, presiding justice of the Appellate Division of State Supreme Court in Rochester, suffered a fatal heart attack Tuesday evening while giving a speech in Albany.

Dillon, 64, a former Erie County district attorney, was speaking at a retirement dinner for State Criminal Justice Coordinator John Poklemba in the Holiday Inn Turf. He was taken to Albany Memorial Hospital about 10:30 p.m. and was pronounced dead there.

"He had a heart attack while making a speech in Albany and has passed away," said his brother, John Dillon.

Dillon, a Democrat, was re-elected without opposition in 1987 to another 14-year term in the Appellate Division, 4th Department. The Orchard Park resident had been nominated at separate conventions by the Democratic, Republican, Conservative and Liberal parties.

At the time, Chief Justice Sol Wachtler said he considered Dillon a worthy choice for advancement to the Court of Appeals, the state's highest tribunal. A tough prosecutor and attractive candidate, Dillon enthralled voters and captured the imagination of political kingmakers throughout his stellar career.

Dillon got his first taste of public office as corporation counsel and acting city judge in his native Lackawanna. He was elected district attorney after a whirlwind campaign in 1963, becoming the first Democrat to win that office in three decades. He was re-elected in 1965 and 1969.

Dillon ran unsuccessfully for Erie County executive in 1967.

At a testimonial dinner for Dillon in 1973 in the Hearthstone Manor in Depew, then-Democratic State Chairman Joseph F. Crangle told the nearly 2,000 in attendance that Dillon was a strong contender for the party's endorsement to run in 1974 against Gov. Nelson Rockefeller.

Instead, Dillon found himself elevated to the bench the following year.

In 1973, Dillon became the first candidate ever to be endorsed by the Democratic and Republican parties for re-election as district attorney. But he declined the endorsements and ran for State Supreme Court with the backing of the Democratic, Republican, Conservative and Liberal parties.

He was named an associate justice of the Appellate Division, 4th Department, in 1975 by Gov. Hugh L. Carey to replace the late Walter J. Mahoney. Carey elevated Dillon to presiding justice in 1979.

Dillon's son, Kevin, is now Erie County district attorney.

During his decade as district attorney, Michael Dillon made a reputation for himself by raising the conviction rate and launching investigations against "goldbricking and no-show jobs" in City Hall and against drunken drivers. He also strengthened the office's appeal work.

The son of an Erie Railroad boilermaker, Dillon attended Our Lady of Victory School and Lackawanna High School. During his senior year he worked full time on the 3-to-11 shift at the Bliss & Laughlin Steel Co. in South Buffalo.

He enlisted in the Navy and served in the Pacific Theater in World War II. Upon his return home he attended Canisius College and earned a law degree from the University of Buffalo in 1951. While attending college and law school, he worked nights in the open hearth operation at Bethlehem Steel Corp. in Lackawanna.

Before entering politics, he practiced law with his two brothers, John and William, in the law firm Dillon, Dillon, Dillon & Burke.

Dillon was elected vice president of the Federation of New York State Judges in 1987.

Survivors include his wife, Elaine; four other sons, Patrick, Michael, John and Daniel and two daughters, Doreen and Moira.

SALUTE TO SAMM PINN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, I rise today to give my salutations to Mr. Samm Pinn, lifelong resident of Bedford Stuyvesant, educator, scholar, social and political activist. Over the years Sam Pinn has received numerous awards in recognition for his outstanding contributions in community service, community development and the constant struggle for justice and liberation of African American people.

Samm is the founder and current chairman of the Ft. Greene Senior Citizens Council, Inc., past chairman of Independent Brooklyn CORE, and a founding member of the Randolph Evans Crisis and Scholarship Fund. Mr. Pinn's achievements are a result of years of arduous study. He holds a bachelor of arts degree from Morgan State, a masters in social work degree from Rutgers University and an honorary doctor of law degree from Mary Holmes College. In the course of devoting his life to enlightening others he has been a professor of social science and codirector of the Institute of African American Studies at Ramapo College of New Jersey for the past 18 years.

He is currently the host and producer of "The Grand Ones," a program aired on WYNE that allows senior citizens the time to express their views and concerns on various topics of interest. He has also produced and hosted "Jazz at 966," a Friday night jazz series filmed in downtown Brooklyn, NY. Samm attributes writing to the list of his many talents. He has written articles published by the City Sun, a newspaper dedicated to addressing the concerns of the African American community and is currently writing a book on politics.

I ask my colleagues to join me in commending Samm Pinn. His strong devotion to his community and educating generations has demonstrated his personal greatness as well as his creativity and selflessness.

EXTENSIONS OF REMARKS

THE SMALL BUSINESS ECONOMIC OPPORTUNITY ACT OF 1991

HON. THOMAS H. ANDREWS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. ANDREWS of Maine. Mr. Speaker, this Nation faces a crisis. Small businesses and entrepreneurs cannot obtain the seed money they need to get their ideas from the drawing board to the finished product. They have difficulty maintaining or expanding their businesses. The recession has further worsened the flow of funds.

In my State of Maine for example, a coastal businessman told me he had to go to 20 banks before he could get a loan. Several owners of family businesses with good credit records spanning generations have had their lines of credit cut off. It seems everyone from Maine and throughout the rest of New England has a horror story to tell.

Mr. Speaker I am pleased to introduce today the Small Business Economic Opportunity Act of 1991, which amends section 7 of the Small Business Act with a new demonstration loan program. This program will assist entrepreneurs who have promising plans for starting or maintaining successful businesses but who have particular difficulties in getting those plans off of the ground. The health and vitality of small business is essential for future economic growth. Monetary assistance in the form of "microloans" is one way to foster that health and vitality.

As a member of the Small Business Committee, I am very aware of the problems of credit availability in New England and the Nation, after participating in four credit crunch hearings in Washington, Boston, and my district of Maine. The credit crunch is real. It is affecting several small businesses. And, in rural States like Maine, whose economic base consists primarily of small businesses with less than 20 employees, my constituents have suffered from the unavailability of credit due to economic downturns.

Access to capital at both the public and private levels is limited. Traditionally, banks are adverse to providing small loans to individuals seeking to start small businesses, due to administrative costs in providing assistance, as well as the processing and servicing costs of loans. The risk involved in starting a new business places additional limits on a small business or entrepreneur attaining a loan.

This must change. Small businesses are getting a double hit: a recession and a credit crunch. A double remedy is needed: available credit and capital. The Small Business Economic Opportunity Act of 1991 will assist entrepreneurs by providing both credit and capital to cover initial business expenses through microloans. In addition, providing individuals with intensive marketing, management, and technical assistance will enable microentrepreneurs to develop and maintain small businesses. Management and technical support will help reduce the risk of loan defaults.

Although there are a variety of good loan programs such as the Small Business Administration's 7(a) loan program, none currently

exist in the microloan category. Several private, nonprofit community development corporations throughout the Nation have experience in microlending to women, minority, and low-income individuals. They have targeted and worked with microenterprises in the past. They are also capable of supplying technical and managerial assistance. Because of their expertise, private, nonprofit community development corporations are best suited to handle the microloan demonstration program.

The current economic condition is more than a matter of economics. It is a matter of quality of life for present and potential owners of small businesses throughout our Nation. Microloaning is targeted to individuals who are closed out of traditional financial markets. It therefore fosters job creation and enables people to play a more active role within their local economy. As a result, individuals become more self-sufficient, and are better prepared to enter more traditional financial markets in the future.

Small business is the nest egg of our Nation's future prosperity. We've got to nurture and support it. And if we do, it will pay us back many times over in the future.

I insert a copy of this bill in the RECORD:

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 "Small Business Economic Opportunity Enhancement Act of 1991".

SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE; PROGRAM DESCRIPTION.

(a) FINDINGS.—The Congress finds that—

(1) nationwide, there are many individuals who possess skills that, with certain short-term assistance, could enable them to become successfully self-employed;

(2) many of these individuals are currently receiving public assistance through programs such as unemployment insurance, welfare, or aid for dependent children;

(3) many more talented and skilled individuals who are employed in low-wage occupations could, with sufficient opportunity, start their own small business concerns, which could provide them with an improved standard of living;

(4) most such individuals have little or no savings, and no access to capital with which to start a business venture;

(5) providing such individuals with small-scale, short-term financial assistance in the form of microloans, together with intensive marketing, management, and technical assistance, could enable them to start or maintain small businesses and to become self-sufficient and taxpaying citizens;

(6) banking institutions are adverse to providing such assistance because of the administrative costs associated with processing and servicing the loans and because they lack experience in providing the type of marketing, management, and technical assistance needed by such borrowers;

(7) in light of the Federal budget deficit, it would be impractical for the Federal Government to provide small-scale loans and technical assistance directly to small business concerns; and

(8) loans from the Federal Government to intermediaries for the purpose of relending to startup, newly established, and growing small business concerns is the most efficient and effective method of providing microloans.

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

(1) to assist women, low-income, and minority entrepreneurs and business owners possessing the capability to operate successful business concerns;

(2) to assist small business concerns in those areas suffering from a lack of credit due to economic downturns; and

(3) to establish a microloan demonstration program to be administered by the Small Business Administration—

(A) to make loans to eligible intermediaries to enable such intermediaries to provide small-scale loans to startup, newly established, or growing small business concerns for working capital or the acquisition of materials, supplies, or equipment;

(B) to make grants to eligible intermediaries that, together with non-Federal matching funds, will enable such intermediaries to provide intensive marketing, management, and technical assistance to microloan borrowers; and

(C) to report to the Committees on Small Business of the Senate and the House of Representatives on the effectiveness of the microloan program and the advisability and feasibility of implementing such a program nationwide.

SEC. 3. ESTABLISHMENT OF MICROLOAN DEMONSTRATION PROGRAM.

Section 7 of the Small Business Act (15 U.S.C. 636) is amended by adding at the end the following new subsection:

“(m) MICROLOAN DEMONSTRATION PROGRAM.—

“(1) ESTABLISHMENT.—There is established a microloan demonstration program, under which the Administration may—

“(A) make direct loans to eligible intermediaries, as provided under paragraph (3), for the purpose of making short-term microloans to startup, newly established, and growing small business concerns under paragraph (5); and

“(B) in conjunction with such loans and subject to the requirements of paragraph (3), make grants to such intermediaries for the purpose of providing intensive marketing, management, and technical assistance to small business concerns that are borrowers under this subsection.

“(2) ELIGIBILITY FOR PARTICIPATION.—An intermediary shall be eligible for participation in the program established under paragraph (1) if it—

“(A) meets the definition in paragraph (9); and

“(B) has at least 1 year of experience making microloans to startup, newly established, or growing small business concerns and providing, as an integral part of its microloan program, intensive marketing, management, and technical assistance to its borrowers.

“(3) LOANS TO INTERMEDIARIES.—

“(A) INTERMEDIARY APPLICATIONS.—As part of its application for a loan, each intermediary shall submit a description to the Administration of—

“(i) the type of businesses to be assisted;

“(ii) the size and range of loans to be made;

“(iii) the geographic area to be served and its economic and unemployment characteristics;

“(iv) the status of small business concerns in the area to be served and an analysis of their credit and technical assistance needs;

“(v) any marketing, management, and technical assistance to be provided in connection with a loan made under this subsection;

“(vi) the local economic credit markets, including the costs associated with obtaining credit locally;

“(vii) the qualifications of the applicant to carry out the purpose of this subsection; and

“(viii) any plan to involve private sector lenders in assisting selected small business concerns.

“(B) INTERMEDIARY CONTRIBUTION.—As a condition of any loan made to an intermediary under paragraph (1), the Administration shall require the intermediary to contribute not less than 15 percent of the loan amount in cash from non-Federal sources. Such contributions shall be used by the intermediary as a reserve for any loan default.

“(C) LOAN LIMITS.—Notwithstanding subsection (a)(3), no loan shall be made under this subsection if the total amount outstanding and committed to one intermediary (excluding outstanding grants) from the business loan and investment fund established by this Act would, as a result of such loan, exceed \$750,000 in the first year of such intermediary's participation in the program, and \$1,250,000 in the remaining years of the intermediary's participation in the demonstration program.

“(D) LOAN DURATION.—Loans made by the Administration under this subsection shall be for a term of 20 years and at an annual interest rate of 4.5 percent.

“(E) DELAYED PAYMENTS.—The Administration shall not require repayment of interest or principal of a loan made to an intermediary under this subsection during the first year of the loan.

“(F) FEES; COLLATERAL.—Except as provided in subparagraph (A), the Administration shall not charge any fees or require collateral other than an assignment of the notes receivable of the microloans with respect to any loan made to an intermediary under this subsection.

“(4) MARKETING, MANAGEMENT, AND TECHNICAL ASSISTANCE GRANTS TO INTERMEDIARIES.—

“(A) GRANT AMOUNTS.—Subject to the requirements of subparagraph (B), each intermediary that receives a loan under paragraph (1) shall be eligible to receive a grant of not more than 20 percent of the loan amount to provide marketing, management, and technical assistance to small business concerns that are borrowers under this subsection.

“(B) CONTRIBUTION.—As a condition of any grant made under subparagraph (A), the Administration shall require the intermediary to contribute an amount equal to not less than one-half of the amount of the grant, obtained solely from non-Federal sources. In addition to cash or other direct funding, the contribution may include indirect costs or in-kind contributions paid for under non-Federal programs.

