

EXTENSIONS OF REMARKS

REAL ESTATE AND THE ENVIRONMENT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. ANDREWS of New Jersey. Mr. Speaker, I would like to insert the following article from the New Jersey Law Journal entitled "Real Estate and the Environment" into the CONGRESSIONAL RECORD.

REAL ESTATE AND THE ENVIRONMENT—FOR THOSE WHO'D RATHER RESOLVE THAN LITIGATE

(By Irvin E. Richter)

The 1980s brought a massive wave of new legislation and regulations along with the development of common-law doctrines, all designed to protect the environment. These new laws have broadened, and often confused, existing areas of legal responsibility.

As a result, the 1990s are seeing an onslaught of increasingly complex environmental cases which resemble antitrust, construction contract and other complex commercial litigation that have plagued the courts for years. Further complicating matters, enforcement agencies are trying to cope with a myriad of dilemmas and a lack of resources in keeping up with the new regulations.

The New Jersey Supreme Court acknowledged the need for alternatives to traditional drawn-out and costly means of resolving environmental disputes when its March 1990 Committee Report on Environmental Litigation recommended "the extensive utilization of alternative dispute resolution techniques (ADR) in complex environmental litigation."

The Environmental Protection Agency, which has maintained a vigorous judicial and administrative enforcement program, has traditionally settled its enforcement cases through negotiations solely between representatives of the government and the alleged violator. In the last few years, though, the EPA has begun to endorse ADR techniques. According to the EPA, these techniques have the potential for resolving some of its cases more efficiently and just as effectively as those used in traditional enforcement. What's more, ADR can also be incorporated into judicial consent decrees and consent agreements ordered by administrative law judges to address future disputes.

In late 1990, President Bush signed H.R. 2497 (now P.L. 101-552) requiring every government agency to adopt a policy which deals with the use of alternative methods of resolving disputes. That law amends the Contract Disputes Act to allow a contractor and a contracting officer to use any ADR technique authorized by the statute and other mutually agreeable procedures for resolving claims.

In recent years, ADR techniques have proved successful in resolving complex issues in the commercial and construction arenas, and are increasingly being implemented to resolve selected types of environmental disputes.

ADR TECHNIQUES

The term "ADR" encompasses a variety of techniques ranging from negotiation to summary jury trials. These techniques range from the simple, noncoercive, less adversarial and informal processes (for those disputing parties who wish to maintain a continuing relationship after resolving the dispute) to a minitrial or summary jury trial which has some of the aspects of traditional litigation.

Negotiation is the simplest form of ADR. Negotiations are voluntary and informal and do not require the parties to enter into the judicial system. Any negotiated settlement should, however, be reduced to a written contract which can be enforced within the judicial system.

Among the advantages of negotiation are its flexibility, economy and relative speed of dispute resolution as compared to litigation. One major disadvantage is its dependence on good-faith bargaining, and on the underlying assumption that both sides want a prompt, negotiated settlement. Negotiation also runs the risk that considerable time and effort may be expended without reaching a settlement.

Mediation, another form of ADR, is best viewed as an extension of the direct negotiation process begun by the parties. It may be a voluntary activity undertaken by the parties, except where court-ordered mediation is utilized as a result of entering into a particular litigation forum.

Mediation is most appropriate for disputes where the parties anticipate or have already reached an impasse based on such considerations as poor communication, personality conflicts, multiple party involvement and inflexible negotiating stances. It is also useful in cases where all necessary parties are not before the court, but are willing to participate in the settlement process.

An aid to enable the disputing parties to reach a successful negotiation, mediation involves the use of a neutral third person, as mediator, to help guide the disputants to resolve the contested issues. The mediator first attempts to determine the true interest and intent behind the disputing parties' positions, and then aids the parties in reaching an understanding of each others' positions so that the disputants may come to a voluntary settlement. The mediator does not make a decision; he is a facilitator and attempts to abstain from taking positions on substantive points, except when necessary to guide the participants.

Mediation is often the preferred alternative when the parties have a continuing relationship that they wish to maintain. It also has many of the advantages of negotiation, providing the services of an objective third party with special expertise whose role is agreed upon by all parties. Mediation also helps to identify issues that the parties may overlook, avoid misunderstandings and clarify priorities. The success of mediation, however, depends heavily on the skills of the mediator. In addition, there is always the risk of no settlement despite a heavy investment in time. Due to the complexity of environmental disputes, a move is afoot to appoint technically skilled firms as mediators, with

the firm providing both the leader of the mediation team and the expert technical skills to support them.

Adjudication, the next major step along the ADR continuum, is a process where the parties present proofs and evidence to a neutral third-party judge who will then render a binding decision on an objective basis. This technique is also known as "private judging." Adjudication is voluntarily entered into by the disputing parties and is a private action unless judicial enforcement or review is sought after the decision is issued. The adjudication decision is binding but subject to appeal.

There are private organizations throughout the United States that provide adjudication services for a fee. The parties involved in the dispute will select, by agreement, the adjudication forum and the individual adjudicator.

The advantages of adjudication is that a law-trained third party will render an objective decision based on the facts and the legal arguments presented; however, the adjudicator is not bound to follow the legal principles of any jurisdiction and may apply equity to the degree required to provide justice. The decision is sometimes supported by findings of facts and conclusions of law.

Adjudication has various disadvantages, however. It is more expensive and more adversarial than mediation; the parties are bound to the contracted rules of evidence and discovery; and the outcome may be different than that received in a court system. (Anybody displeased with the result may attempt to appeal, though the basis for the appeal is limited by the remedies provided in the adjudication contract entered into with the adjudication forum.)

Arbitration, another form of ADR, can be voluntary or involuntary. Pretrial mandatory arbitration may be ordered by the court, in some jurisdictions, after a complaint is filed. Voluntary arbitration is a contractual remedy. Disputing parties cannot be forced to arbitrate. The contract that is the subject of dispute between the litigants must have included an arbitration clause, or parties may consent to enter into arbitration after the dispute arises. Because arbitration is a contractual remedy only disputes and remedies that the parties agreed to submit to arbitration can be considered by the arbitrator.

Arbitration is most appropriate in resolving cases that do not merit the resources required to generate and process a civil trial. This method may also help resolve technical disputes, which are usually submitted to the courts or administrative law judges, who lack subject-matter expertise. The arbitrator sits as a private judge to listen to the parties' positions and renders an award that is binding and enforceable. The parties typically elect to choose a single arbitrator or a three-member panel of arbitrators to hear the case. Jointly selected by the individual parties, arbitrators are generally professionals familiar with the types of problems in dispute and should thus be able to settle the dispute impartially.

Arbitration offers the advantage of finality of decision, since the scope of judicial review

• 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.

of the arbitration award is very narrow. Courts have adopted a policy of judicial non-interference into the arbitrator's decision. Arbitration, however, tends to be more complex and time-consuming than negotiation.

Arbitration, however, can be a very frustrating process, with postponed hearings, contract clauses disregarded and rules of evidence inconsistent. Although the process will usually begin more promptly, complex cases can often take years to complete, while trials will take longer to reach but generally continue uninterrupted until completion.

Minitrial, another alternative to litigation, is a voluntary, private process entered into by the parties in order to reach a negotiated settlement. In a minitrial, the opposing parties present their cases in a summary form before a panel of designated representatives of each of the opposing parties. The designated representatives are typically senior corporate officers who have the authority to settle the dispute. In addition, an independent and impartial third-party adviser, selected by the opposing parties, is present to discuss the settlement prospects after the formal presentation of the summary of proofs and arguments. The independent third-party adviser, a specialist in the subject areas of the disputes, will offer non-binding conclusions about the possible outcome of the case if it were to be litigated and may assist in negotiations in the same manner as a mediator.

Minitrials are less formal than traditional litigation or adjudication, allowing parties to set the evidentiary rules. The goal of the minitrial is an acceptable agreement reduced to writing as an enforceable contract. Minitrials are best used in cases involving only a small number of parties. Specifically, minitrials are most useful in disputes where: parties have reached or anticipate reaching a negotiation impasse due to one party's over-estimation (in the view of the other party) of the strength of its position; significant policy issues exist that could benefit from a face-to-face presentation to the decision-makers without the use of a neutral party; technical issues exist, and the decision-makers and a neutral referee have subject-matter expertise; or one or more of the parties lack confidence in the less formal processes of other forms of ADR.

Summary jury trial is yet another ADR technique which also may be voluntary or involuntary. It can be voluntarily entered into by the parties and performed in a manner similar to minitrials. Both sides make their presentation of proofs and arguments before a jury instead of before designated representatives. The impartial jury then prepares non-binding conclusions regarding each of the issues in dispute. A voluntary summary jury trial offers the parties an independent assessment of how a jury would rule if the case went to trial. At the conclusion of the voluntary summary jury trial the disputing parties enter into negotiations. Gloucester County has reported a great deal of success with summary jury trials in complex civil litigation.

Involuntary summary jury trials are typically court-ordered procedures used as a means to facilitate pretrial settlement of legal actions. Procedural rules for involuntary summary jury trials are determined by the court. However, the overall process is typically less formal than adjudication. In the involuntary summary jury trial, the jury decision is an advisory verdict not binding upon the parties. If a successful settlement is not reached, the parties continue with litigation.

DISPUTE-SPECIFIC ADAPTABILITY

The state Supreme Court committee report on environmental litigation has lauded ADR for "its ability to adapt to the specific needs of the dispute." The committee report has also endorsed the concept of the multidoor courthouse, in which courts provide a flexible and diverse range of dispute resolution processes. This concept has been implemented at the Comprehensive Justice Center in Burlington and Hudson counties, where civil suits are evaluated upon receipt by the court personnel who recommend to the presiding judge how to handle each case.

Other benefits of ADR range from accelerating the dispute resolution process, allowing parties to concentrate on specific interests rather than on the strategy of the case, to affording greater confidentiality, to allowing the parties, and their counsel, to focus on the real issues in dispute without expending energy on legal strategy.

ADR can be used to resolve any dispute in general, where the parties are not precluded by statute or government policy from using ADR. For example, in cases under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 U.S.C. §9601, potentially responsible parties (PRPs) only have the options of litigating or negotiating (settling) with the EPA. Clients may also wish to use ADR for cases involving novel legal arguments where an adverse decision may encourage other potential claimants to pursue actions against the client. ADR techniques also would be appropriate for use in situations where liability is strict, or has been stipulated, or has been established but where the litigation costs to define damages would be prohibitive.

Though ADR procedures may be introduced into a case at any point in its development or while pending in court, it is generally preferable that ADR be considered in the original contract or as early as possible in the case's progress to avoid the polarizing effect—that often results from long and difficult negotiations and the filing of a lawsuit.

The EPA has identified sample characteristics of cases for which ADR should be used. They are:

Impasse or potential for impasse, which is frequently created by poor communication among negotiators, multiple parties with conflicting interests, complex technical issues, apparent unwillingness of a court to rule on matters which would advance the case toward resolution, or high-visibility concerns making it difficult for parties to settle.

Considerations regarding the level of resources necessary to achieve the desired result (from EPA's standpoint).

Remedies affecting parties not subject to an enforcement action.

ADR offers several advantages in Superfund cases, especially to PRPs faced with huge liabilities who can, with ADR, avoid costs, delays and uncertainty inherent in the judicial process. If a technique can be structured so that PRPs, their consultants and contractors have the functional equivalent of a day in court, the parties are likely to accept the outcome—one which is most likely the same as a time-consuming and costly judicial proceeding. Moreover, a PRP's liability, once trapped in court, cannot be removed from its grasp except by litigation or negotiation.

Alternative dispute resolution is especially relevant where multiple PRPs are involved at any one CERCLA site. Multiple PRPs

have a strong incentive to settle cost allocation among themselves first. Then, as a collective group, they can negotiate a settlement with the EPA. Attempting to get several PRPs to accept costs that each believes they are not responsible for is a difficult task. PRP groups often establish steering committees to negotiate the cost allocation (share of total liability) among the individual PRPs.

However, multiparty negotiations are often unwieldy, with too many factors, too many parties and too much money at risk for a PRP to willingly accept an inflated cost allocation. Mediation and minitrials are applicable to this type of dispute because a neutral adviser is available to provide objective assistance and to guide the parties away from the emotional confrontation and back to the objective facts and alternative remedies available. Several organizations provide special ADR services for PRP disputes, including: the Center for Public Resources in New York and Clean Sites, Inc. in Alexandria, Va.

One non-profit organization has reported that PRP groups initially refused to accept the use of ADR techniques until they realized that it was impossible to get multiple parties to agree on cost allocation shares. PRP groups initially accepted non-binding third-party fact-finding to provide an objective reality check for the complex negotiations. Over time, PRPs realized that this process has been very successful in helping to reach cost allocation agreements. This combination process requires the parties to undertake the mediation process using a neutral nonbinding fact finder to facilitate negotiations. If the negotiations fail to conclude with settlement, the parties enter binding arbitration.

Considering the newness and in many cases, vagueness of environmental regulations, case complexities and the interests and different parties, ADR offers an expedient solution to environmental disputes. In many instances, the alternative is waiting years for a resolution, often with the same result.

STATEMENT OF CONGRESSMAN DON J. PEASE REGARDING HIS NONCANDIDACY IN 1992

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. PEASE. Mr. Speaker, as you are aware, last week I announced my intention to not seek reelection to Congress after my current term ends. I have received many inquiries concerning my reasons, both from my House colleagues and from the public and the press. In response, I am submitting for publication in the CONGRESSIONAL RECORD the statement I released when I initially announced my plans. I hope my colleagues will find it of interest.

STATEMENT OF CONGRESSMAN DON J. PEASE REGARDING HIS NONCANDIDACY IN 1992

I have decided not to seek reelection to the United States Congress in 1992.

My primary reason for leaving Congress is a simple one. After 3 decades of 60-plus hour weeks in public life at local, State and Federal levels, I want to lead a more normal life and pursue a multitude of other interests—interests which had to take a back seat for 30 years.

No specific job or activity beckons me. Indeed, that is the point. I want to be free to pursue interests as diverse as reading, writing, teaching, newspapering, travel, bicycling, mountain hiking, getting friendly with computers, cultivating friendships, and enjoying fully the cultural offerings of my hometown of Oberlin. Just plain loafing also attracts me. And although I have no plans whatever, I expect to remain active politically and I do not rule out elective office at some point in the future after I've had a chance to enjoy life in a slower lane.

Another reason, secondary but still important, is the growing demands on my wife Jeanne's physical and psychic resources posed by her ill and aged mother. Jeanne and I have been teammates in politics for 30 years. It is increasingly hard for her to balance her responsibilities to her mother, to herself, to me, to our home, and to public life. I don't know how she could fit another campaign into her schedule. Jeanne has been wonderfully supportive of me for 30 years; now it's time for me to reciprocate, and I do so gladly.

Those two reasons, one primary and one secondary, are the only ones.

Congress as an institution is not a factor. I believe politics is an honorable profession and that Congress, despite some egregious and well-publicized flaws, serves the American people well. Perhaps all too faithfully, Congress reflects the country.

Job satisfaction is not a factor. As a senior member of the premier House Ways and Means Committee and now a member of the House Budget Committee, I find that every day brings me challenges and opportunities that stimulate me.

My health is not a factor. Since my last heart surgery almost 5 years ago, I have been entirely symptom-free and have passed four Cleveland Clinic annual check-ups with flying colors.

Redistricting is not a factor in my basic decision. I'm confident I could run and win in any district the state legislature could devise.

Essentially, I am leaving Congress at the height of my influence and job satisfaction because I believe 30 years in political life is enough. I have enjoyed every minute of those years even when the work weeks topped 60 hours and hit 70 or even 80. I enjoy work and the work of politics is exciting, fascinating, exhilarating and rewarding.

If I had my life to live over, I would like it the same way. But now it is time to move on and pursue my other interests.

In the meantime, I want to thank my constituents for giving me the privilege of serving them at the municipal level, in Columbus and in Washington, DC. I owe the voters a great debt of gratitude.

I also thank my loyal staff, both in the 13th District and in Washington, for dedicated service to the people of our district and for personal devotion to me. I thank the hundreds of friends and believers who helped me plan, raise funds for and run 32 primary and general election campaigns.

As I review my career in public life, I will recall most proudly that, to use words from a popular ballad, "I did it my way." My way to me meant the use of common sense and good judgment to research and analyze issues objectively. It meant faithfully voting for the interests of my constituents and my country. It meant comporting myself in ways to bring credit, not shame, to the profession of politics. I value my reputation as one of the "straight arrows" of Congress.

Two highlights of my service for me were my heavy involvement in the Tax Reform

Act of 1986 and the Trade Act of 1988. Dozens of other tax and trade matters saw my imprint as did such issues as human rights, unemployment compensation reform, adjustment assistance for laid-off workers, protection of worker rights at home and abroad, child labor law reform, campaign finance reform, and health care access for all Americans.