“(5) LOANS TO SMALL BUSINESS CONCERNS FROM ELIGIBLE INTERMEDIARIES.—

“(A) IN GENERAL.—An eligible intermediary shall make short-term, fixed rate loans to startup, newly established, and growing small business concerns from the funds made available to it under paragraph (1) for working capital and the acquisition of materials, supplies, furniture, fixtures, and equipment.

“(B) PORTFOLIO REQUIREMENT.—To the extent practicable, each intermediary that operates a microloan program under this subsection shall maintain a microloan portfolio with an average loan size of not more than \$10,000.

“(C) INTEREST LIMIT.—Notwithstanding any provision of the laws of any State or the constitution of any State pertaining to the rate or amount of interest that may be

charged, taken, received, or reserved on a loan, the maximum rate of interest to be charged on a microloan funded under this subsection shall be not more than 4 percentage points above the prime lending rate, as identified by the Administration and published in the Federal Register on a quarterly basis.

“(D) REVIEW RESTRICTION.—The Administration shall not review individual microloans made by intermediaries prior to approval.

“(6) PROGRAM FUNDING.—

“(A) The Administration is authorized to fund, on a competitive basis, not more than 30 microloan programs, including not less than 1 program to be located in each of the following States: Arkansas, Illinois, Iowa, Maine, Minnesota, New York, North Carolina, and South Carolina.

“(B) STATE LIMITATIONS.—In no case shall a State—

“(i) be awarded more than 2 microloan programs in any year of the demonstration program;

“(ii) receive more than \$1,000,000 to fund such programs in such State's first year of participation; or

“(iii) receive more than \$1,500,000 to fund such programs in any succeeding year of such State's participation.

“(7) RURAL ASSISTANCE.—In funding microloan programs, the Administration shall ensure that at least one-half of the programs funded under this subsection will provide microloans to small business concerns located in rural areas.

“(8) REPORTS TO THE CONGRESS.—

“(A) ANNUAL REPORTS.—On March 31, 1992, and March 31 of each ensuing year through 1994, the Administration shall submit to the Committees on Small Business of the Senate and the House of Representatives a report on the implementation of the microloan demonstration program that includes—

“(i) the numbers and locations of the intermediaries funded to conduct microloan programs;

“(ii) the amounts of each loan and each grant to intermediaries;

“(iii) a description of the matching contributions of each intermediary;

“(iv) the numbers and amounts of microloans made by the intermediaries to small business concern borrowers;

“(v) the repayment history of each intermediary;

“(vi) a description of the loan portfolio of each intermediary including the extent to which it provides microloans to small business concerns in rural areas;

“(vii) a summary of the effectiveness of the demonstration program; and

“(viii) any recommendations for legislative changes that would improve its operations.

“(B) INTERIM REPORT.—On November 1, 1995, the Administration shall submit to the Committees on Small Business of the Senate and the House of Representatives an interim cumulative report including the Administration's evaluation of the effectiveness of the first 3½ years of the microloan demonstration program with respect to the factors set forth in subparagraph (A) and the Administration's views on the advisability of extending the program beyond the 5-year demonstration period.

“(C) FINAL REPORT.—On January 31, 1997, the Administration shall submit to the Committees on Small Business of the Senate and the House of Representatives a final report evaluating the microloan demonstration program with respect to the factors set forth in subparagraph (A), and providing a final ac-

counting of the Federal and non-Federal funding of the program.

"(9) DEFINITIONS.—For purposes of this subsection—

"(A) the term 'intermediary' means a private nonprofit entity or a nonprofit community development corporation that seeks to borrow or has borrowed funds from the Small Business Administration to make microloans to small business concerns under this subsection;

"(B) the term 'microloan' means a short-term loan of not more than \$25,000, made by an intermediary to a startup, newly established, or growing small business concern;

"(C) the term 'rural community' means any political subdivision or unincorporated area—

"(i) in a nonmetropolitan county (as defined by the Secretary of Agriculture) or its equivalent thereof; or

"(ii) in a metropolitan county or its equivalent that has a resident population of less than 20,000 if the Small Business Administration has determined such political subdivision or area to be rural."

SEC. 4. REGULATIONS.

Not later than 90 days after the date of the enactment of this Act, the Small Business Administration shall promulgate interim final regulations to implement the amendment made by section 3.

SEC. 5. PROGRAM TERMINATION.

The demonstration program established by the amendment made in section 3 shall terminate 5 years after the date of enactment of this Act.

SEC. 6. PROGRAM FUNDING AND REPAYMENT OF LOANS.

Section 4(c) of the Small Business Act (15 U.S.C. 633(c)) is amended—

(1) in paragraph (1), by striking "and 7(c)(2)" and inserting "(7)(c)(2) and 7(m)"; and

(2) in paragraph (2), by striking "and 8(a)" and inserting "(7(m), and 8(a))".

THE GREAT GLOBAL DEBTOR

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. OXLEY. Mr. Speaker, I commend to all Members the article below by Robert J. Samuelson, noted columnist and respect economist. His article is food for thought on the raging debate on the United States as a debtor nation.

THE "GREAT GLOBAL DEBTOR"

(By Robert J. Samuelson)

The idea that the United States is the "world's biggest debtor nation" is a legacy of the 1980s. The phrase has become a staple of commentators and politicians everywhere, who automatically include it among the alleged sins of the past decade. And recently, the Commerce Department put the matter in numbers. It reported that the United States' "net international investment position" was a minus \$412 billion in 1990. Strictly speaking, this means we owed foreigners that much more than they owed us.

Don't worry about it.

There are plenty of genuine economic problems without inventing artificial ones. The image of Uncle Sam as a giant global debtor implies that, like Mexico or Argentina, we have gone massively in hock with the rest of

the world and are at the mercy of our overseas creditors. It just isn't true. Our future prosperity hasn't become hostage to foreigners. It still depends mostly on what we Americans do here at home.

Let's see why. Consider this column as an exercise in economic literacy. Every so often, it's worth inspecting our clichés to see what, if anything, they mean. Ask basic questions about our being a global debtor and you discover that it's less menacing—and more complicated—than is commonly supposed.

Are we really going the way of Brazil and other overborrowed developing countries?

No. The analogies are alarmist. Our debt differs from theirs in three important ways. First is the size. What counts—for people, companies and countries—is the relation between debt and annual income (for countries, gross national product) or wealth. In 1989, Mexico's foreign debt was \$96 billion, or 51 percent of its GNP. Argentina's debt was \$65 billion, or 120 percent of GNP. Sure our debt is bigger, but so is our GNP. In 1990, our foreign debt equaled 7.5 percent of our GNP of \$5.465 trillion.

A second difference is that our debt is in our currency; we owe dollars to foreigners. The overseas debts of most developing countries are also in dollars, but they have to earn those dollars by exporting. In theory, we could repay our overseas debts by printing more dollars. Inflating our way out of debt would be stupid; it would damage our economy. But the possibility shows that we're not at the mercy of foreign creditors.

Finally, our debt is not really a "debt" in the sense, for example, of a home mortgage. In 1990, Americans (companies and individuals) owned \$1.764 trillion worth of assets abroad—plants, bonds, stocks and real estate. Meanwhile, foreigners owned \$2.176 trillion of assets in the United States. It's the difference between these two figures (\$412 billion) that's commonly referred to as our overseas debt. And it's getting worse. In 1982, we actually had a positive "net international investment position" of \$364 billion. But you have to remember that today's negative number is not a loan that has to be repaid.

Well, doesn't the shift from creditor to debtor mean the U.S. economy has grown weaker?

Yes and no. Clearly, the balance of global economic power has shifted. The United States has lost its huge dominance. In the 1960s and 1970s, most Japanese companies weren't competitive enough to build U.S. plants. The Japanese weren't rich enough to buy many U.S. securities. Some Europeans had big U.S. investments, but the main overseas investors were American. Now that's changed.

But foreign investment in the United States isn't a sign of weakness. Why should foreigners build plants in a collapsing economy? Why would they buy its stocks and bonds? The surge of foreign investment here in the 1980s occurred mainly for three reasons: the lifting of restrictions in Japan and other countries against investing abroad; high U.S. interest rates, which made dollar bonds attractive; and a strong economy with low inflation.

Won't foreigners buy up the country, then? Don't hold your breath. Every red-blooded American gets itchy about the growing foreign presence, and the \$2.2 trillion total seems huge. But America is also huge. The Commerce Department estimates the value of all "tangible wealth" (excluding land) at \$24.7 trillion; \$8.8 trillion of business buildings and equipment, \$11.1 trillion of housing

and consumer goods (cars, appliances) and \$4.8 trillion of government property. Land values probably add \$4 trillion. Yes, foreigners own a whopping \$231 billion of U.S. corporate stocks—more than 10 percent of their overall U.S. stake. But the figure is dwarfed by the total value of all U.S. stocks, about \$4 trillion.

Won't paying interest and dividends abroad impoverish us?

Not really. Sending foreigners dollars won't much affect U.S. living standards unless foreigners spend the dollars to buy U.S. exports and services—and that might actually stimulate the economy. It's possible that foreigners might not spend the dollars in the United States, because the dollar is the main global currency used for buying and investing around the world. If they don't want to keep the dollars, they sell them for other currencies (the German mark, for instance). The dollar's exchange rate falls, making U.S. exports more competitive and imports here more expensive. Our exports rise, and dollars are repaid to us.

Consider this example: The U.S. overseas debt is \$500 billion; foreigners earn a 10 percent return, or \$50 billion annually; they don't want to keep any of their earnings in dollars. We could service this debt with a trade surplus of \$50 billion, about 1 percent of GNP. That's hardly crushing. (Indeed, the high U.S. trade deficits of the 1980s reflected the mirror image of this phenomenon. The foreign demand to invest in the United States and to buy dollar securities raised the dollar's exchange rate and depressed U.S. exports.)

The message here is simple. We need to worry about the right economic problems, and being a global debtor isn't yet one of them. What matters are old-fashioned things: the productivity of U.S. firms and workers; maintaining low inflation (if we don't, foreigners will dump dollars). These will shape future living standards and prosperity.

People may still rant and rave about the evils of our being a great global debtor. But now you know something they don't: It's mostly sound and fury.

TECHNICAL EDUCATION AND TRAINING ACT OF 1991

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. PRICE. Mr. Speaker, I rise today to introduce the Technical Education and Training Act of 1991. This legislation will substantially upgrade our educational and training efforts in science, mathematics, and technology, to ensure that our work force has the skills to remain competitive in the global economy.

Our Nation's deficiencies in work force training are shutting the doors of opportunity on thousands of our citizens and sapping our competitiveness. Good workers in my State face unnecessary hardship because their skills have not kept pace with technological change. Plants have closed in rural areas because workers lack needed skills and there is no way for them to acquire these skills. And high technology businesses in the Research Triangle Park complain about the jobs that remain unfilled because of the lack of skilled workers. We are failing our Nation's citizens and sac-

rificing our economic future if we do not confront the needs of our work force directly.

My legislation would address this challenge headon by directing the National Science Foundation to develop a competitive grants program for associate degree colleges to provide technical training and education in advanced technology fields. Awardees would be expected to develop and disseminate model instructional programs, enter into innovative partnerships with the private sector and government agencies, improve faculty competence in advanced technology fields, and upgrade instructional laboratory equipment.

The bill also would establish 10 National Centers of Technical Education and Training. Five would be associate degree granting colleges with exceptional advanced technical training programs, while five would be institutions excelling in science and math education. The idea would be not only to upgrade these 10 institutions, but to use them as clearing-houses for institutions across the country which are trying to improve their education and training programs.

This bill takes advantage of the fact that community colleges in many States are already actively involved in training programs. Federal assistance in taking these programs to new levels of excellence and effectiveness, and then disseminating the models and methods across the country, would be a wise investment. Furthermore, the National Science Foundation's traditional role in improving education, especially in advanced technology fields, makes their participation in this kind of training and education development particularly appropriate.

I am glad to be joined by a distinguished group of original cosponsors including the chairman of the House Science and Technology Committee, GEORGE BROWN.

I look forward to working with him and other Members on this legislation. I invite colleagues to join me in sponsoring this bill. I believe it is legislation that is vital to the future prosperity of this Nation.

JEROD C. STEPHENSON: 1990-91
MINNESOTA VFW VOICE OF DEMOCRACY WINNER

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. VENTO. Mr. Speaker, every year, the Veterans of Foreign Wars sponsors its Voice of Democracy Scholarship Program, which encourages high school students from across the Nation to write essays expressing their thoughts about America and about what democracy means to them.

I am pleased to announce that Jerod Carl Stephenson of St. Paul, MN, has been chosen as Minnesota's winner in this year's VFW contest. Jerod is the son of William and Francine Stephenson. He recently graduated from Como Park High School in St. Paul and is looking forward to going on to college and pursuing a career in broadcasting and journalism.

Jerod's essay demonstrates a keen appreciation of our Nation's history and the legacy

of millions of immigrants from around the world who came here to build a better life for themselves and their descendants. I want to congratulate Jerod and all of the other winners of this year's contest for their thoughtful and insightful essays.