At home in the 13th District, I'm proud of my help to local officials on dozens of economic development projects such as the Lorain Harbor improvements. I'm proud, too, of the help my staff and I have extended to thousands of ordinary people who had problems with the Federal Government. In many ways such "constituent service" is the most satisfying aspect of a congressman's job.

Much business is unfinished, both at home in Ohio and in the Nation's capital. I pledge to continue my very best efforts until the last day of the 15 months remaining in my term. In particular, I intend to pursue my skeptical oversight of the Bush administration's negotiation for a U.S.-Mexico free trade agreement. I am deeply concerned about the fate of America's working middle class.

The timing of my decision not to seek reelection revolved around two recent events.

One was the observance of September 26 of my 60th birthday, a watershed of sorts.

The other was the announcement on September 30 by Congressman Dennis Eckart that he is not running for reelection in 1992. If I had made my final decision and announced it earlier, it would have invited the dismemberment of the present 13th congressional district by the Ohio legislature. I was determined not to let that happen. With Congressman Eckart's departure from Congress, there is no reason why the state legislature cannot keep the 13th district essentially intact.

As a member of Congress elected prior to 1980, I am technically and legally eligible to convert my leftover campaign funds (\$245,000 at last count) to my own personal use. As I have repeatedly stated over the past several years, I absolutely will not do that. I will announce the disposition of those funds before I leave office. Furthermore, my campaign committee intends to return to the donors all contributions made to my campaign since the beginning of 1991.

Finally, I say again what a joy and pleasure it has been for me to be a "politician" and public servant for the past 30 years. With my confidence high regarding redistricting and reelection prospects, with my health intact and with my current job satisfaction level very high indeed, the temptation even now is to run for another term. But as my distinguished predecessor, Charles A. Mosher, said when he departed Congress, it's better to leave too soon than too late.

A TRIBUTE TO GUS MACHADO

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize my constituent, Mr. Gus Machado, a recipient of the "1991 Top 10 Hispanic Companies in Dade County Award." On October 11, the Greater Miami Chamber of Commerce and the Hispanic Heritage Festival will honor Mr. Machado, an automobile dealer-

ship owner, and other receivers of this prestigious award at the Omni International Hotel in Miami, FL.

Mr. Machado started in the automobile industry almost 26 years ago. Born in Cuba, Mr. Machado came to the United States in 1950, and has had a tremendous enterprise since that time.

Gus Machado Enterprises has been ranked among the top automobile dealerships for several years. In 1984-86, Gus Machado Enterprises was ranked No. 1 among all Hispanic automobile dealers in the Nation. In 1987 and 1988, Mr. Machado's dealership was ranked No. 2, and in 1989 and 1990, Gus Machado Enterprises were ranked No. 4 and No. 5, respectively. Based in Hialeah, FL, Mr. Machado employed over 200 employees throughout 1990 with sales of \$79 million.

Mr. Machado states that he has lived through the recessions of the early 1970's and 1980's, but he claims that the recession of the early 1990's is the worst one he has experienced. Still with his perseverance, and the support and hard work of his team, Gus Machado Enterprises has been able to maintain its head above water and remain among the top 10 Hispanic businesses in Dade County. Mr. Machado states that the economy has taken a tremendous dive, and he feels that we have hit bottom and are on the way to recovery.

I am also honored to pay tribute to the other recipients of the "1991 Top Hispanic Companies in Dade County Awards." I wish to express my warmest congratulations to Bacardi Imports, Sedano's Supermarkets, Capital Bank, Precision Trading Corp., Northwest Meat, American International Container, Eagle Brands, CareFlorida, and Gator Industries.

CHRISTIAN RADIO STATION SALUTED

HON. DON SUNDQUIST

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. SUNDQUIST. Mr. Speaker, a few weeks ago, radio station WCRV in Memphis upgraded its signal to 50,000 watts, giving it a signal capable of reaching into eight States and making it America's largest Christian talk radio station.

WCRV has long been an active voice in the Memphis community, a source of spiritual support and comfort for many, and an active expression of Christian life. It is an important voice in Memphis, and now with its more powerful signal, it will be an important voice throughout much of the Midsouth.

I salute Dick Botts and Botts Communications for its commitment to Christian talk radio and their investment in WCRV. I commend General Manager Mark Loeffel and his staff for their stewardship. I believe it would please them to have the recognition of this house.

GIVING AWAY PUBLIC'S
RESOURCES

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. MILLER of California. Mr. Speaker, throughout my career in the Congress, and my tenure as a member of the Committee on Interior and Insular Affairs, few subjects have been more troubling to me than the archaic and wasteful practice of giving away valuable public resources to those who profit from them.

My idea has always been that the public's resources belong to all the public, not to a select few. The days of the Silver Kings and Robber Barons are supposedly a century behind us. The days of Teapot Dome are long past.

And yet, on nearly every resource issue that comes before my committee, the story is the same: private interests profiting—often very handsomely—from public resources obtained at a pittance.

This practice bothered me particularly during the Reagan years, and that frustration has continued through the current administration. The same people who lectured the poorest Americans about the evils of living off the dole were often making millions, and billions, of dollars by profiteering from timber, mineral, oil, gas, and water rights that rightfully belong to the public.

The very same people who lectured us about the need to run Government like a business were running our resource agencies like a cheese giveaway program for the homeless. At least the homeless are poor.

We have tried to take remedial steps. We raised water prices for irrigators; we compel offshore oil developers to pay higher royalties and rents; we ended the scandalous onshore oil and gas lottery; we mandated that timber companies pay a more reasonable amount for the purchase of public trees.

But at every step, we have encountered the rapid hostility of the Reagan-Bush administrations and the special interest companies who have gotten rich off public resources. Indeed, I cannot think of a single time either administration has joined me in fighting for one of these reforms. Nor have they aggressively sought to adopt the findings of the Grace Commission or the Linowes Commission that called for changes in the management of public resources in order to save taxpayers billions of dollars.

We are not discussing nickels and dimes. The Interior Department generates more revenues for the Federal Treasury than any other agency of Government except the IRS. When Interior fails to do its job, taxpayers lose.

Jessica Mathews, vice president of the World Resources Institute, has written a very timely and thoughtful column for the Washington Post on this subject, which I would like to share with Members of the House.

The article follows:

EXTENSIONS OF REMARKS

[From the Washington Post, Oct. 3, 1991]
OH, GIVE ME A HOME WHERE THE SUBSIDIES
ROAM

(By Jessica Mathews)

The loud noises emanating from the West are not the battle cries of a newly aggressive environmentalism but the overdue death throes of an era that began more than a century ago. The conflicts raging over salmon vs. hydropower, forests and wildlife vs. timber, mining rights, grazing fees, and water are all fundamentally the same. On the surface, each looks different. Underneath, they are all about natural resource use that is heavily subsidized or given away free under anachronistic federal policies.

Though he would never, in his worst dreams, have intended it, Ronald Reagan inadvertently provided environmentalists' text. The marketplace allocates resources more efficiently than government, he said—get government out of the way, and let the market work. That focused a spotlight on federal subsidiaries that distort markets, costing taxpayer dollars and encouraging wasteful resource use. Americans suddenly discovered that the same policies they condemn in the Brazilian Amazon were flourishing at home, left over from the 19th century.

Beginning with the Homestead Act, the government lured settlers to the West with promises of free land and access to its abundant resources. The mining law of 1872 gave a property right to mining claims, and charged no royalties. The Bureau of Reclamation provided cheap water to struggling farmers. The National Forest Service built roads to allow timber production. The Bureau of Land Management encouraged cattle grazing. Later, the Bureau of Reclamation and the Corps of Engineers built and operated dams to provide cheap electricity and irrigation in the Northwest.

Over the years, settlers turned into vested interests, while policies stayed the same. Homesteads became profitable corporate farms, still using federally supplied water sold by the government at a fraction of its cost. The Forest Service built a network of logging roads nine times as long as the interstate highway system, servicing a now mature timber industry. It sells timber below cost more often than not, costing taxpayers millions of dollars. By the government's own assessment, federally owned grazing lands are badly degraded from overuse, but grazing fees remain far below those on private lands, and substantially less than the government's cost of managing the range. Giveaways under the unchanged Mining Law cost the government nearly \$1 billion per year, sometimes financing vacation homes masquerading as mining claims for a few dollars an acre. And the Northwest is booming on electricity that costs 40 percent less than the national average.

Policies that made economic sense when the West was a harsh and empty frontier would be hard to justify today under any circumstances. When they also damage the wildlife and landscape westerners prize, and deepen a crippling federal deficit, they become untenable. But ending the subsidies, though inevitable, will be a lengthy and bitter fight.

What began as inducements long ago became a way of life for ranchers, miners, farmers and loggers. Paying market prices for the resources they use will lower profits for some, force others to change long accustomed practice, and put some genuinely uneconomic enterprises out of business. Some people know they have a good thing going and will battle to keep it. For others the ad-

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justments will cause economic hardship. For them, some of the federal savings can and should be used to ease the transition.

Ironically, the toughest battles may be for the hearts and minds of government bureaucrats that often behave as though they have forgotten whose interest they are intended to serve. The Forest Service first promised that its timber program would become self-supporting 85 years ago. Seven years ago, at wit's end, Congress ordered it to develop an accounting system that would pinpoint below-cost sales. The new system showed losses from logging in almost two-thirds of the national forests, but even this turned out to be an underestimate. To arrive at its figures, the Forest Service had resorted to tortured accounting practices which counted revenues that never appear in the Treasury and amortized investments in temporary logging roads over more than 2,000 years.

The solutions are uncontroversial in theory and explosive in practice (something worth remembering when dispensing free advice to shaky developing-country governments). Congress could ban below-cost timber sales—if it could ever reach agreement on what to count—or simply reduce its appropriations for building logging roads. New federal water contracts should charge the full cost of delivering the water. Federal grazing fees should reflect the full price of maintaining a healthy rangeland. A small increase in hydropower rates (if made soon enough) could save the salmon from extinction. And 1992, the 120th anniversary of the Mining Law, would be the right time to rewrite this flagrant federal giveaway.

One other valuable natural resource would still remain underpriced. Recreation in national parks and forests does not cover its costs either. Nearly 300 million visits will be made to sites run by the Park Service this year. Demand is growing so rapidly that visits are expected to double in 15 years. All this use puts enormous strain on the parks, yet the minimal fees collected by the government do not cover its costs or allow for the repair of accumulating damage. The same equation, heavy use at very low cost, holds true for hunting, fishing and camping in the national forests.

Environmental groups, sensitive to their members' interests, have generally shied away from this issue, but should no longer. Charging a realistic price for the use of scarce resources is sound policy whether the use is mining, grazing, logging—or hiking.

CONGRATULATIONS TO THE BOROUGH OF COLLINGDALE ON THE OCCASION OF ITS 100TH ANNIVERSARY

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. WELDON. Mr. Speaker, I rise today to congratulate the Borough of Collingdale on the occasion of its 100th anniversary.

The Borough of Collingdale was incorporated on December 23, 1891. In the last century, Collingdale has grown from a small town of less than 100 residents to a vibrant community of almost 10,000 residents.

Collingdale is a community of people with a rich heritage and tremendous accomplishments. Although it is still a relatively small

town, there have been some Collingdale natives who have received national and in some cases worldwide recognition. One such individual is John Bartram, the world famous botanist, who developed his interest in botany on the family farm in Collingdale. Likewise, athletes like Carson Thompson, the 1936 Olympian and Jill McKone, the first woman to score 1,000 points in women's basketball, have done Collingdale proud during their illustrious careers.

Collingdale's spirit of voluntarism flourishes, with two "all volunteer" fire companies and the Collingdale Athletic Club, which is one of the most active athletic organizations in Delaware County.

No other borough can match Collingdale's exquisite parklands. Collingdale Park is one of the most beautiful park and recreation facilities in the entire Commonwealth of Pennsylvania.

One of the borough's greatest accomplishments was the transition of the old Collingdale High School to the current Collingdale Community Center. This community center is one of the most comprehensive centers in Pennsylvania. It currently houses the borough administrative offices, the police department, the district justices, a branch campus of Delaware County Community College, the Collingdale Athletic Club, and the Collingdale Alumni Association.

Mr. Speaker, the Borough of Collingdale has grown and prospered in the last 100 years, and I rise today to congratulate the borough and its residents. All of us in Delaware County wish them peace and prosperity in their next 100 years.

CUBA'S "REVOLUTIONARY" PSYCHIATRY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, in an October 4 editorial of the Wall Street Journal entitled, "Cuba's 'Revolutionary' Psychiatry," Frank Calzon of the Freedom House, describes the symposium entitled "Psychiatry and Human Rights in the 21st Century."

THE AMERICAS

(By Frank Calzon)

Next week, a symposium entitled "Psychiatry and Human Rights in the 21st Century" will be held in Havana. The meeting is co-sponsored by the Pan American Health Organization (PAHO), Cuba's Psychiatric Association and Fidel Castro's Ministry of Health. While the meeting itself is a questionable venture, it could take on some value if participants focus on Cuba's misuse of psychiatry against political dissidents.

This barbaric practice is, of course, not limited to Cuba. Years ago the World Psychiatric Association (WPA) investigated the imprisonment of human-rights activists in Soviet psychiatric hospitals. In order to avoid expulsion, the Soviet All Union Society of Psychiatrists and Neuropathologists withdrew from the organization. Cuba's psychiatric organization withdrew then in solidarity with its Soviet mentors.

Since then, Soviet authorities have acknowledged the charges and cooperated with

the investigation. After such practices stopped, the Soviet psychiatrists rejoined the WPA, but Cuba has not.

Last week, Freedom House and Of Human Rights released "The Politics of Psychiatry in Revolutionary Cuba" by Charles E. Brown and Armando M. Lago. Noted Soviet dissident Vladimir Bukovsky, himself a victim of psychiatric abuse, writes in the introduction: "Cuba has covered in 32 years what the Soviet Union achieved in 73. Within a single generation, Cuba advanced from 'revolutionary justice' 'social legality,' from liquidation of 'class enemies' to 'political reeducation' and [finally to] psychiatric treatment of those 'apathetic to socialism.' There are of course some differences * * * Soviet political psychiatry was intended as a camouflage allowing the regime to present a more 'liberal' image while continuing political repression. In the Cuban context, however, it just became another form of torture."

Human-rights activists in Cuba have braved imprisonment and government threats to tell visiting journalists about this practice. Tapes and letters about several cases have been smuggled out of the island, and victims and relatives traveling abroad have provided additional details:

Jose Luis Alvarado, a 16-year-old student who tried to flee Cuba by seeking political asylum in the Colombian Embassy, refused to sign a confession. He was sent to the Castellanos Ward at Havana's Psychiatric Hospital where he was given electroshocks and psychotropic drugs.

Amaro Gomez, a film scriptwriter who wrote Cuban samizdat was detained by the political police and sent to the same hospital. Of that experience, he wrote: "Mederos, whom we called 'the nurse,' comes to us every morning * * * Almost every day his various assistants call out loudly the names of the unfortunate chosen who will be asked to lie down on the wet cement so that the electrical current will travel better. Mederos then fastens the electrodes and the entire process is performed with routine skill, which often entails overlooking the placement of a rubber bit in the prisoner's mouth. It is no surprise then, that when that first jolt of power zaps the prisoner's body, his teeth grind down on his tongue, burning his mouth into a bloodied foam."

Roberto Bahamonde is a human rights activist to whom the Cuban government continues to deny permission to emigrate. Picked up by the police, his family looked for him at various police stations until they found him at Havana's Psychiatric Hospital, where he was given electroshocks and psychotropic drugs. He witnessed beatings, insane inmates wandering around naked, and walls and floors covered with urine, vomit and excrement. When his wife complained to hospital director Dr. Eduardo Bernabe Ordaz, she was told that there was nothing he could do. The ward was under the control of "state security," Castro's political police.

Yet another view of Cuban psychiatry comes from Eugenio de Sosa Chabau, a political exile who spent 20 years in prison before being transferred to the Carbo-Servia ward of the Havana Psychiatric Hospital. Several young boys were brought into the ward one day: "The boys had been caught writing anti-government graffiti on some building walls," remembers Mr. de Sosa, "and a judge of the people' declared that to do such a thing they must be insane and in need of psychiatric treatment. Before the day was over all the boys were systematically gang-raped by more than 30 patients in the ward. To this day I can hear their cries for help and see

their bloody bodies as I stood by in impotent rage. Not a single staff member intervened."

In early 1989, the secretary-general of the World Psychiatric Association, Fini Schulsinger, wrote: "WPA's procedural rules for processing complaints of abuse of psychiatry demand that complaints are examined in collaboration with the WPA Member Society in the country in question. As the WPA has no Member Society in Cuba, we cannot examine the complaint appropriately."