DEMOCRACY—THE VANGUARD OF FREEDOM

(By Jerod C. Stephenson, Minnesota winner, 1990/91 VFW Voice of Democracy Scholarship Program)

I've been trying to write this speech for the past hour, the speech on Democracy—The Vanguard of Freedom, but nothing seems to sound right. I need to take a break.

So I walk over to my bedroom window and look outside. I see a tree. The tree that looks as if it's been standing forever. The tree that towers above all others around it. That tree started from one small seed, and reached upward and outward and strove for survival.

Much like that seed a few unhappy English people decided to plant themselves in a new land. They set up their communities and strove to survive. They soon grew, and reached outward on the new land.

Those settlers, our forefathers, knew that there was something missing. They didn't have the freedom that they deserved on the land that they had made flourish. So they decided to start their own country. Feeling that their freedom would not come until they were able to govern themselves, they revolted against England, and after many battles and lost lives, they won what they had so strongly believed in. They had obtained their freedom.

To ensure this freedom would be kept alive for future generations, they began to build their government as a democracy, the precursor to freedom. The seed had sprouted.

I broke away from my daydream long enough to study the tree more closely. I noticed on the ground around the tree thick roots. These roots support the tree and make it to continue to grow for years to come.

Once again this reminds me of the United States and its history. Our forefathers knew that this country had needed something to build upon, as a set of rules to keep order and freedom spreading throughout the land. So they sat down and decided to draw these guidelines. What came about is what some have called the greatest document ever written, the Constitution. The roots have taken hold.

I was brought back from my dream by a strong wind. The wind whisked by, but didn't even disturb the tree. It was then I noticed the strong base of the tree. It had kept the tree unscathed from the wind. The base, the protection against a down fall, such as our government.

In our democracy, everyone has a voice in the government. And to utilize this, the people elect representatives for their voice. This is to help our country flourish and stand tall, much the same as the base of that tree.

Another of our country's strengths is the immigrants that come to the United States every year. We welcome these immigrants with open arms, and these immigrants have brought us such people as Albert Einstein and Irving Berlin. Such immigrants have made this country great and strong.

Above the base of the tree, the tree begins to spread out into many branches. This is to provide shelter for the rest of the tree below. It reminds me of the way our government branches out to protect our freedom and right as a nation to govern ourselves as a democracy.

On the tips of those branches are buds straining to open. After much hard work, the

bud opens and blooms into a wonderful fruit. The buds are like the American citizens straining to and achieving freedom, and enjoying the fruits of their labor.

I notice that all around the tree many seedlings were starting to grow. The larger tree sheltering the smaller ones, and helping the smaller ones flourish, much the same way the larger tree had.

With this thought a smile spread across my faced and a knot rose in my throat. For our great country is exactly the same as that prestigious tree outside my window. For our country will always stand up and protect the weaker countries that fight for their freedom. That tree stands for what democracy means to me. To have my freedom. I turned from my window and grabbed my pen. I began to write as a tear ran down my cheek, and pride burst in my heart.

\$80 BILLION TO DO NOTHING

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. ANNUNZIO. Mr. Speaker, last week Treasury Secretary Nicholas Brady, who chairs the Resolution Trust Corporation Oversight Board, came before the Banking Committee seeking another \$80 billion to cover the losses from the S&L crisis. Moreover, the Secretary requested that the RTC's borrowing limit be raised from \$125 billion to \$160 billion—an increase of \$35 billion.

It is incredible that the RTC should ask for additional funds when the RTC is not utilizing the funds it has.

The RTC has estimated that it needs to close an additional 161 thrifts in 1991. Yet the RTC did not close a single institution this past May. What prevented it? Certainly not a lack of funds, as Secretary Brady would have us believe. The RTC had on hand over \$32 billion in cash at the end of April.

Mr. Speaker, the RTC has the resources it needs, and it must start to use them. It is not getting its work done—and it should not get more money until it does start to do its job.

**A CONGRESSIONAL TRIBUTE TO
DR. THOMAS F. CONNOLLY**

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. ANDERSON. Mr. Speaker, today I rise to pay tribute to a Massachusetts man, Dr. Thomas F. Connolly. Although not a constituent of mine, he was a frequent visitor to my office and his grace and charm endeared him to all. Dr. Connolly passed away on Sunday, July 7, 1991, and I wish to include a few remarks in the CONGRESSIONAL RECORD as a tribute to his life and personal character.

At 3 p.m. on Monday, July 15, 1991, a little bit of Lynn, MA, was placed to rest in the hallowed grounds of Arlington National Cemetery. Dr. Thomas F. Connolly, Colonel Connolly, now lies beside the honored heroes of America's history. Beneath the hillside mansion

owned by the descendants of George Washington and the home of Robert E. Lee, Tom Connolly was interred after having received the loving tribute of a grateful Nation.

There could be no more appropriate site for the final resting place of this unique and remarkable man. On one of his frequent visits to the Nation's Capital, a city that Tom believed every American should visit at least once in a lifetime, he walked to the west portico of the Capitol Building and looked down upon Washington's Mall. In the distance was the towering monument that honors our first President. Beyond was the reflecting pool that fronts the Lincoln Memorial with the Vietnam Memorial to the right and the site of the proposed Korean War Memorial to the left. In the distance could be seen the mansion beneath which Tom now lies. It was a poignant moment as he talked of his love of State and country. "Let's walk to the Lincoln Memorial," he said.

If one walks around the Lincoln Memorial along the columned walkway that surrounds that imposing edifice there is a spot at the rear where you can look across the Potomac and see the flickering of the eternal flame that marks the Kennedy grave. "It's really very beautiful," said Tom, "It's very beautiful." Perhaps it was then that the idea occurred to him to come back to Arlington a final time and find eternal repose in the company of the long line of American military and civilian luminaries who sleep the long sleep blessed by their countrymen's prayers. He knew Arlington's beauty. He longed for its peace.

As the military escort performed its final salute, as the crack of rifle fire and the haunting sound of taps echoed across the solemn site, one could not help but think of the life of Tom Connolly. The joy, the sorrow, the love, the warmth, the family, the honors, the accomplishments, the awards, the character of this deeply human individual defy description. One hopes that he knew how much he was loved and how much joy and humor and excitement and pleasure he brought to so many. He was one of a kind, a true gentleman, a good and loving friend.

There are far too many trite phrases used to describe our sense of loss at the passing of a man like Tom Connolly. We tend to over-emphasize, to overpraise, to overindulge our own sense of loss. Tom would have none of that. What he would want is to be remembered. He would not ask this in a vain or self-seeking way. He would simply want us to pause in the midst of some Tom-related activity and remember. We will. We will think of him whenever we see a homeless person sheltered. We will think of him whenever we see a substance abuser helped. We will think of his charity. We will think of his kindness and his generosity. We will think of his humor, his mischievous humor. We will think of him particularly as he trudged the road of happy destiny. We will think of him in Lynn and Boston and Nantucket and Washington and of course, Arlington.

Doctor, advocate, humorist, entrepreneur, raconteur, friend, and colorful character, it is not trite to say he was truly unique. The avenues that he traveled, the rooms that he frequented, the vistas that he imagined, and the associations that he enjoyed will all be less because he will no longer be there. As for

Lynn, ah Lynn, you will suffer the most of all. Your campaigns and your politics will continue. Your nominations and your elections will be held, but the process and the pursuit just won't be as much fun anymore.

Goodbye, old friend. Know that we loved you. Know that we will remember you today and tomorrow and tomorrow. For us is left however the certain knowledge that the angels in the heaven you now inhabit carry a bit of a smile these days. God love you.

Mr. Speaker my wife Lee joins me and my Washington staff in offering sincere condolences to the family of Dr. Connolly. To his children Tom, Mark, and Anne, and to his brother Steve and sisters Alice, Eleanor, and Mary we offer our prayers.

A SALUTE TO JITU K. WEUSI

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, today I rise to pay tribute to a community leader and a native Brooklynite.

Jitu K. Weusi is a community leader and national activist who has played an integral role in founding and organizing groups and organizations throughout the Nation. He served as a founder or co-founder of numerous civic groups and associations including the African American Teachers Association, 1964; the East Cultural Center, 1970; the Uhuru Sasa Alternative School, 1971; the National Black United Front, 1980; and African Americans United for Political Power, 1989.

Mr. Weusi is a graduate of Franklin K. Lane High School. He has served as an educator and lecturer for over 29 years in high schools and colleges. In 1978, Mr. Weusi was a leader of the protest and subsequent negotiations that led to the creation of the Randolph Evans Memorial Scholarship Fund.

CONSUMER PROTECTION AGAINST CREDIT CARD FRAUD

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. BRYANT. Mr. Speaker, telemarketing fraud has become a major criminal problem in this country, victimizing thousands of consumers each year. To give law-enforcement officials added ammunition to shut down these frauds and prosecute them vigorously, I am introducing the Consumer Protection Against Credit Card Fraud Act, legislation to amend the Credit Card Fraud Act of 1984.

The amendment is designed to facilitate prosecution of increasingly sophisticated telemarketing scams. The identical provision was adopted by the Senate by unanimous consent on June 28, as an amendment to the Violent Crime Control Act.

The typical fraudulent telemarketing scheme involves solicitation of consumers by telephone; by mail; or through television adver-

tisements which result in the consumer telephoning or accepting a telephone call from the fraudulent telemarketer. The fraudulent telemarketer then dupes the consumer into purchasing goods or services which either are never delivered or are substantially inferior to those which have been promised.

These scams have a particularly hard impact on elderly victims and those with a poor credit history. The banking industry is also victimized by credit card fraud. The Federal Trade Commission has estimated that losses due to telemarketing fraud now exceed \$1 billion per year and affect hundreds of thousands, if not millions, of citizens who fall victim to these fraudulent schemes.

The Credit Card Fraud Act of 1984 was very successful in stemming the first generation of credit card fraud which involved counterfeiting and alteration of credit cards. The language I propose is designed to provide law enforcement officials with an effective tool for combating the most recent generation of sophisticated fraud schemes—the phony solicitation of credit cards over the phone and the laundering of credit card receipts. The effective prosecution of these new crimes requires that the 1984 law be expanded and updated.

Specifically, my legislation would prohibit solicitations for the purchase of a credit card without the authorization of the credit card company. In addition, it would establish a criminal offense for the fraudulent taking of payment by credit card for goods or services that are either never delivered or inferior to those promised.

The legislation would also provide that those who engage in credit card laundering violate the Credit Card Fraud Act. Credit card laundering is the practice by which fraudulent operators, sometimes in conjunction with third party intermediaries acting as brokers, persuade merchants with access to the credit card systems to submit, in the name of that merchant, the fraudulent operators sales drafts into the credit card systems.

This practice enables the fraudulent operator to circumvent institutional safeguards imposed by financial institutions participating in these systems.

I seek the support of my colleagues in stemming the telemarketing fraud tide and protecting the consumers, credit card companies, and their member financial institutions who are severely injured by these schemes.

PORT CHICAGO NATIONAL MEMORIAL ACT OF 1991

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. MILLER of California. Mr. Speaker, today on the 47th anniversary of the Port Chicago explosion, I am introducing legislation to designate the Port Chicago Naval magazine as a national memorial. This legislation honors those who served at Port Chicago, and the significant role Port Chicago played in our Nation's history. Once the largest munitions supply facility on the west coast, Port Chicago was the first major pier built exclusively for the

handling and overseas shipment of ammunition. Most of the munitions supplying the Pacific Fleet during World War II were loaded by the U.S. Navy at the Port Chicago pier on the Sacramento River.

Today, Port Chicago is the home of the Concord Naval Weapons Station. But the former town along the south bank of the Sacramento River has an extensive history, according to historian Robert Allen, author of "The Port Chicago Mutiny."

At Port Chicago, the Sacramento River widened into the Suisun Bay, a few miles across at its widest point. Low, rolling hills paralleled the Sacramento River, forming a flat area between the river and the hills. On this plain, war-related industries, such as aviation fuel refineries, steel mills, and chemical plants, were built along with military installations, including the huge Army staging area at Camp Stoneman in Pittsburg upstream from Port Chicago, the Army arsenal at Benicia, and the huge Navy shipyard at Mare Island downstream. Most of the buildings in Port Chicago were one-story structures. The water came right up to the edge of the street, and the houses jutted out into the bay.

During World War I, several shipping steamers were constructed at Port Chicago. Because the town of Port Chicago was accessible by railroad and ship, and relatively far from major population centers, the Navy determined an ammunition depot should be constructed at Port Chicago. The naval ammunition magazine at Port Chicago was authorized in 1942.

Shortly thereafter, a 500-foot long pier for ships was constructed as well as a smaller barge pier, 27 barricaded sidings capable of accommodating 203 boxcars, nine storage buildings for inert materials, four barracks for enlisted men, a commissary and administrative offices. The facilities were completed in November 1942, and the first ship to be loaded, the SS *Brewer*, anchored in December 1942, a year after the attack on Pearl Harbor.

Over the next several years, Port Chicago became the most important ammunition handling facility on the west coast during World War II, and was later used in the Korean and Vietnam wars.