Cuba, however, is a member of the Pan American Health Organization. Cuban authorities take great pride in Cuba's health programs. It would be inconceivable for PAHO to refuse to include the testimony of Cuba's persecuted human-rights groups and victims of Fidel Castro's "revolutionary psychiatry" on the agenda of the Havana symposium.

Freedom House has a long history of defending human rights throughout the world, and Mr. Calzon reminds us that this is an issue which we should all take the time to recognize and act upon.

RECOGNITION OF THE BROOKLAWN BASEBALL TEAM

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. ANDREWS of New Jersey. Mr. Speaker, I would like to recognize the team from Brooklawn, NJ, for winning the American Legion Baseball World Series. The 19 members of the team are a source of great pride to my district. In the words of Christopher Jones, a staff writer for the Courier-Post newspaper:

BROOKLAWN IS NATIONAL CHAMPION

(By Christopher Jones)

BOYERTOWN, PA.—It took 40 years but Joe Barth Sr. and his Brooklawn baseball team finally won its first American Legion baseball national championship.

Brooklawn scored four runs in the sixth inning to ease a 3-0 deficit, and Scott Lavender hurled 6½ innings of two-hit relief en route to a 5-3 win over Newark, Ohio in the American Legion World Series final Sunday night at Bear Stadium.

"This is the greatest feeling in the world," said coach Joe Barth, Jr. "I'm just so happy for my dad. I didn't think this would ever happen. My dad has put so much time and so much money into this team, but it has been worth it."

"This makes up for 40 years of hardship," said Barth Sr.

Brooklawn, 54-10-2 and the New Jersey Champion, started the game-winning rally when Mike Harris reached base to lead off the sixth after getting hit by a pitch.

After Mike Morarity flew out, Kevin Cunane (2-for-3) walked and Lavender was hit by a pitch to load the bases. John Mader followed with a bloop single to score Harris, cutting the deficit to 3-1.

When Brett Laxton walked to force in a run, Newark pitcher Troy Hupp was lifted by Manager Dave Froelich, who opted to bring in reliever Brad Hostetter.

Hostetter walked Jeff Manuolato to score Lavender, the winning pitcher, with the tying run before Derek Forchie walked to force the winning run.

Brooklawn added an insurance run in the seventh when Morarity, who led off the inning with a single, scored on an error.

"These kids are a tough group of kids," said Barth, whose team defeated Newark 3-1 in its first game of the World Series behind the complete-game pitching of Lavender.

"It took a while for me to get in a groove this time," said Lavender, who went 20 with a 0.40 ERA in the regional and national competition. "But I knew we were going to come back. We were too hungry and wanted it too badly."

Brooklawn, whose previous best finish was national runner-up in 1984, got the most of its six hits and a combined five-hit performance by Laxton and Lavender.

"I was shook when we got down, 3-0, but I thought we would come back," said Barth Jr. "Our defense kept bailing out Laxton or it would have been worse. He was struggling so I had to make a move."

"I probably should have started Lavender, but we were worried that they would catch up to him after seeing him before. When I brought him in, all I expected was for him to keep us in the game. But he's a tough kid, and he did a lot more than that. He did a great job."

Newark, which finished 64-15 after its first trip to the Legion World Series, scored two runs off Laxton, due to three Brooklawn errors, to take a 2-0 lead before Laxton was replaced by Lavender.

Newark, a 10-7 winner over Gonzalez, La, in the afternoon semifinal game, got another run in the fifth on a lead-off home run by Ryan Beeney, the American Legion Player of the Year, before Brooklawn made its game-winning comeback.

Barth Sr. and coaches Barth Jr., Dennis Barth and Mike Mevoli received the tournament's Jack Williams Leadership Award while Lavender, Harris and Mader were named to the all-tournament team.

A SALUTE TO LINTON FREEMAN

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. STOKES. Mr. Speaker, I rise today to pay tribute to Mr. Linton Freeman, an outstanding member of the Lee African Methodist Episcopal Church in my district.

Linton's service to the church and the congregation has spanned over 35 years. During this time, Linton has served on the trustee board of the church, on the boards of several church youth organizations, and as a delegate to the general conference of the A.M.E. Church.

In addition to his dedicated service to the church, Mr. Freeman has been involved in other charitable organizations and has been the recipient of numerous honors and citations including the "This is Your Life" award, presented to him when Carl Stokes was mayor. As a veteran of the U.S. Army, Linton received a good conduct medal and five battle stars.

Mr. Speaker, I laud Linton Freeman and his wife, Ruth, for their loyal service to the A.M.E. Church and the citizens of Cleveland. I am extremely proud of Linton and would like to share with my colleagues the following article in the Reporter newspaper concerning Linton and his many achievements.

CHRISTIAN PROFILE

One of the most outstanding members of the African Methodist Episcopal Church in

the Cleveland area is Linton Freeman. He was born May 25, 1918 and was educated in the public schools of Cleveland—Fairmont Jr. High and East Technical High School and attended the old Fenn College.

Linton is a veteran of the United States Army 1942-1945. He received an honorable discharge with the rank of staff sergeant, a good conduct medal and five battle stars.

Between the years of 1945 and 1973, he was an employee of the United States Postal Service and is retired; from 1947 to 1984, managed Ohio Department of Liquor Control from which he is also retired.

Linton is secretary, trustee Board of Lee Memorial A.M.E. Church; secretary finance commission of the Church; member trustee board of Murtis H. Taylor Multi-service Center 1979-1990; he is a member of the 21st District Caucus; third Ward Democratic Club and also the 8th ward delegate to the General Conference of the A.M.E. Church from 1956-present; a member of the Trustee Board of the Teen Father Program.

Past organizations and offices held include: superintendent of church Sunday School, president the Laymen's Organization, the Youth Choir Steward and Class Leader, president of the Mail Handlers Association of the U.S. Post Office, Cleveland Branch, member of the general Board of the African Methodist Episcopal Church, 1976-1988.

Linton Freeman is recipient of many awards and citations from various organizations including This is Your Life when Carl Stokes was mayor; life membership of the Future Outlook League, Life member of the NAACP and many other organizations have shown their appreciation to Linton Freeman for meritorious services.

Congratulations to Linton and Ruth Freeman for devoted services to the church and community.

BOB E. STOREY

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. RICHARDSON. Mr. Speaker, this weekend my constituents in Santa Fe will honor a journalist who has devoted his entire professional life to the examination of politics in his community and State. In the course of my own career, he has been sometimes a critic, often a friend, and always a significant influence.

Bob Storey, who will be named a Santa Fe Living Treasure on Sunday, covered all of my campaigns and many of my political battles until his retirement in 1988. He asked the hard question, and held me and the other politicians he covered to a high standard of industry and integrity, yet he always gave credit where it was due.

Bob will be honored for "his participation in the life, heart, and spirit of our community." No one participated more enthusiastically than Bob until he was sidelined by ill health. Mr. Speaker, I bring Bob Storey to the attention of my colleagues as an example of an outstanding journalist and a fine man.

THE OMEGA BOYS CLUB OF SAN FRANCISCO

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Ms. PELOSI. Mr. Speaker, I rise to bring to the attention of my colleagues the wonderful work done by the Omega Boys Club in San Francisco. I particularly want to recognize Joe Marshall and Jack Jaqua, the club's cofounders.

To date, the Omega Boys Club has helped 104 young men and women move from the despair of the streets to the opportunities of college by providing guidance and financial assistance.

Norflis McCullough and Jai Watkins are two such young men who were able to break away from gang life and attend college. Both young men know that the boys club has given them a new chance at life. Now, they actively participate in encouraging other young people of the neighborhood to visit the Omega Boys Club and strive for college.

I am submitting for the RECORD a recent San Francisco Examiner article about the success of the Omega Boys Club.

I urge my colleagues to read it and recognize the valuable contribution made by the Omega Boys Club and others like it across the country to our Nation's at-risk youth. Our young people must realize that there is hope for the future.

COLLEGE IS THE ALPHA OF OMEGA BOYS

James White had promised his mother that if he could avoid being sentenced to prison for assault, battery and robbery charges pending against him, he would stay out of trouble.

When he beat the rap, he tried hard to keep his word. But when you are one of the boys in the 'hood, trouble seems to follow. He still maintains his innocence but he ended up in jail after a fight with other youths.

"I never was a real bad dude," said White, 20. "Just drank beer, smoked weed, rolled dice . . . and got involved in some turf dramas and sold a little dope."

He was the kind of kid that society figured was destined for the California Youth Authority, maybe even San Quentin. But his destiny lay elsewhere: This week, James White is headed to Grambling University, a black college in Louisiana, in the quest for a college degree that so many of his "homies" never had the chance to pursue. He remains on probation—the kind that will send him back to prison for even one minor screw-up.

White is just beginning to walk down a road that Norflis McCullough and Jai Watkins, two second semester freshmen at Morris Brown College, another historically black college in Atlanta, and about 100 more boys and girls already have traveled.

"If it wasn't for the club," says McCullough, who grew up in the Western Addition, "I don't know where I'd be. The club gave me a second life."

The club is the Omega Boys Club, which already has helped 104 young men and women head to college by providing guidance and financial assistance. While the club does not require the kids to choose a black college to attend, about 70 of them have.

Most of the kids whom Joe Marshall and Jack Jaqua, co-founders of the Omega Boys

Club, work with are the kind society writes off, at least in terms of being college-bound.

"Most of the kids don't know about black colleges because they aren't around here," says Marshall. "We just want to give them a choice. We don't like for them to be in a place that simulates their environment. We know that 70 percent of black students who go to black colleges graduate and only 30 percent of black kids who go to predominantly white colleges graduate."

White remembers the first time Marshall paid him a visit behind bars. "He gave me a book on Malcolm X," he says. "I thought I was him for a minute. It made me think: What am I going to do with my life? I learned the politics of dope. I learned about who I was. I made a serious transition."

White, an honor roll student in junior high school, had thought about college earlier. He joined the club last year and planned to take the annual tour to black colleges. But a parole violation canceled those plans and sent him back to jail.

"A lot of kids get destroyed by that," says Marshall, "but James got out of jail and got right back in the club. He paid his restitution fees, he's still on probation but he's going to college."

PAINS OF FILLMORE

McCullough, 20, never spent any time in prison but he suffered through what he calls "the pains of the Fillmore"—watching crack cocaine cut a devastating path through the neighborhood.

"Friends have been killed. Friends' mothers are on crack, selling their bodies for it," he says.

McCullough participated in gang activity. He's sorry now he was that type of role model for younger kids. He's trying to give them a new tip.

"I talk to them about going to school, and on to college. I want to come back to my neighborhood and do something positive," he says.

His words were not lost on 18-year-old Watkins, who completed only the 10th grade and until last Dec. 7 was serving jail for dope peddling and assault.

The club helped him get his GED while he was incarcerated. Three weeks after he was released, he was knocking on McCullough's door—at Morris Brown College.

A CHANGE OF SCENERY

"I'm feeling good," Watkins says, a broad smile stretching across his face. "In a matter of weeks, I moved from a jail dorm to a college dorm."

His major is sociology. His experience has motivated him to talk to other boys in his 'hood when he returned home this summer.

"Others wish they could be in my shoes now," he says. "I was only dreaming about going to school. Now, I've broke the chain loose and the brothers in the Fillmore are starting to realize there's nothing out there but death."

SIGNS OF POSITIVE CHANGE FOR SOVIET JEWS

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. BEREUTER. Mr. Speaker, the United States has long been troubled by the deeply ingrained, systemic anti-Semitism of the Soviet Union. Indeed, the Jackson-Vanik amendment

was designed to help the oppressed Jewish minority to emigrate from the Soviet Union. And, every time the Soviet and American leaders meet, the issue of the rights of Jewish minorities is raised.

The political and social changes that are occurring in the Soviet Union have dramatically affected the lot of Soviet Jews. Emigration has skyrocketed, and leaders such as Mikhail Gorbachev and Boris Yeltsin are making a conscious effort to make amends for past injustices. Most recently, Gorbachev acknowledged a 50-year-old massacre of some 30,000 Ukrainian Jews.

Mr. Speaker, the October 9, 1991, edition of the Omaha World Herald included an insightful editorial on the positive changes of Soviet Jewry. According to the World Herald, "With a new day dawning in the Soviet Union comes the hope that conditions will improve to the point where those who want to stay in their homeland will be able to do so in freedom and dignity." Indeed, this is a hope that we all share.

Mr. Speaker, this Member would request that this editorial, entitled "Another Soviet Turning Point" be inserted into the RECORD.

ANOTHER SOVIET TURNING POINT

Mikhail Gorbachev has taken a small step toward righting an old wrong. The Soviet president went against more than 70 years of government-sanctioned anti-Semitism, deploring the Soviet mistreatment of the Jews and lamenting that so many of them are leaving the country.

His remarks came appropriately during a ceremony marking the 50th anniversary of the Nazi massacre of thousands of Jews at Babi Yar, near the Ukrainian capital of Kiev. More than 30,000 Jews were machine-gunned to death by the Nazis in a ravine on Sept. 29-30, 1941.

Babi Yar evokes the perpetual shame of the Nazi era. It also casts shame upon the communists who for decades concealed the fact that the victims were mostly Jews.

Anti-Semitism has a long and sordid history in Russia. Pogroms were common in czarist times. Soviet leaders beginning with Josef Stalin spoke against anti-Semitism in public, but pursued hateful policies against Jews behind the scenes. Jewish writers and political activists were among those targeted by Stalin's purges. Stalin's paranoid imagination dreamed up a "Jewish doctors' plot" against his life, giving him an excuse to have more people arrested and executed.

Even during "better" times, Jews were discriminated against. The best career routes were often blocked to them. They were denied the right to practice their religion. Their writers were arrested and beaten. Hate-mongers distributed propaganda borrowing thoughts from Hitler and calling for attacks on Jews.

More than 500,000 Soviet Jews, understandably, have emigrated to Israel since 1969. Another 200,000 resettled in the United States and elsewhere. An estimated 1 million more are expected to emigrate within the next few years.

For too long, the official silence about the attacks against Jews went on. Now Gorbachev is daring to speak out.

True, the Soviet president mentioned the tremendous loss of talented, productive people. His country can ill afford to lose hundreds of thousands of its better-educated people.

But his remarks at Babi Yar went beyond such self-serving concerns. The ceremony, he

said, "brings hope that we, our renewing society, are able to draw lessons from tragedies and mistakes of the past." He urged his countrymen to create an atmosphere of tolerance. He condemned anti-Semitism.

Gorbachev, to his credit, has lifted some of the restrictions on those who want to emigrate. But people shouldn't be forced to emigrate to secure their basic human rights. With a new day dawning in the Soviet Union comes the hope that conditions will improve to the point where those who want to stay in their homeland will be able to do so in freedom and dignity.

NATIONAL BUSINESS WOMEN'S WEEK

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. MILLER of California. Mr. Speaker, during the week of October 20-26, 53 million working women throughout the United States will be celebrating National Business Women's Week. This celebration is to show what business and professional women are doing, their contributions to businesses and professions, and how business training helps every woman.

The National Federation of Business and Professional Women unites over 140,000 working individuals in more than 60 countries for the promotion of their common interests in education and industrial, scientific, and vocational activities.

Since 1919, business and professional women have been instrumental in numerous reforms, among them a bill requiring equal pay for equal work, revision of State inheritance tax laws, the establishment of status of women commissions, a bill outlawing sex discrimination in employment, and support for an equal rights amendment to the Constitution. Business and professional women have been instrumental in elevating the standards for women in business and the professions.

Mr. Speaker, I would like to take a moment to recognize the business and professional women groups in my district in California. The Central Contra Costa, Martinez, and Todos Santos business and professional women groups are associated with the national and California Federations of Business and Professional Women and have helped to promote betterment of our community and its residents. I know my colleagues in the House of Representatives join me in appreciation of the service given to the community by business and professional women throughout the United States.

CREEPING REG-NEG

HON. DONALD J. PEASE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. PEASE. Mr. Speaker, I thought my colleagues might be interested in the following editorial which was published in the Washington Post on August 24, 1991. It refers to the

process known as regulatory negotiation, which was the subject of my bill, H.R. 743. The bill passed last year.

The implementation of "reg-neg" is the result of some tenacity on my part. I first introduced the concept in legislative form in 1981, and I reintroduced it in every Congress after that. The bill made a little more progress in each Congress until it was finally enacted last year.