There were 1,431 enlisted personnel at Port Chicago during World War II, as well as 71 officers, and 106 Marines who guarded the base. About 231 civilians also worked at Port Chicago primarily as carpenters, locomotive engineers and crane operators. The men worked in shifts, around-the-clock, 24-hours a day. Unloading the ammunition that arrived in Port Chicago and reloading the explosives onto ships headed for the Pacific Theater was difficult work; some ammunition weighed as much as 2,000 pounds. Various types of ammunition were handled at Port Chicago, including artillery projectiles, depth charges, incendiary bombs, fragmentation bombs and TNT.

In June 1944, the pier was widened to allow for twice as much ammunition to be shipped from Port Chicago. The number of men working at the site was doubled. Port Chicago was now capable of accommodating two ships at a time. There was tremendous pressure to load as much ammunition as quickly as possible. Yet, reportedly none of the loaders, all of

whom were black, were formally trained in the handling of explosives.

One month after the pier was widened, a historic tragedy occurred. On July 17, 1944, two ships the *EA Bryan*—loaded with 4,200 tons of ammunition and bombs—and the ammunition-free *Quinalt Victory*, as well as the dock facilities exploded. The blast was equivalent to 5 kilotons of TNT, on the same order of magnitude as the atomic bomb dropped on Hiroshima over a year later. The glare which mushroomed 10,000 feet into the sky could be seen 50 miles away in San Francisco, Oakland and Alameda. Seconds later, a shock the equivalent of an earthquake measuring 3.4 on the Richter scale, rumbled through the area, and could be felt as far away as Pierce Ferry, NV.

Everyone on the pier and aboard the ships was killed instantly. About 320 persons died, and another 390 military personnel and civilians were injured. None of the town's 1,500 residents were killed, although 109 were injured, and 12 persons lost the sight of an eye by looking at the blast. The single disaster accounted for more than 15 percent of all African-American naval casualties during World War II.

The *EA Bryan* was entirely demolished, and a 65-foot section of the *Quinalt Victory's* keel was left protruding from the bay, 1,000 feet from its original position. There was at least one 12-ton diesel locomotive operating on the pier at the time of the explosion. No pieces of the locomotive were ever located.

The Port Chicago explosion was the worst home-front disaster of the war. The town, located 1½ miles from the pier, was bombarded by twisted chunks of smoldering metal from the ships and jagged fragments of exploded shells. The structural damage which occurred on the Port Chicago pier and in the surrounding area was almost equal to the structural damage reported at the same distance from ground zero at Hiroshima. The 300 homes and business establishments in Port Chicago were destroyed. Windows broke in houses 20 miles away. Telephone lines fell to the ground. Property damage, military and civilian, was estimated at more than \$12 million.

The bill I am introducing recognizes Port Chicago's important role in our history. Not only will this legislation honor the families whose lives were affected by the Port Chicago facility and explosion, but it also will commemorate the site's significance in American history. I encourage my colleagues to join me in supporting the Port Chicago National Memorial Act of 1991.

BRINGING CERTAINTY AND FAIRNESS TO PRODUCT LIABILITY CASES

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. ROTH. Mr. Speaker, I am pleased to introduce today legislation that will calm the turbulent waters of product liability. My bill, the Product Liability Uniform Standards Act, is designed to limit excessive damage awards

against business. Such awards are making American business less competitive in world markets, costing American workers their jobs and driving up all consumer prices. My bill would make American business more competitive, save those jobs, and keep prices down. My bill would bring certainty and fairness into product liability court cases.

My interest was drawn to this problem first because of individuals I heard from in my district whom I knew to be very fine business people but were having problems getting insurance. Since those initial contacts with these people in the district, the problem has snowballed until we have a full-fledged crisis affecting almost every working man and woman in America. The issue of liability insurance has become the most pressing problem for the American economy today.

Hearings have been held. The problem has been analyzed. But we need action now, before America is sued right out of business.

This is a complex issue. Blame has been allotted all around. Some critics charge that the liability crisis is a conspiracy cooked up by the insurance industry to gouge the public. The insurance industry responds with charges of greed by fee-hungry trial lawyers whose number has tripled since 1970. Still others feel that is the result of judges and juries who award large damages to a litigation-crazed American public.

The U.S. manufacturing community cannot continue to function with a hodge-podge of irrational laws as its governing standard. The courts are clogged with cases. Insurance has become astoundingly expensive. Businesses are shutting their doors. Soon we will find that some necessary products and services are no longer available at any price.

It is no easy matter to conjure up a sensible Federal solution. Product liability cases traditionally have been covered by State laws. A Federal bill must not unduly intrude on the right of State authorities to fashion tort remedies. Also, complex legislation must be resisted.

When you try to rewrite 200 years of tort law, you come up with too many new definitions. There is no doubt that interpretation of these concepts will tie up the courts for years. With a solid body of law already fashioned, there is no need to wait for decades to get a clear meaning.

The U.S. Supreme Court Justice Oliver Wendell Holmes wrote, "The tendency of the law must always be to narrow the field of uncertainty." That tendency has not been apparent lately. Without certainty and predictability, plaintiffs sue, defendants do not know how to protect themselves, and insurance companies cannot reasonably assess risks and price. My bill is designed to go back to the basics. The system was working reasonably well, not perfectly, but reasonably well, up until a decade ago. It would seem reasonable to enact and moderate a restrained reform, and wait to see if radical solutions prove necessary. My bill follows Justice Holmes' advice; that is, it narrows the field of uncertainty. That is what we want to get at.

My bill targets the four crises in product liability. First, it would make negligence the sole test for any defective design and failure-to-warn cases.

It is only logical that the burden of proof should be with the plaintiff. After all, he is the one that is bringing the action. In this way, we can narrow the expansion of the law of the past few decades.

The second crisis is the rising amount of punitive damage awards. We call them "punies," and they have become the real surprise element in product liability cases. Just when a defendant thinks he has paid all the costs involved with a case, he is hit with an additional cost, because he did not pay fast enough.

To bring stability, predictability, and fairness to punitive damages, we need clearly articulated standards that set forth the kind of irresponsible conduct for which courts will impose punitive damages. In other words, give manufacturers some rules of the road.

Thus, in my legislation, plaintiffs would have to prove by clear and convincing evidence that the defendant was reckless. This is a standard higher than the current preponderance of evidence. It allows punitives to be awarded only when truly deserved.

The third issue to address is the overlap in workers' compensation and tort systems. Currently, a manufacturer is held liable when a defective product causes injury in the workplace and must bear full cost of the injury. The workers' compensation system, which dispenses money for workplace injuries, is entitled to recoup any funds it paid out for the ultimate recovery against the manufacturer.

The long and short of this is that manufacturers bear the full brunt of workplace injuries, even though the employer may have contributed to the injury by negligence in the workplace.

To resolve this problem and still limit the liability of the employer, one need only allow the workers' compensation award to be set off against the ultimate judgment.

This solution permits the plaintiff to retain the very same benefits he now enjoys. By shifting part of the cost back to the employer, we encourage safety in the workplace and alleviate the crushing burden of the manufacturers.

The fourth crisis is that of the innocent defendant being dragged into suits unnecessarily. Under the present system, in most States wholesalers and retailers are held strictly liable for the sale of defective products, even though there is nothing they can do to discover the defect. In most instances, they are in no position to control the product quality. This is not only liability without fault, it is liability without reason.

My solution is that if the manufacturer is sued, the wholesaler and the retailer who have no chance to discover the defect should be exonerated from liability. This will unclog the courts of unnecessary suits.

My bill provides also for a comprehensive study of the facts concerning damages in product liability.

The fairness and efficiency of our tort system depends upon appropriate damage awards; yet we have no useful damage award data on which to evaluate the efficacy of our legal rules.

If it becomes necessary to cap costs down the line, this study will allow us to make informed decisions. It is time to debunk the myth that any Federal product liability legislation will be anticonsumer.

The bill I have introduced speaks with fairness, common sense, and with moderation to the consumer and the business community alike. A tort system with clearly defined standards will enhance individual responsibility and end the punitive damage sweepstakes.

LEGISLATION TO RESTRAIN AMOUNT OF EXPORTED STEEL TO THE UNITED STATES

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. VISCLOSKY. Mr. Speaker, today, I am introducing legislation to urge the U.S. Trade Representative to initiate promptly negotiations with the government of South Africa for the purpose of entering into a bilateral arrangement pursuant to the Steel Import Stabilization Act that is consistent with the steel trade liberalization program announced by President Bush on July 25, 1989.

As a strong supporter of the U.S. steel industry and its workers, I am seriously concerned about an important implication of the President's July 10, 1991, decision to lift American economic sanctions against South Africa.

Prior to the imposition of American sanctions against South Africa, which were mandated by the Comprehensive Anti-Apartheid Act of 1986, steel imports from South Africa were governed by a bilateral arrangement under the steel voluntary restraint agreement [VRA] program. The original VRA program was in effect from October 1984 through September 1989. However, because of the economic sanctions, South Africa was not included in the extended VRA program, which is in effect through March 1992. As a result, South Africa is not currently governed by the same rules as most of our major steel trading partners.

Now that sanctions have been lifted, South Africa has the ability to export at least half a million tons of steel into the United States. Further, since South Africa is no longer included in the steel VRA program, it would have the unfair advantage of being able to ship its steel products into the United States without restraint. It is currently estimated that the South African steel industry has the excess capacity to produce an additional 500,000 tons of crude steel per year for export to the U.S. in the 1990s. Not only would this translate into reduced American steel output, but it could also mean the loss of 1,500 American jobs.

I urge you and my other colleagues to support this important resolution.

A BILL TO REAUTHORIZE THE CASH/CLOC PILOT PROJECT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. KILDEE. Mr. Speaker, today I am introducing legislation to reauthorize the Cash/

CLOC pilot project under the National School Lunch Program.

The National School Lunch Program will provide an estimated 4.1 billion meals in fiscal year 1991 to children across the country. These children will come from a wide variety of backgrounds, but they will all receive nutritious meals to help ensure their good health and their ability to learn.

Participating schools receive both a cash and a commodity reimbursement for every meal served which varies depending on a child's ability to pay the full cost of their meal. Cash/CLOC was first authorized in 1981 to test alternative means by which schools may receive their commodity reimbursements. Under this pilot project, 60 schools may receive the value of their commodity reimbursements in the form of cash or commodity letters of credit [CLOC].

The Subcommittee on Elementary, Secondary, and Vocational Education heard testimony concerning Cash/CLOC earlier this year, and will conduct additional hearings on the program as the reauthorization progresses.

The Cash/CLOC pilot project is authorized through September 30, 1992. I am introducing a bill today that would reauthorize it for 2 additional years in order to generate discussion and comment, which I welcome throughout the reauthorization process.

PROLIFERATION PROFITTEERS: PART 21

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. STARK. Mr. Speaker, in an important international development North Korea agreed yesterday to allow the International Atomic Energy Agency [IAEA] to inspect its nuclear facilities. North Korea had signed the Non-Proliferation Treaty [NPT] in 1985, but had not yet agreed to the necessary safeguards accord with the IAEA.

In recent weeks, there have been a number of positive developments in the area of nuclear nonproliferation. France and South Africa have agreed to sign the NPT, Brazil and Argentina are signing a safeguards accord with the IAEA. Even the People's Republic of China, the leading rogue proliferator, has given hints it might sign the NPT. Even so, nuclear proliferation remains the leading threat to U.S. national security. Pakistan still has an active nuclear weapons program and has hinted in the past it would pass the technology on to its allies in the Islamic world. The current IAEA inspection of Iraq also illustrates the possibilities of clandestine nuclear weapons activity in states which have signed the nonproliferation accord.

Today I am placing into the CONGRESSIONAL RECORD the 21st in my series of case studies of foreign companies which have sold nuclear weapons technology to developing countries. If we can stem this proliferation profiteering, there is a chance we can make some real progress in solidifying the nonproliferation regime. I have introduced a bill—H.R. 8309—that puts import sanctions on these foreign

firms which traffic in unsafeguarded nuclear technology. This legislation has 48 cosponsors and the support of leading experts in the non-proliferation field.

FIRM 8: INTER-NUCLEAR SERVICE AG
(SWITZERLAND)

Inter-Nuclear Service AG of Zug, Switzerland is a small nuclear industry firm involved in the import and export of nuclear materials. The company is a subsidiary of Germany's Nukem GmbH, but was also associated with the group of firms connected to Alfred Hempel GmbH of Duesseldorf. The Hempel group was implicated in the illegal export on numerous occasions of heavy water, a sensitive nuclear weapons-related material, from Norway, the People's Republic of China, and the Soviet Union to Argentina, India, Israel and Pakistan from at least 1977 through 1987. *Der Spiegel* claimed in January 1988 that Inter-Nuclear Service, with supervision from its Nukem management, supported Pakistan's nuclear weapons research by secretly supplying that country with heavy water and acting as a Swiss go-between for the firm's German parents.

TRIBUTE TO PORT ALLEN, LA

HON. CLYDE C. HOLLOWAY

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. HOLLOWAY. Mr. Speaker, it is with great pride and pleasure that I pay tribute today to the town of Port Allen, LA, whose citizens I have had the pleasure of representing in the U.S. Congress. In particular, it is with great pride that I inform this great body of the significance of Saturday, September 14, 1991. Mr. Speaker, on that date, the town of Port Allen will celebrate its 75th anniversary.

The town of Port Allen is not an ordinary American city. It is not just another small town. It is more than simply another sleepy, southern locale. Port Allen is a special place, its townspeople are special folks. Located in West Baton Rouge Parish, a mid-point within the Eighth Congressional District of Louisiana, Port Allen, LA, is the town I first think of when people ask me about Louisiana.

Port Allen and its people, like most Louisianians, work hard and play hard. The people of Port Allen live in today's world, they do not want to live in the world as it used to be. They are too busy preparing for the world as it is going to be. It is Port Allen that I visualize when I tell people about the spirit of Louisiana's people, our love of life, our love for our neighbors, and for our communities.

I am proud to speak of Port Allen as the town celebrates its 75th anniversary. Its citizens have every reason to be proud. Port Allen, LA, is filled with people who represent the best of Louisiana.

Its citizens are caring, industrious, moral people with hearts of gold and skills to match who can compete with anybody, anywhere in America. I ask my colleagues in the Congress to join me in this salute to Port Allen as the town celebrates its 75th year.

Sources: "Nuclear Fuel," 9/19/88, p. 4 by Mark Hibbs; "Der Spiegel," 1/18/88, pp. 18-30; "Die Ziet," 10-21-88 by Wolfgang Hoffmann.

EXTENSIONS OF REMARKS

SALUTE TO REV. DR. HERBERT DAUGHTRY

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TOWNS. Mr. Speaker, I rise today to honor Rev. Dr. Herbert Daughtry—a progressive, pan-African activist and religious scholar who comes from a family which has produced three generations of black churchmen and leaders. As a result of his community involvement over the past 27 years he has more than earned the title of "The People's Pastor." As national presiding minister of the House of the Lord Churches, chairman emeritus of the National Black United Front and president of the African People's Christian Organization, Reverend Daughtry has risen to a point of national and international acclaim and responsibility. Reverend Daughtry has served in various capacities with the World Council of Churches and has also studied, lectured and done research at the Theological Ecumenical Institute in Bossey, Switzerland, and Virginia Theological Seminary.

In 1977 Reverend Daughtry was a major force that helped to bring about many opportunities for citizens in downtown Brooklyn. During the 1984 Presidential campaign, Reverend Daughtry served as special assistant to Rev. Jesse Jackson and was a member of Jackson's National Campaign Committee. In 1985, the New York Senate unanimously adopted a resolution honoring Reverend Daughtry for 25 years of service to humanity and he has received a doctor of humane letters awarded by Seton Hall University.

Reverend Daughtry is a valuable community leader and highly respected church leader whose dedicated efforts will always reflect the concern and commitment dedication that he has for his community over the years.

POEM OF THE COURAGEOUS RAFTERS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to bring the work of Mr. Juda Guzman Funes to the attention of my colleagues. Mr. Guzman Funes, a constituent of my congressional district who is originally from Honduras, has written a poem, in Spanish, on the continuing heroic voyages Cuban refugees are making across the 90-mile stretch of water which separates Cuba from the United States. Balservos valientes, que al mar os arrojaís, Afrontando mil peligros, sed y hambre, Lamento vuestro infortunio y desgracia, Sufriendo el terrible sol y el calabre; Entrais en la historia moderna y triunfais!!, Remarcando tus ansias y amor por la democracia.

Os admiro y elogio vuestra gran voluntad, Ereis orgullo del sufrido pueblo cubano, Sois un fuerte lazo que afianza la hermandad Con todas las naciones del mundo hispano, Uniendo con tu sublime y gran heroismo.

July 17, 1991

Buena opinión y admiración de la cristiandad
A favor de la isla bella, cautiva del comunismo;
No teniendo ya nadie la menor vacilación,
O duda alguna, de condenar a Fidel el dictador,
Solo comparable al fatídico Hitler, Adolfo;
Pues vosotros perferis afrontar al fiero tiburón,
Y a los mil y un riesgos en el inmenso Golfo,
Huyendo del tirano Castro, imitador de Nerón,
Buscais la tierra de la libertad y democracia,
Conmoviendo con vuestra audaz y valiente accion,
A los gobiernos nobles y a la humanidad,
Y hasta las tumbas de vuestros próceres,
Se contagian de sublime y gran admision,
Por vuestra gesta de heroismo y temeridad!!!.

Que Dios bendiga a los que a Florida han llegado,
Y tenga en su seno a los que se han ahogado!!!.

Nota: Los llamo balseroes, esperando que el pueblo cubano y toda la hispanidad, acepten ese título de honor, como tributo a tan admisible gente, orgullo de cuba y de la humanidad.

Although not from Cuba, Mr. Guzman Funes feels the hurt and pain felt by the rafters. He calls them valiant, because of the thousands of dangers that stand in their way from reaching freedom. Mr. Funes lists some of these dangers, which include thirst, hunger, sun, and sharks. He describes these hardships as hard to overcome, but the rafters prefer to face these dangers rather than face the present brutal regime of Fidel Castro.

THE 25TH ANNIVERSARY YEAR OF THE FORMATION OF THE PRESIDENT'S COMMITTEE ON MENTAL RETARDATION

HON. WAYNE OWENS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. OWENS of Utah. Mr. Speaker, today I am introducing a joint resolution designating 1991 as the 25th anniversary year of the formation of the President's Committee on Mental Retardation.

Since the formation of the President's Committee on Mental Retardation in 1966, many need of the mentally retarded have been addressed. Due to the efforts of the Committee, persons with mental retardation have been freed from back wards of institutions. Training opportunities have been developed and our citizens with mental retardation are learning to live and work independently, free of institutional restraints. Many have secured jobs and housing, side by side with the general population.

The Committee's efforts have allowed the once silent voice of mentally retarded citizens to finally be heard, and in doing so we are becoming increasingly aware of the important and pending needs of these citizens.

Diligent efforts in research have revealed that over half of the more than 250 known causes of mental retardation are preventable. It is important that the general public be better

educated on the prevention of mental retardation and that those who are affected be allowed to take their rightful place in society.

Throughout the last 25 years the Committee has assisted local, national, and international organizations with their efforts to reduce the incidence of mental retardation. The Committee has also aided individuals with mental retardation by helping them achieve full citizenship as productive, taxpaying members of society.

Despite all of its accomplishments, the work of the President's Committee on Mental Retardation is not yet finished. More must be done to make the general public aware of the causes of mental retardation and of the ways we've learned to prevent them.

By supporting these efforts we ensure the rights of the mentally retarded and we enable them to continue to lead active lives.

Please join me in designating the year 1991 as the 25th anniversary year of the formation of the President's Committee on Mental Retardation.

THE NORTH AMERICAN FEIS COMMISSION AND THE CULTURAL HALL OF FAME

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. GILMAN. Mr. Speaker, I rise today to pay tribute to the Irish Cultural Hall of Fame of the North American Feis Commission, an organization devoted to the promotion and preservation of Irish culture.

Mr. Speaker, the Irish Cultural Hall of Fame was created in 1978 to memorialize individuals who have given unselfishly of themselves to promote Irish culture. Those who are inducted into the hall of fame are no ordinary Irish-Americans. They are carefully selected individuals who have been actively involved in the field of the "Irish arts" as performers, teachers, or volunteers and have devoted at least 10 years working for the preservation and promotion of their culture.

The Irish having played such a colorful role in our Nation's history, I am particularly pleased that their rich heritage is being preserved and maintained in such a glorious fashion as through the Feis Commission's Hall of Fame. Its dedicated members have brought honor, fame, and prestige not only to themselves but to their communities and to the Irish race. Their example inspires young people to take an interest in their Irish heritage.

Accordingly, Mr. Speaker, I invite my colleagues to join with me in extending congratulations and best wishes to the Irish Cultural Hall of Fame and its inductees. I trust that the hall of fame will continue to recognize those whose dedication and integrity help to preserve the strength of Irish heritage in this country.

EXTENSIONS OF REMARKS

THE SOCIAL SECURITY NOTCH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. ENGEL. Mr. Speaker, I rise today to urge my colleagues to support H.R. 917, of which I am an original cosponsor. This bill is designed to correct the Social Security notch problem, which causes people born between 1917 and 1921 to receive smaller Social Security benefits than others. It is unfair that some people are being penalized because of the year they were born. These so-called notch babies should not continue to be second-class citizens.

During the 101st Congress, I was a cosponsor of a similar bill, which was one of 16 bills introduced to address this issue. H.R. 917 is a consensus bill which combines the best features of all these bills.

H.R. 917 is designed to help middle-class senior citizens by capping the creditable earnings used to calculate benefits to correct the notch at \$29,700 per year. This cap would not apply to any income earned after age 65. Additionally, this legislation would provide a 10-year transition benefit for people born between 1917 and 1926 to ensure that there are no residual benefit discrepancies caused by the notch.

H.R. 917 is designed to hold the cost of correcting the notch to \$5 billion per year during the 1990's and less thereafter. The Social Security surplus is currently over \$155 billion and is expected to rise to over \$1 trillion by the end of the decade. It is only right for us to use a small portion of this money to correct this horrible discrimination.

I believe the notch has resulted in arbitrary benefit discrepancies which are unfair and jeopardize the integrity of the Social Security System. I urge the Ways and Means Committee to take action on H.R. 917 and to correct the security notch. Let's stop this appalling discrimination once and for all.

CONGRATULATIONS STEPHEN EDWARD STEWART, TROOP 275'S NEWEST EAGLE SCOUT

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. CLEMENT. Mr. Speaker, presently, Boy Scout Troop 275 will confer on Stephen Edward Stewart the rank of Eagle Scout. I am pleased to join his family and friends in congratulating Stephen on earning this award.

Stephen is a 14-year-old who will begin this fall as a freshman at McGavock High School. Stephen plans to finish high school with high enough honors to receive an appointment to the Naval Academy, where he would like to be an aviator. Certainly, earning the rank of Eagle Scout is indicative of the high goals and dedication Stephen has already exhibited in his young life.

For example, Stephen is a member of the National Junior Honor Society. And the track

team is which he competes placed third in the city track meet for the 800-meter relay and fourth in the city track meet for the 400-meter relay. Stephen's talents extend to music as well, as demonstrated by the fact that he plays violin in the school orchestra.

Stephen has had a distinguished career in scouting. He has earned two religious awards and some 18 additional merit badges beyond the required 21 for the Eagle Scout rank. He plans to earn additional merit badges so he can learn more and earn Eagle Palms. As evidence of his community service, it is important to note that he is a brotherhood member of the Order of the Arrow.

Stephen's Eagle project demonstrates his interest in conservation and underscores his plan to earn the Hornaday Award for Conservation. His project required over 429 hours to plan, develop and execute. Specifically, he placed four free-floating wood duck nesting boxes on Couchville Lake at Long Hunter State Park. These free-floating boxes will allow nesting without the problems of flooding destroying the nesting eggs or young. To pay for the project, Stephen spoke to businesses, individuals and community organizations like the Kiwanis Club and was able to obtain approximately \$910 in donations.

Stephen's family and friends are especially proud of his earning the rank of Eagle Scout. In Stephen's case, it is one of many steps in a life already full of achievements and great goals.

Congratulations, Stephen.

THE DEATH OF MORT R. LEWIS

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. WAXMAN. Mr. Speaker, it is with profound sadness that I bring to the attention of my colleagues the death of my friend Mort R. Lewis. Mort's compassion, his ineffable determination, and his delightful sense of humor will continue to influence those of us lucky to know him during his lifetime.

Mort was a successful radio, television and film writer. He began his career as a comedy writer for radio entertainers like Jimmy Durante, Jackie Gleason, and George Burns. For television he created "The Public Defenders," and he contributed to such successful programs as "Bonanza," "Bewitched," "Combat," "Rawhide," "Truth or Consequences," and "This Is Your Life."

Although he had a busy career, Mort was a humanitarian whose love of people and the sanctity of life always kept him involved in efforts to improve the health of Americans. During the many years I knew him, he worked persistently, and through every avenue he could think of, to broaden the public's awareness of cardiopulmonary resuscitation [CPR].

Mort began his commitment to raise public awareness of CPR in the 1970's. He was instrumental in establishing one of the first blood banks in California. He was also a certified instructor of CPR for the American Heart Association and won its Award for Exceptional Services. In addition, he received the Human-

tarian Award of the Los Angeles County Board of Supervisors, and one of the highest awards of the Writers Guild of America, the Valentine Davies Award.

Mort's commitment to CPR awareness was contagious. Nineteen fellow members of the Writers Guild of America-West became certified CPR instructors and the Screen Actors Guild, Dramatists Guild, and Writers Guild-East started their own programs.

Due to Mort's efforts, Congress passed a resolution declaring the week of October 20, 1985, as CPR Awareness Week. Los Angeles mayor Tom Bradley proclaimed the same week in 1986 as Los Angeles CPR Awareness Week. Mort spent years working to get the Stamp Advisory Committee to accept his idea for a CPR stamp and he obtained an impressive list of endorsements for his efforts.

Mort was an expert on the Civil War and connoisseur of the humor of Abraham Lincoln. He was past president of the Civil War Round Table for Southern California, vice president of the Lincoln Sesquicentennial Association of California, and a member of the advisory council of the United States Civil War Centennial Commission.

Mr. Speaker, a dictum of the Talmud instructs us that "if any human being saves a single soul, scripture regards him as if he had saved an entire world." Mort's life mirrored this teaching; and our lives are diminished with his passing.