As my congressional career winds down, it is very rewarding to receive recognition for some of my more notable accomplishments in the trade and tax arenas. However, I derive a special pleasure from commentary on my lesser-known achievements like reg-neg, which will allow the Government to function more smoothly in the years to come. I hope you and my colleagues will find the editorial of interest. [From the Washington Post, August 24, 1991]

CREEPING REG-NEG

One of the places where government tends to break down is at the busy intersection of politics and science. Congress is simply not equipped to make the technical judgments that many of the laws it passes require, particularly in the health and safety and environmental fields. The technical issues are hotly contested besides; the typical legislative response is to take refuge in a fuzzy formulation and toss the matter to the regulators who have become the modern government's fourth branch. Too often the regulators' handiwork will then be taken to the courts by the very parties who were fighting over the wording in Congress in the first place. The business of giving effect to the laws tends to be more circular than quick.

Now comes a new process intended as a kind of shortcut through this laborious older pattern. It is called reg-neg, which stands not for negation but for regulatory negotiation. The negotiations process may already have helped to crack two of the harder issues from last year's copious amendments to the Clean Air Act, including an almost impenetrable set of questions relating to alternative fuels on which tentative agreement was announced last week.

The Administrative Conference of the United States, having commissioned a study, approved regulatory negotiation for use by federal agencies in 1982. Last year Congress gave its official blessing as well. Normally an agency with a regulatory task assembles what information it can and writes the rule on its own. The rule is published for comment, then fine-tuned or not as the agency and Office of Management and Budget, representing the president, see fit, and made final. That's when one side or the other and sometimes both will take it to court, and while the courts can only overturn regulatory decisions on rather limited grounds, the litigation tends to eat up a lot of money and time.

The negotiating process is in part an effort to do the fighting up front. A committee is formed—the law requires that it be broadly representative of the parties at interest—and tries to work out a compromise acceptable to the parties and the agency in advance. The compromise will often include a promise to refrain from future litigation. The negotiating sessions are required to be public; in that sense the process is even more open than normal rule writing. Once agreement is reached, the proposed rule is still published in the Federal Register for comment as under normal procedures. Thus no group forfeits any right, including the right to go to court, that it already has.

The process has been tried about 20 times, mostly though not always with success. Federal officials note that not all disputes are amenable to it; sometimes the span of disagreement is so great that the agency can only cut through on its own as in the past. But where it works, as apparently with alternative fuels, it's plainly a good idea. Regulatory government on the present scale is recent enough that the country is still feeling its way. This seems to be a sensible step along the path.

NEED FOR NONPROFIT HOSPITALS TO TREAT THE POOR

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. DONNELLY. Mr. Speaker, I am submitting for the CONGRESSIONAL RECORD today an Associated Press article which once again points out the failure of nonprofit hospitals to respond to the needs of their communities.

This article describes a woman from Harlem in New York City who came to a hospital emergency room in the final stages of labor. The hospital refused to treat the woman—almost assuredly because she had no health insurance—and the woman was forced to give birth on a stretcher in the hospital's admissions office. A physician was ordered to attend to the woman, but he refused. According to the article, the doctor "sat there talking on the phone" while the baby was being delivered; when emergency medical technicians asked for something to wrap the baby in, a doctor "reached over and threw some examining gowns—just threw them" at the patient.

Mr. Speaker, this sad story is one in a continuing saga of hospitals which refuse to provide care for the poor. This shameful behavior is why Congress enacted the so-called patient dumping provisions of the Social Security Act in 1985, and it is why I have introduced legislation to redefine the standards which nonprofit hospitals must meet as a condition of exemption from tax. I am currently redrafting that legislation, and this news report merely proves my point that tighter standards for tax exemption are needed.

I would urge my colleagues to read this article and consider the pressing need for legislation in this area.

WOMAN GIVING BIRTH REJECTED BY HOSPITAL

NEW YORK.—A doctor has been suspended for refusing to admit or assist a woman in the last minutes of labor because the obstetrics ward was full, hospital officials said yesterday.

The woman gave birth on a stretcher in a Harlem Hospital admissions office, aided only by two emergency medical technicians while doctors and other hospital employees watched and other people strolled by, one of the technicians said.

"No one offered to give us a hand," said Emergency Medical Service technician Mary Dandridge, who delivered the child along with her partner, William Ludwig. "As far as they were concerned we weren't there."

APPALLING

"I've never seen anything like it," Dandridge added. "To put a patient through that was just appalling."

State Assemblyman Alan Hevesi said he asked District Attorney Robert Morgenthau's office to investigate possible criminal misdemeanor charges against the doctor, a resident at the city-owned hospital.

"He has been suspended from medical duties and disciplinary charges have been filed against him," said Steve Matthews, a spokesman for the city's Health and Hospitals Corp.

Charlesetta Brown gave birth Sunday morning to a 7-pound, 3-ounce boy, Jeffrey. It was her second child. Mother and baby were eventually admitted to the hospital and released Tuesday.

Dandridge, an EMS technician for six years, said they were called to Brown's home Sunday and found her in labor, with contractions about five minutes apart.

Although Harlem Hospital was on "diversion"—meaning only critical cases should be taken there—the ambulance crew went there because it was the closest and Brown was close to delivering, Dandridge said.

The EMS crew has the right to override a diversion, under a 1983 city law that bars hospitals from refusing emergency cases.

"When we arrived at the hospital, the doctor on duty told us he could not accept the patient and told us to leave," Dandridge said. "We told him we couldn't do that and said he must examine and stabilize the patient first."

The doctor said there was a bed for the mother but none for the baby, according to Dandridge.

An EMS supervisor, called to the scene, and the hospital administrator on duty ordered the doctor to attend to Brown "but he just outright refused," Dandridge said.

"He sat there talking on the phone while we delivered the baby," Dandridge said. "They wouldn't even give us an obstetrics kit."

After the delivery, the technician said, they asked for something to wrap the baby in. "Another doctor reached over and threw some examining gowns at us—just threw them. A couple landed on top of the patient."

ADMINISTRATION TRIES TO ACHIEVE THROUGH REGULATION WHAT THEY CANNOT THROUGH LEGISLATION

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. SIKORSKI. Mr. Speaker, illegal. That's the best word to describe the administration's attempt to shave budget savings from the Medicaid Program with Health Care Finance Administration's recently published interim final rule on provider taxes. It's another example of this administration trying to achieve through regulation what it can't achieve through legislation—a familiar story that we saw time and again in the Reagan administration, health policy being dictated by the economists at the Office of Management and Budget. The problem is that it is the States and the poor who will suffer with this backdoor maneuver. In Minnesota, it could cost us anywhere from \$50-80 million.

Medicaid serves some of America's neediest and most vulnerable populations, especially low-income women and children. It pro-

vides coverage to more than 28 million people, many of whom would otherwise be added to the ranks of the uninsured. Medicaid is a Federal/State partnership that allows States to use Federal funds and their own dollars to purchase medical services on behalf of eligible aged, blind, and disabled individuals, and dependent children and their families. The issue is whether or not States should be allowed to use voluntary or provider taxes to increase their Medicaid reimbursement from the Federal Government. The issue was settled by a public law passed by Congress and signed by the President last fall.

These taxes are not shams or loopholes as they have been characterized by this administration. These taxes, including Minnesota's surcharge program approved in its last legislative session, were specifically authorized by Congress in the omnibus budget agreement of 1990. The Senate was concerned about the Office of Management and Budget's estimates on the cost to the Federal Government of these programs. In the budget conference the Senate allowed Dr. Wilensky—the Administrator of HCFA—accompanied by Tom Scully of OMB to negotiate this provision. The Senate had wanted the moratorium prohibiting HCFA from issuing regulations on both voluntary contributions and provider taxes to expire, but the Senate agreed to trade voluntary contributions for provider taxes. That was the agreement. Dr. Wilensky herself agreed to it with OMB sitting right beside her. Later, HCFA decided it was a bad deal and now they want to renegotiate. The problem is the agreement was sealed in statute and it's too late for re-criminations—unless of course you decide to violate the law.

The administration is using an aggressive p.r. campaign to replace its legal authority. Unfortunately, it looks like it's working, especially when newspapers traditionally dedicated to promoting good health care policy like the Star Tribune come out with editorials decrying these taxes as "intellectually dubious" and "naughty."

The Health Care Financing Administration and the Bush administration need to be reminded that it doesn't write the law—its job is to implement it. It better go back and read the law again: "nothing in this title shall be construed as authorizing the Secretary to deny or limit payments to a State for expenditures for medical assistance for items or services, attributable to taxes (whether or not of general applicability)." If the administration wants to change the policy that was established in the budget agreement then it'll need to ask for that change from the committees of jurisdiction in Congress. For now, Congress and the statute say "no."