I wish Mort's widow, Isabelle, good health and great strength from her beautiful memories of their long, happy life together.

WHICH COMPANY WILL BE THE NEXT EASTERN AIRLINES?

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SMITH of Florida. Mr. Speaker, too often Congress is accused of reacting to problems after they occur. We now have the opportunity to plan ahead to protect the retirement health benefits of perhaps millions of Americans and their families.

A few months ago, the retirees of Eastern Airlines learned that the trustee in bankruptcy wanted to reduce their health benefits. This is allowed under the bankruptcy law. Retirees of a liquidating company have no protection under the law. Their health benefits disappear when the company liquidates.

I had to tell constituents that Congress has no legal power to intervene once a company files for bankruptcy. The separation of powers doctrine prevents our interfering in a judicial proceeding.

Today it is Eastern, but who will it be tomorrow? It is not inconceivable that another major American company will declare bankruptcy before the turn of the century.

ERISA protects pension benefits, but no agency protects retirement health benefits. As the population ages and health costs continue to increase, retirement health benefits will become as important as pensions.

I am urging the appropriate committees to begin an investigation of this potential problem

and to solicit possible solutions. Perhaps we need a pension benefit guaranty corporation for health benefits. Perhaps we need to include retirees in any universal health coverage Congress might approve.

I raise the question with the hope that we can develop a satisfactory response before it is too late for the retirees of the next bankrupt company. We cannot allow what is happening to Eastern's retirees to occur again.

TRIBUTE TO JAMES FARMER

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. LEWIS of Georgia. Mr. Speaker, 30 years ago, the course of history abruptly changed as a group of Americans boarded buses in Washington, DC, and rode into a cauldron of hatred in the Deep South. That was 1961, 3 years before the Civil Rights Act was signed into law. That was the "Freedom Ride." With James Farmer at its helm, that was the ride that put an end to Jim Crow in interstate transportation.

James Farmer is one of those too often forgotten heroes. When he was 22 years old, Farmer founded the Congress of Racial Equality. CORE was founded in 1943 as an interracial organization committed to the principles of nonviolence ascribed to by Mahatma Gandhi.

CORE demonstrations began in Chicago. Through Farmer's organizational efforts, 15 chapters soon made their presence felt throughout our Nation.

James Farmer is a man gifted with a huge array of talents—a towering intellect, an infallible memory, a mesmerizing voice, a commanding presence, equanimity in crisis, a forgiving spirit and an unswerving ethical compass. He has dedicated his talents to organizing others to stand up, speak out and act against wrongs.

In 1961, James Farmer decided to test the recent Supreme Court ruling outlawing segregation in interstate commerce by setting up freedom rides. There were 13 of us on the original freedom ride, including James Farmer. Farmer had said that "He would not be an armchair general, sending the troops where he would not venture to go himself." "I will go with them," he said.

Two days after we left Washington, we arrived in Rock Hill, SC. There was an altercation at the bus station there. Some of the riders were hurt.

I had to leave the ride at that time. Farmer and the others continued. When they got to Anniston, AL—about 2 hours outside of Montgomery—one of their buses was burned.

People on the other bus were beaten when they arrived at the station in Birmingham. Fearing for the safety of the freedom riders, James Farmer announced that CORE was canceling the ride.

Some of us in Nashville—Bernard Lafayette, James Bevel, myself and others—were determined that the ride should continue. So, we went to Birmingham to take up the ride.

Eventually, we made it to Montgomery. It was in Montgomery that Dr. Martin Luther

King, holed up in a church with hundreds of others and an angry mob outside, got on the phone with Attorney General Robert Kennedy and told him that we needed the Federal Government's help. We got assurances from Bobby Kennedy that he would do all that he could to ensure that we were safe. James Farmer rejoined the ride.

When the freedom riders were put in the Hinds County Jail, Farmer went too. When the freedom riders were sent to the infamous Parchman Penitentiary, Farmer went too.

As a result of the ride James Farmer made, black people could—for the first time—travel freely throughout the United States.

The next year James Farmer went North. He organized Freedom Highways in 1962. The result was that thousands of activists, led by Farmer, desegregated restaurants and motels up and down the eastern seaboard.

James Farmer was scheduled to be one of the keynote speakers at the March on Washington in 1963. He did not participate in the March, however, because he refused to leave the jailhouse in which he was being held in Louisiana. Floyd McKissick read Farmer's statement at the March on Washington.

Farmer nearly lost his life at the hands of law enforcement officers and the Ku Klux Klan in Plaquemine, LA. His work in Louisiana attracted little press attention; but it resulted in the gain of voting rights and political empowerment for thousands of poor and black people in that State.

In 1969, James Farmer was named Assistant Secretary for the Department of Health, Education and Welfare. There he was instrumental in saving Head Start. He also developed the New Careers and HEW Fellows Programs, opening the doors for unprecedented numbers of blacks and other minorities to assume senior Government positions.

Today—71 years old and unsighted—James Farmer continues to issue "wake-up calls" to Americans of all colors and ages, reminding us of the work still to be done. What he will say as we commemorate the 30th anniversary of the freedom ride later this week is this:

Here we will celebrate the bravery of those riders, but bravado is not enough. We will honor the past, but we must not be mired in it. The past shines brightest when it illuminates the present, enabling us to pierce the darkness of the future * * *. Look back! Yes. But most of all, employ the verve of yesterday in taking a bold leap forward.

I am honored to have this opportunity to pay tribute to an esteemed movement patriarch, James Farmer, a nonviolent warrior for freedom, equity, peace, and justice. James Farmer, one of the unsung heroes of the civil rights movement, continues to keep his eye on the prize.

UNION BEACH, NJ, TO HOLD WELCOME HOME CELEBRATION

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. PALLONE. Mr. Speaker, on Sunday, July 21, the borough of Union Beach, NJ, will hold a Welcome Home Celebration for the

men and women of America's armed forces who served their country so ably and heroically in Operation Desert Storm. Sunday's event will also pay tribute to all American veterans, whose service to their country in previous wars shall never be forgotten.

The celebration will begin with a parade through town, concluding at the borough's municipal building. The rest of the day's festivities will include music and dancing, with a fireworks show at dusk.

Mr. Speaker, America's triumph against the illegal Iraqi invasion and occupation of Kuwait stands as proof that our country will use its awesome military force for the purposes of upholding international law. Operation Desert Storm was proof that we mean business when it comes to preventing dangerous tyrants from imposing their will on their neighbors. As we work toward a better world of greater international cooperation, America's strength and resolve exists to deter and roll back the forces of aggression and dictatorship. A strong America is not a threat to anyone, but rather a guarantee that the cause of peace and freedom will prevail.

Our President and our top military officials deserve tremendous credit for their vision and leadership in winning this war quickly and decisively, while the designers and manufacturers of our defense technology deserve praise for their work on the equipment that made it possible for us to defeat Saddam Hussein's forces with a minimum of casualties. But the lion's share of the credit belongs to the men and women of our armed forces who volunteered to defend their country in a time of peace and then, when confronted with war, responded with bravery, professionalism and the will to win.

From the big cities to small towns, Americans have expressed their gratitude to these American heroes with parades and other celebrations. On Sunday, it will be Union Beach's turn to say "thank you." I consider it a great privilege to take part in this special event.

**A SALUTE TO PRAIRIE VIEW A&M
UNIVERSITY ALUMNI**

HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. LAUGHLIN. Mr. Speaker, today begins the 17th annual Prairie View A&M University National Alumni Convention. It is with great pleasure that I have this opportunity to recognize the current and former students of this distinguished university.

Prairie View A&M University is deeply enriched in academic history. Therefore, it comes as no surprise that the State of Texas constitutionally recognizes Prairie View A&M University as an institution of the first class. I am extremely proud to represent this exceptional group of students and educators who are committed to making our world a better place.

Prairie View A&M's excellence was well-demonstrated this past year by Lt. Gen. Calvin Waller, Prairie View A&M University, class of 1959, who served as Gen. Norman

Schwarzkopf's deputy commander during Operations Desert Shield and Desert Storm. Lt. Gen. Marvin Brailsford, also a member of the class of 1959, played an integral part by supplying materiel readiness to the U.S. Army. America is proud of the leadership provided to our Nation by General Waller and General Brailsford.

Mr. Speaker, during this past academic year, Prairie View A&M University had its computer engineering technology and electrical engineering technology programs receive accreditation from the accreditation board for engineering and technology. The Texas National Research Laboratory Commission gave \$1 million for the first-year phase of Prairie View A&M University's particle detector research center, which Prairie View A&M University will direct as the lead institution in a consortium of 13 other universities. This proposal links collaborators of historical black colleges and universities to institutions with strong research reputation for joint benefit. Prairie View A&M University students won 1st, 2d, and 3d places in biology and two students tied for 1st in physics in the 10th Annual Research Association of Minority Professors Conference in Houston. These are only a few accomplishments from this distinguished university this year.

I applaud the dedication and challenge of Prairie View A&M University to its continued service. There is no doubt that this institution has contributed greatly to our country and is indeed an institution of the first class.

**TRIBUTE TO AMBASSADOR
MINERVA BERNARDINO**

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. SERRANO. Mr. Speaker, I rise this morning to pay tribute to Minerva Bernardino, Ambassador to the United Nations, a woman who has dedicated her life to the fight for women's rights and equality. Ambassador Bernardino will be honored this Friday evening at a Gala Banquet that is sponsored by the First Annual Grand Dominican Parade in my district, the South Bronx.

Mr. Speaker, Ambassador Bernardino has resided in New York City for many years. She holds the distinction of being the first woman Ambassador to the United Nations, representing her beloved country, the Dominican Republic. She was ambassador to the Netherlands for 3 years, 1971-72, 1972-73, and 1973-74, and has traveled the world demanding equal rights for all women.

She was a signatory of the charter of the United Nations in the San Francisco Conference in 1945; she is the only signatory still living. She was instrumental in the insertion of "equal rights for women" in the charter and was responsible for the words "equal rights for men and women" in the Universal Declaration of Human Rights. She led the fight for the adoption by the U.N. General Assembly of the Conventions for Political Rights for Women and the Nationality of Married Women. She is a signatory of the charter of the Organization

of American States and is responsible for the inclusion of "equal rights for women" into that charter.

Ambassador Bernardino was the first woman to be elected first vice president of the Economics and Social Council of the United Nations. She was twice elected vice president of UNICEF. Mrs. Bernardino was for several years the chairman of the Commission on the Status of Women of the United Nations.

Mr. Speaker, of the innumerable awards bestowed upon Mrs. Bernardino, she is especially proud of one given to her in June 1950, by the National Council of Negro Women, which declared her Woman of the Year for her struggle for Civil Rights for Women. She is also proud to have established close friendships with other outstanding women of the world who have influenced and inspired her including Indra Gandhi, Eleanor Roosevelt, Eva Peron, and several queens of nations.

Mr. Speaker, I am proud to pay tribute to Ambassador Minerva Bernardino. She has dedicated her life to the fight for women's rights and the protection of equality for all minorities. Her leadership and commitment have paved the way for the women of the future, and have eased the transition for more women to play an active role in the advocacy of universal rights for all women.

**CONGRATULATIONS TO
ARCHBISHOP PHILIP SALIBA**

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. TORRICELLI. Mr. Speaker, I rise in order to commemorate the 25th anniversary of Metropolitan Archbishop Philip Saliba as primate of the Antiochian Orthodox Christian Archdiocese of North America. On August 5, 1966, Archbishop Philip was elected to shepherd the Antiochian archdiocese and since he has, time and time again, exhibited visionary leadership.

Philip Saliba was born into a traditional Orthodox Christian family in Abou Mizan, Lebanon in June 1931. Following a traditional education, at the age of 14, he was accepted into the Balamand Orthodox Seminary in Tripoli, Lebanon, and later graduated from the Orthodox Secondary School and Assiyeh Orthodox College in Damascus, Syria. In 1949, at the tender age of 18, he was ordained as a deacon and assigned to the Antiochian Orthodox spiritual leader, Patriarch Alexander III. In 1952, he was appointed to teach in the department of Arabic language and literature at the Balamand Seminary. In September 1953, Deacon Philip enrolled at the Kelham Theological School in Nottinghamshire, England, and in September 1954 began theological studies at the University of London.

Philip Saliba's experiences during these still-impressionable years made a profound impact in shaping what became Philip's priorities as a priest and then as prelate: the need to cultivate and ensure integrity among the church hierarchy, the strengthening of Orthodox theological training and a focus on the importance

of Orthodox youth education, and providing security for clergy and their families. In 1956, Philip arrived in the United States to study at Holy Cross Orthodox Seminary in Brookline, MA, and was subsequently assigned to St. George Orthodox Church in Detroit, MI, and began studying history at Wayne State University, receiving his B.A. in January 1959. On March 1, 1959, Philip Saliba was ordained an Orthodox priest and received his first pastoral assignment at St. George Church in Cleveland, OH. Father Philip continued to study Orthodoxy as the years progressed and earned a masters in divinity studies from St. Vladimir's Seminary in Crestwood, NY, in June 1965.

In 1966, Antony Bashir, archbishop of the Antiochian archdiocese at that time, died and Father Philip was nominated and later elected in August 1966, to succeed him. The new 35-year-old archbishop was now able to embark upon the objectives—theological, humanitarian, and administrative—that had always driven him to serve both the church and those around him.

In his 25 years as archbishop, Philip Saliba has accomplished a great deal, reflecting the priorities he established for himself so long ago. In the early 1970's, Archbishop Philip organized and established the first archdiocese-wide woman's organization, and appointed the first woman to the archdiocese board of trustees. In 1975, Archbishop Philip achieved the first measure of Orthodox unity in the United States by merging his Antiochian archdiocese with the only other Antiochian jurisdiction in the United States. Also, in 1975, Archbishop Philip founded the philanthropic organization, the Order of St. Ignatius of Antioch, whose membership now exceeds 1,000 members and has donated over \$5 million to the archdiocese and humanitarian projects around the world.

In addition, the Food for Hungry People Program, instituted in 1975, has donated over \$1 million to needy organizations and individuals the world over, without regard to race, creed or nationality. In 1978, the archbishop directed the purchase and subsequent development of the 300-acre Antiochian Village in Ligonier, PA. Archbishop Philip has been very involved in the search for peace in Lebanon and the Middle East in general. The archbishop constantly meets with other Christians, Jews, and Moslems seeking formulae for political solutions to these most difficult questions. Archbishop Philip has met with Presidents Reagan and Bush, State Department officials and leaders of other countries seeking the way of peace.

Archbishop Philip has been awarded many commendations and medals, among them are the Order of Cedars from the Lebanese Government and the Cross of Lebanon from the Lebanese Antiochian Archdiocese. He has been bestowed with honorary doctorates from his alma maters, Wayne State University and the St. Vladimir's Seminary. As impressive as each of these are, his most cherished honor was receiving the "Liberty Award" presented to him by Mayor Edward Koch of New York City in conjunction with the 100th anniversary of the Statue of Liberty; Archbishop Philip was one of only a few Americans to receive this honor.

EXTENSIONS OF REMARKS

On the eve of Archbishop Philip's 25th anniversary as primate of the Antiochian Orthodox Christian Archdiocese of North America, I congratulate him for his work as a theologian and humanitarian and as a fine example to all who choose and are proud to be Americans.

PRATISHATHA CELEBRATION HIGHLIGHTS INDIAN CULTURE AND RELIGION

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. GUARINI. Mr. Speaker, I would like to ask my distinguished colleagues to join me in saluting an Indian religious celebration taking place in my home State of New Jersey in August.

From August 2 to 11, Indian people from all over the world will travel to Siddhachalam in Blairstown, NJ, for a Pratishatha celebration.

During this celebration, members of the Jain religion will gather to further explore their beliefs and their inner selves. The celebration will include a world Jain conference, a cultural program, discussions, and seminars.

More than 100,000 people from the New Jersey-New York area are expected to meet at Siddhachalam. Among those attending will be residents from the large Indian community present in my congressional district of Hudson County, NJ.

Hardyal Singh, president of the International Mahatma Gandhi Association and the United Indian American Association, and Mono R. Sen, chairman of the Indo-American Association, are both coordinators for this event.

Both Mr. Singh and Mr. Sen's organization's are based in Jersey City. The Pratishatha celebration is a further extension of their efforts to promote awareness of Indian culture and heritage in the United States.

Both men are leaders within Hudson County's Indian community, which is about 30,000 strong, and I commend them for their work on this project.

The gathering at Siddhachalam will mark a milestone in the history of Jain's growth outside India. Many spiritual leaders will attend the conference, and L.M. Singhvi, India's High Commissioner to the United Kingdom, is also expected to attend.

The setting for this celebration is also important as Siddhachalam, in Blairstown, became the first Jain teerth outside India when it was founded in 1983. The word Siddhachalam means abode of supreme power. Since its opening, Siddhachalam has grown as Jain followers as well as non-Jains have flocked here for spiritual ceremonies.

Siddhachalam also serves as the headquarters for his holiness Acharya Sushil Kumarji Maharj, who is founder-chairman and a leader of the Jain religion.

H.H. Maharj, who is also known affectionately by his followers as guruji, has dedicated his life to promoting nonviolence, peace, environmental protection, and animal rights. He is the founder of the World Fellowship of Religion and the International Mahavir Jain Mission.

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Guruji has participated in many world religious conferences and has worked to establish harmony between all religions. When Pope John Paul visited India, guruji stood against those who opposed his trip.

Although guruji belongs to the Jain tradition of spirituality, Hindus also look to him as a leader.

He is a leader in efforts to create peace through nonviolence.

In 1990, Guruji was the main speaker for meditation and nonviolence at the Global Conference of Spiritual Leaders and Parliamentarians in Moscow. During this conference, he discussed matters of world peace with Soviet Premier Mikhail Gorbachev.

It is through his work and leadership that those attending the August pratishatha hope to further their learning about Jain and enhance their spiritual awareness.

My distinguished colleagues, please join me in extending our best wishes to his holiness Maharj and all those attending the Pratishatha celebration.

TRIBUTE TO BILL POWELL

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. HUBBARD. Mr. Speaker, I take this opportunity today to pay tribute to Bill Powell of Paducah, KY, who died April 2, 1991, at Lourdes Hospital in Paducah at the age of 71.

Bill Powell was an outstanding journalist with a long and distinguished career. Throughout his 45-year career, he devoted his efforts to reporting on events and matters of importance to western Kentucky.

He worked for 28 years with the Paducah Sun-Democrat, which is now the Paducah Sun. Before retiring in 1984, he spent the last 12½ years as the western Kentucky bureau chief for the Courier-Journal, Kentucky's largest newspaper which is based in Louisville. Before joining the staff of the Paducah Sun-Democrat, he worked for the Princeton Leader, a Caldwell County, KY, weekly newspaper.

Bill Powell was an institution in Western Kentucky. He was born in Henry County, TN, but grew up in Symsonia, KY, which is located in Graves County. He loved western Kentucky, which was evident to those who read his articles.

Bill was well known for his knowledge of the region. He was a reporter with a warm, outgoing style, and was highly respected by those of us who knew him.

Bill Powell served in the U.S. Navy and was a member of the Westminster Presbyterian Church in Paducah.

He is survived by his lovely wife Ruth Hobgood Powell of Paducah; two daughters, Danna Gardner and Nancy Lindsey, both of Paducah; and a brother, Lomon Powell of Symsonia.

My wife Carol joins me in extending our sincere sympathy to the family of Bill Powell.

TRIBUTE TO SHANNIE SLOAN
BARNETT

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Ms. KAPTUR. Mr. Speaker, On July 2, Ohio's Ninth District lost one of the most valuable members of its community with the death of Shannie Barnett. During his lifetime he gave so much to those who knew him. He was truly a man of honor; a man devoted to his family and friends, and to those whose lives he touched through his dedication to humankind.

Born in Pine Bluff, AR, and raised in Toledo, OH, Shannie Sloan Barnett was an active member of a number of organizations in our area. A 42-year veteran of the Jeep plant, Shannie started his career in the press shop and retired as a representative for the United Auto Workers at the plant in 1984. During his years at Jeep, he left his mark by helping to establish a job training program that helped hundreds of men and women obtain job skills.

Many in our area know Shannie for his superb basketball talent. He played on many local teams including the Brown Buddies, Ciralsky's Meats, and the Indiana Y Big Five. His basketball talent was so great that he was even invited to play as a pivot man for the Harlem Globetrotters. But Shannie chose to use his athletic talent to help young people in our community by serving on a number of athletic commissions in Toledo.

Shannie was involved in a number of other local organizations including the Metropolitan Men's Club, the NAACP, the Frederick Douglass Community Center, the Third Baptist Church, and the New Covenant Baptist Church.

Mr. Speaker, Shannie Barnett's passing has left a tremendous void in the lives of many residents of Ohio's Ninth District. Our thoughts and prayers go out to his wife Doris; daughters Linda Dent, Patricia Barnett, and Karen Barnett; grandchildren Jeffrey and Crystal Whitlow; Dwayne, Dawn, and Deanna Barnett; one great-grandson; brother Fred Allen; stepbrother Eunice Allen; stepsister Mary Allen and his vast network of friends who will deeply miss him. Individuals like Shannie Barnett do not come along too often, and I am thankful I had the opportunity to know such a great and caring man.

ILLINOIS EXTENSION OF JNEM

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. COSTELLO. Mr. Speaker, today I am introducing legislation which will ease the process of designating an Illinois extension of the Jefferson National Expansion Memorial. As many of my colleagues are aware, the JNEM is now home to the Gateway Arch in downtown St. Louis, directly across the river from my congressional district. The designers of the JNEM and the Arch have always envisioned an Illinois extension of this memorial,

and the legislation I offer to the House today will accomplish that goal.

In 1984, my predecessor, Mel Price, and then-Congressman PAUL SIMON introduced legislation to expand the JNEM and establish a commission to develop the boundaries of the future park. In 1987, the Commission completed its work and submitted its plan to then-Secretary of the Interior Donald Hodel. After a lengthy review of the plan, Secretary Hodel said he could not support the "final plan" because of two conditions in the law: that "binding commitments" were not in place from private sources for park development, nor from the city of East St. Louis or State of Illinois for annual operation and maintenance costs.

Secretary Hodel's decision returned the process back to the Congress. In early 1989, legislation was introduced to remove the "binding commitments" clause, but Members of Congress from the St. Louis metropolitan area, as well as House Interior subcommittee Chairman BRUCE VENTO, felt that newly-appointed Interior Secretary Manuel Lujan deserved an opportunity to work with the Congress in moving forward on the Illinois JNEM, so the legislation did not receive a hearing.

In June of 1989, myself, Chairman VENTO, and Senators ALAN DIXON and PAUL SIMON met with Secretary Lujan to express our desire to work together to move the park forward. In an August, 1989 response letter to our meeting, Secretary Lujan indicated a desire to progress on the project once two conditions were met: that the land be tested and deemed environmentally safe; and that landowners be contacted, organized and urged to come forth with property to be offered to the National Park Service under the 100-acre plan.

In August of 1989, I requested that the Southwestern Illinois Development Authority, headed by Dr. Earl Lazerson, oversee the environmental testing and begin negotiations with the landowners. Earlier this year, Dr. Lazerson informed me that the land had been tested, and at this point I can inform my colleagues that all environmental testing is completed. In addition, 17 acres has been donated to SWIDA as part of the land negotiations.

In an effort to give the Secretary of the Interior the ability to acquire lands within the 100-acre boundary by means other than donation, which the 1984 law specifically allows him to do, as it reads, "within the area designated in accordance with this section, the Secretary of the Interior may acquire lands and interests by donation, purchase with donated or appropriated funds," at my request and with the assistance of Congressman SID YATES and our two Senators, Congress appropriated \$1.325 million for land acquisition and development in fiscal year 1991.

As the 1984 law reads, "funds appropriated under subsection (b) of this section shall remain available until expended," these funds are available now for the Secretary to use for designation. Unfortunately, the Interior Department has not utilized these funds as an option to move ahead on the park plan.

On April 30, 1991, in a final, bipartisan effort by Members of Congress on both sides of the river to seek the Department of Interior's assistance on this proposal, a letter was sent to the Secretary asking that he designate the Illinois JNEM.

Mr. Speaker, it is unfortunate that to this date, we have received no response to this letter. In addition, Secretary Lujan seems reluctant to use the tools available to him to designate this extension. That is why, with the assistance of my three House colleagues in the downtown metropolitan area—Congressmen GLENN POSHARD, DICK GEPHARDT, and BILL CLAY—this bill is introduced today. It is my understanding that a Senate companion may be introduced in the near future as well.

This legislation makes three vital changes to present law. It designates the Illinois extension; removes the "binding commitments" provisions; and raises the park authorization levels from \$2.25 to \$7.5 million.

Mr. Speaker, this bill represents an opportunity to fulfill the dream of Eero Saarinen, as well as the original designers of the JNEM, of implementing a bistate park to commemorate America's westward expansion. This park will not only be an outstanding source of beauty and recreation, and Illinois' first national park, but in attracting many of the 2.5 million visitors to the Gateway Arch each year, it will help to revitalize the distressed economy of East St. Louis, IL.

It is estimated that a \$30 million Federal investment in the JNEM on the west side of the river has been the catalyst for over \$2.5 billion of private and public investment in downtown St. Louis. Surely Congress and the Bush administration can envision the valuable possibilities of such a similar investment on the east side. I urge my colleagues to support this worthwhile legislation.

A TRIBUTE TO MICHEL YISSACHAR

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to rise today and congratulate Michel Yissachar, of Allentown, PA, this year's recipient of the Ronald K. Machtley Academic and Leadership Excellence Award for the Providence Hebrew Day School.

This award is presented to the student chosen by the Providence Hebrew Day School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Michel Yissachar has more than fulfilled this criteria. She has maintained a 4.0 average and has been selected to the National Honor Society. Michel Yissachar participated on the mock trial team, was secretary of the student council, and coeditor of the yearbook. In addition she was a peer tutor and a leader of a student youth group.

I commend Michel Yissachar on her outstanding achievements and wish her all the best in her future endeavors.

TRIBUTE TO TYRONE K. BACKERS,
PRESIDENT OF ROTARY CLUB OF
MIAMI-GOLDEN GLADES

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. LEHMAN. Mr. Speaker, I am pleased to note the recent installation of Tyrone K. Backers as president of the Rotary Club of Miami-Golden Glades.

As you know, the Rotarians are a service organization dedicated to improving the quality of life in our communities, developing the talents and potential of our youth and promoting the highest ethical standards in business. Mr. Backers has demonstrated a longstanding involvement in our community, particularly in the areas of drug education and drug abuse prevention. He is currently executive director of the Community Crusade Against Drugs of South Florida, Inc., and chairman of the Crestview/Rolling Oaks Citizens Crime Watch.

Mr. Speaker, I extend to President Backers and the other Officers of the Miami-Golden Glades Rotary Club—Dr. Stefano DiMauro, president-elect; Mary Kay Gallagher, vice president secretary; Steve Dante, Treasurer; and Marty Leitzes, sergeant-at-arms, my congratulations and best wishes for continued success in the coming year.

SALUTE TO JOSHUA MORK

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Joshua Mork of Troop 50 in a Narragansett and he is honored this week for his noteworthy achievement.

Not every young American who joins the boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. These young men have distinguished themselves in accordance with these criteria.

For his Eagle Scout project, Joshua Mork landscaped a courtyard at South Kingstown High School in memory of two deceased students.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Joshua Mork. In turn, we must duly recognize the Boy

Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 80 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Joshua Mork will continue his public service and in so doing will further distinguish himself and consequently better his community. I am proud that Joshua Mork undertook his Scout activity in my representative district, and I join friends, colleagues, and family who this week salute him.

CAPTIVE NATIONS WEEK

HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 17, 1991

Mr. HERTEL. Mr. Speaker, I rise today to commemorate the 33d year in a row that the United States has designated July 14–20 as Captive Nations Week. As chairman of the ad hoc committee on the Baltic States and the Ukraine, I am deeply concerned about the plight of the Baltic and Ukrainian people. Every year since becoming a Member of Congress, I have introduced a resolution declaring June 14, Baltic Freedom Day.

Earlier this year, I had the opportunity to visit Latvia, Lithuania, and Estonia and to witness first hand the appalling destruction caused by the Soviet military's occupation of the Baltic States. I met with several members of the democratically elected governments to express my unconditional support of their independence movements.

The Baltic countries became captive nations on August 23, 1939, when the infamous Molotov-Ribbentrop Pact was signed between the governments representing Nazi Germany and Stalin's Soviet Union. Stalin and Hitler divided Eastern Europe into spheres of influence creating a pretext for the illegal occupation of Estonia, Latvia, and Lithuania in 1940. The Soviet Union consolidated power over the Baltic countries in 1940, and has attempted to hold these three Western nations captive ever since.

Mr. Speaker, even though a commission established by the Congress of the People's Deputies of the U.S.S.R. to examine the Hitler-Stalin pact of 1939 declared the pact illegal, and despite the United State's longstanding policy of not recognizing Soviet sovereignty over the Baltic countries, there is concrete evidence that suggests the Baltics still remain captives of Soviet military occupation. It is estimated that there is one Soviet soldier for every five Estonian civilians. One in every 10 people is estimated to be military in Latvia. Lithuania was home to at least 100,000 Soviet troops, 10,000 Soviet Interior Ministry troops, and 5,000 paratroopers prior to the violence carried out by Soviet forces in January.

One Soviet leader after another has tried by various means to erase the memories of freedom and prosperity from the minds of the Baltic people, but the Baltic spirit has proven to be indomitable. For over 50 years, Soviet historians have attempted to propagate the myth

that the Baltic years of independent statehood were simply an anomaly and that the only desires of the proletariat in Estonia, Latvia, and Lithuania were to unite with the Soviet State. The Baltic countries have made long strides forward to restore their independence from the Soviet Union; however, several events prove the Soviet Union is still unwilling to free the captive nations within its empire.

Most recently, on June 26, 1991, Soviet military units occupied the central telephone and telegraph exchange in Vilnius, thus cutting off all communication between Lithuania and the outside world. Lesser communication service facilities outside of Vilnius and in Kaunas were also occupied.

In January 1991, the Soviet Union deployed paratroops and carried out other unusual military movements in an attempt to enforce the conscription of Baltic citizens into the Soviet Army. An estimated 14 people were killed at this time, some of which when Soviet tanks literally rolled over them in a successful attempt to take over the Lithuanian State television station. Mr. Speaker, I would like to point out that this action alone was not only unconscionable, but a blatant violation of international law, as the Geneva accord of 1949 forbids the conscription of occupied people into the army of occupation. I agreed with many organizations dedicated to the establishment of democratic governments in the Baltic States when they felt the Soviets hoped their crackdown on the independence movements in the Baltic States would go unnoticed, since the world's attention was focused on the Persian Gulf war.

In July 1990, Gorbachev introduced a plan for a New Union Treaty in which the central Soviet Government would retain control of most aspects of political, economic, and related policy decisions in the Baltic Republics. None of the Baltic countries has agreed to sign the treaty, but Gorbachev continues to exert pressure upon them to do so.

Mr. Speaker, these are just a few of the many examples of the Soviet Union's attempt to, at best, intimidate the Baltic people, and at worst, overthrow the democratic governments of these nations. I sincerely hope that this is the last year Congress recognizes Captive Nations Week. I pray that the aspirations of the Baltic people to obtain self-determination is a reality far before July 14–21, 1992.

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, July 18, 1991, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 19

9:30 a.m.
Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to examine efforts to combat fraud and abuse in the insurance industry. SD-342

Judiciary

To hold hearings on the nominations of Andrew J. Kleinfeld, of Alaska, to be United States Circuit Judge for the Ninth Circuit, Benson Everett Legg, to be United States District Judge for the District of Maryland, Dee V. Benson, to be United States District Judge for the District of Utah, and Donald L. Graham, to be United States District Judge for the Southern District of Florida. SD-226

10:00 a.m.

Finance
Medicare and Long-Term Care Subcommittee
To resume hearings on the Health Care Administration's proposal to institute a prospective payment system for inpatient hospital capital costs under the Medicare program. SD-215

Foreign Relations

To hold closed hearings to examine Chinese nuclear involvement in the Middle East. S-116, Capitol

JULY 22

9:30 a.m.

Small Business
To hold hearings to examine the small business impact of proposed enterprise zone legislation, including S. 1032, to stimulate employment in, and to promote revitalization of, economically distressed areas designated as enterprise zones, by providing tax relief for employment and investments. SR-428A

JULY 23

9:30 a.m.

Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on proposed legislation authorizing funds for the Corporation for Public Broadcasting. SR-253

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 140, to increase Federal payments in lieu of taxes to units of general local government for entitlement land, and S. 927, to provide for a transfer of lands between the U.S. Forest Service and Eagle and Pitkin Counties in Colorado. SD-366

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 business. SR-301

10:00 a.m.

Environment and Public Works
To hold hearings on S. 481, to authorize a two-phase program of research and development to produce water of a certain quality from saline or biologically impaired waters. SD-124

Judiciary

To hold hearings on proposed legislation providing compensation for victims of sexual crime, including S. 983, to provide a cause of action against producers, distributors, exhibitors or sellers of pornographic material by a victim of rape, murder, or sexual assault. SD-226

Joint Economic

To hold hearings to examine the economic outlook at midyear. SD-628

2:00 p.m.

Energy and Natural Resources
To hold hearings on Senate Joint Resolutions 23 through 34, to consent to certain amendments enacted by the legislature of the State of Hawaii to the Hawaiian Homes Commission Act of 1920. SD-366

2:30 p.m.

Judiciary
To hold hearings on the nominations of Eugene E. Siler, Jr., of Kentucky, to be United States Circuit Judge for the Sixth Circuit, William G. Bassler, to be United States District Judge for the District of New Jersey, and Jorge A. Solis, to be United States District Judge for the Northern District of Texas. SD-226

JULY 24

9:30 a.m.

Commerce, Science, and Transportation
Communications Subcommittee
To hold hearings on S. 1410, to protect the rights of consumers from unsolicited telephone marketing calls, and S. 1462, to revise the Communications Act of 1934 to prohibit certain practices involving the use of telephone equipment for advertising and solicitation purposes. SR-253

Environment and Public Works
Environmental Protection Subcommittee

To resume hearings on S. 976, authorizing funds through fiscal year 1996 for programs of the Solid Waste Disposal Act, focusing on toxics use and source reduction provisions. SD-406

Special on Aging

To hold hearings to examine the treatment of low-income medicare beneficiaries. SH-216

Joint Printing

To resume hearings to examine the technological future of the Government Printing Office. B-318 Rayburn Building

10:00 a.m.

Foreign Relations
To hold hearings on the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (Treaty Doc. 102-4), and the Convention for the Prohibition of Fishing with Long

Driftnets in the South Pacific (Treaty Doc. 102-7). SD-419

Judiciary

Patents, Copyrights and Trademarks Subcommittee
Technology and the Law Subcommittee
To hold joint hearings on S. 1096, to ensure the protection of motion picture copyrights. SD-226

2:00 p.m.

Energy and Natural Resources
To hold hearings on S. 1351, to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and scientific and technological competitiveness. SD-366

2:30 p.m.

Judiciary
Courts and Administrative Practice Subcommittee
To hold hearings to examine certain problems in bankruptcy, focusing on airline leasing, the interaction of ERISA law in bankruptcy proceedings, and whether "Evergreen Trusts" are authorized by bankruptcy codes. SD-226

JULY 25

9:30 a.m.

Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 621 and H.R. 543, to establish the Manzanar National Historic Site in California, S. 870, to authorize the inclusion of a tract of land in the Golden Gate National Recreation Area in California, S. 1254, to increase the authorized acreage limit for the Assateague Island National Seashore on the Maryland mainland, S. 1344, to require the Secretary of the Interior to conduct a study of nationally significant places in Japanese-American history, and H.R. 848, to authorize the establishment of a memorial at Custer Battlefield National Monument to honor the Indians who fought in the Battle of the Little Bighorn. SD-366

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 resolution 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 separate bill or resolution. SR-301

10:00 a.m.

Environment and Public Works
Environmental Protection Subcommittee
To hold hearings on proposed legislation to implement the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. SD-406

Veterans' Affairs

To hold hearings to examine readjustment problems of Persian Gulf War veterans and their families. SR-418

10:30 a.m.

Rules and Administration

To hold hearings on S. Res. 82, to establish the Senate Select Committee on POW/MIA Affairs.

SR-301

2:00 p.m.

Energy and Natural Resources

To continue hearings on S. 1351, to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and scientific and technological competitiveness.

SD-366

Environment and Public Works

Nuclear Regulation Subcommittee

To hold hearings on international commercial nuclear reactor safety.

SD-406

Labor and Human Resources

Employment and Productivity Subcommittee

To hold joint hearings with the Select Committee on Indian Affairs on employment on Indian reservations.

SR-485

Select on Indian Affairs

To hold joint hearings with the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity on employment on Indian reservations.

SR-485

JULY 26

10:00 a.m.

Environment and Public Works

Environmental Protection Subcommittee

To hold hearings on S. 58, to establish a national policy for the conservation of biological diversity.

SD-406

Joint Economic

To resume hearings to examine the economic outlook at midyear.

SD-628

JULY 29

2:00 p.m.

Environment and Public Works

Water Resources, Transportation, and Infrastructure Subcommittee

To hold hearings on oversight of the General Services Administration's (GSA's) planning and management procedures and the condition of the Federal Building Fund.

SD-406

JULY 30

9:30 a.m.

Energy and Natural Resources

To hold oversight hearings on the resettlement of the Rongelap, Marshall Islands.

SD-366

Environment and Public Works

Environmental Protection Subcommittee

To hold hearings to examine and evaluate recent developments relating to international negotiations on global climate change and stratospheric ozone depletion.

SD-406

2:30 p.m.

Energy and Natural Resources

Mineral Resources Development and Production Subcommittee

To hold hearings on S. 1179, to stimulate the production of geologic-map information in the United States through the cooperation of Federal, State, and academic participants, and S. 1187, to revise the Stock Raising Homestead Act to provide certain procedures for entry onto the Stock Raising Homestead Act lands.

SD-366

JULY 31

10:00 a.m.

Commerce, Science, and Transportation

Merchant Marine Subcommittee

To hold hearings on proposed legislation authorizing funds for the Maritime Administration, Department of Commerce.

SR-253

Finance

To resume hearings on S. 612, to encourage savings and investment through individual retirement accounts (IRAs) in an effort to stimulate economic growth for Americans and the nation.

SD-215

AUGUST 1

9:30 a.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 1156, to provide for the protection and management of certain areas on public domain lands managed by the Forest Service in the States of California, Oregon, and Washington.

SD-366

10:00 a.m.

Environment and Public Works

Water Resources, Transportation, and Infrastructure Subcommittee

To hold hearings on a proposed Department of Transportation headquarters, and the relationship between the Judiciary and the Government Services Administration for the provision of space for the Courts.

SD-406

SEPTEMBER 24

9:00 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.

334 Cannon Building

POSTPONEMENTS

JULY 19

10:00 a.m.

Foreign Relations

To hold hearings to review Ambassador Glaspie's July 25, 1990 meeting with Saddam Hussein.

Room to be announced