On September 30, the Health and Environment Subcommittee held a hearing on this issue. We asked Dr. Wilensky to come and explain her rule. She refused. She was not prepared to tell Congress with what authority she issued it or what it means. Despite this being an interim final rule, apparently she doesn't know what it means or how it will impact the States. We know how it would affect Minnesota and it's unacceptable. For the hearing record, I submitted some documentation of how this proposal would impact Minnesota in real dollars and real cuts in programs that

today serve only a fraction of the poor. Dr. Wilensky thought she would be able to explain this rule by October 16, 1991, so she'll appear before the Health and Environment Subcommittee on that date. I'm looking forward to discussing this with her. I hope that in the interim, HCFA will decide to withdraw the rule. If not, I don't intend to let the administration get away with breaking the law.

OUTSTANDING PRINCIPAL
HONORED

HON. DON SUNDQUIST

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. SUNDQUIST. Mr. Speaker, last week 59 outstanding educators were honored as "National Distinguished Principals" by the U.S. Department of Education and the National Association of Elementary School Principals. One of those honorees is from my district, William B. Walk, Sr., principal of Raleigh-Bartlett Meadows School.

I was pleased to be able to talk with Bill and his wife, Wilma, during their visit to Washington. I was impressed by the leadership he has demonstrated. Secretary Alexander is right. Principals can make all the difference when it comes to good schools and successful students.

Bill Walk and all who earned this very important honor offer the Nation an example of what might be accomplished in America's schools. For their example, for their achievement, for their leadership, and most of all, for the inspiration and encouragement they offer our young people, we owe them our thanks.

TRIBUTE TO THE DE LA SALLE
COUNCIL NO. 590 OF THE
KNIGHTS OF COLUMBUS ON
THEIR 90TH ANNIVERSARY

HON. CURT WELDON

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. WELDON. Mr. Speaker, it is with great respect that I rise today to bring to your attention the De La Salle Council No. 590 of the Knights of Columbus on their 90th anniversary which they are celebrating this year. The De La Salle Council No. 590 is located in Delaware County, in my congressional district.

The Knights of Columbus have a long history of service to their members and to the community. On June 25, 1901, 90 years ago, De La Salle Council No. 590 was instituted. Since then the council's membership has grown and so has the number of charitable events that the council sponsors.

This organization, under the able leadership of Grand Knight Chuck Cunningham, sponsors many annual charitable events which benefit thousands around the Delaware County. One such holiday event is the "Nuns' Christmas Party" where members take part in the entertainment of the evening. They also hold masses and picnics for the members' families

and the local community. They sponsor fundraisers for local causes. They also had a swim club built in 1961 and since then has been of great use to the residents of the community. The group hosts special events there such as Don Guanella Day where the handicapped of the Don Guanella School take advantage of the pool facilities.

Another noteworthy achievement of the De La Salle chapter was initiated by one of its members, Garido Mariani. In 1980 he suggested what is now Law-Armed Forces Day. This day has received both local and national recognition. I have only briefly outlined some of the work that this council has been a part of. The Knights of Columbus should be honored for their outstanding work and dedication over the past 90 years.

The council will hold its official celebration on October 12, 1991, and I would like to wish the members well on this auspicious occasion.

Mr. Speaker, I am most proud of representing such an outstanding group of citizens and organization. They have exemplified charity and patriotism to our community and to our Nation. For that I salute them.

ROBERT C. BYRD: HIS BROTHER'S
KEEPER

HON. NICK JOE RAHALL II

OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. RAHALL. Mr. Speaker, the Honorable ROBERT C. BYRD, senior Senator from West Virginia, having served 32 years in that body, after serving 6 years in the House of Representatives, has been my mentor for all of the years I have served in this House, as well as during the time I was employed by Senator BYRD during my student years. I revere him as a person, and as a public servant, to the Nation as well as to his West Virginia constituency. He is not only an able legislator, he is a parliamentarian without equal among his peers, he is an avid historian as is reflected in parts I and II of his "History of the Senate as an Institution" he has recently published. He is, by every definition, a statesman.

Senator ROBERT BYRD of West Virginia does not need me to stand up for him. He does that very well by himself. He states what he intends to do, and then he proceeds to do it. What he intends to do is to send back to West Virginia a part of the Federal taxes they pay into Washington's Treasury. Why? Because the State, despite its decade-long heroic efforts, which by the way continue, to make an economic comeback from earlier recessions, still needs help in creating jobs. Senator BYRD has come under unparalleled attacks recently in both print and broadcast media coverage, for sending funds back to West Virginia—for roads, for education, for health, and for highways. He has also come under attack in an unprecedented manner from Members of the House of Representatives, despite House rules prohibiting the mention of another Member's name, and particularly a Member of the other body. He has been attacked, in my view, by some who are not fit to clean his shoes, but of course the rules of the House prohibit

me from making that statement, so I will not, I do not, make it here.

In the Washington Post this past weekend, an article quoted the minority whip of this body as stating that his party would use BYRD's penchant for sending funds and Federal jobs to West Virginia as proof that Government spending is out of control, and that long-term incumbents like ROBERT C. BYRD should be limited in the number of years they are elected to serve in either the House or the Senate.

I think they miss the point.

There is a peculiar, but well-known truth, both inside and outside the beltway, that experience and expertise count—and that the folks back home know it, understand it, and expect it to pay off in their favor. It's also a well known fact that experience and expertise come with longevity—which brings with it seniority. Members of Congress were elected and sent to Washington to represent the needs of their constituencies. Senator BYRD is not doing anything any different from any other Member of Congress, including those who attack him from this body, bringing Federal dollars to his constituency—he just does it better. Does he do it from a seat of power as the chairman of the Appropriations Committee? Yes, of course.

Have other sitting chairmen of the Appropriations Committees of the House and Senate, past or present, done the same thing? Yes, they have and they do. Should they? If you sat in their chairs, wouldn't you?

Let us look at the raid people are talking about when they castigate Senator BYRD for moving Federal jobs to West Virginia. In the first place, where is it written that only people living in the immediate Washington, DC metropolitan area should have, or can be expected to complete the tasks necessary to keep the Government running? No where, that's where it's written.

Here is the rhetoric that has been used by Members in this body who castigate Senator BYRD for what he is doing: "we shouldn't spend the money—its adding to the deficit which is so huge as to be unthinkable."

Well, the deficit reached unthinkable proportions under two Republicans in the White House, so those in the other party who want to get hyper over it, are preaching to the choir when they preach to Democrats. However, what Senator BYRD is doing by moving jobs to West Virginia is to save the Government money. There are people in West Virginia who are hardworking and give an honest day's work for a day's pay, and they can afford to earn less because of a lower cost-of-living rate in the State, and still do the same work, and to do it just as well as their higher-paid counterparts located here in the District or its suburbs. That is a saving to the Federal Government, not an addition to the Federal deficit.

Second, the 3,300 jobs Senator BYRD is sending to West Virginia represents less than 1 percent of the 360,000 Federal jobs that will remain in this area. That is not a raid by anyone's definition. That the leadership of this House's minority party call it a raid is a source of amusement based on the actual numbers involved. So call it an amusement, but don't call it a raid. And don't call it an increase in Federal indebtedness—it's a savings and they know it, and they can't stand it.

Third, in West Virginia the cost of buying, renting, and leasing property, per square foot, is far lower than it is in this high-rent area. The housing of that less than 1 percent of workers being moved to West Virginia will also save the Government money. That amounts to tremendous savings in two major accounts—Federal salaries and office space. What about housing for the workers themselves? There are homes in West Virginia that are well-built and spacious, located in the midst of the most beautiful of God's country that, when you consider the lower property taxes in West Virginia, will assure the lowest mortgages and taxes those workers could ever hope for, and could never hope for in the Washington area.

And so moving less than 1 percent of Federal jobs to West Virginia, will not only save the Federal Government money, and give the individual worker or family access to affordable homes at lower rates, it also places them in one of the most scenic, most beautiful, most environmentally protected areas of this country. And if you couldn't ask for a better place to work and live based on the above attributes, you should add to them the fact that West Virginia has, for the past four decades, enjoyed the lowest crime rate of all the 50 States put together. For families to feel safe against all sorts of crime and criminal elements, including the drug trade translates easily into improved worker morale all around which in turns means increased worker productivity all around.

Finally, Mr. Speaker, I will address the issue that was raised on the floor of this body on Wednesday of this week, in opposition to a \$148.5 million line item contained in the fiscal year 1992 transportation appropriations bill, for work toward completion of corridor G of the Appalachian highway system in southern West Virginia.

Members of this body, who had been previously reprimanded for identical actions throughout the week on other appropriations bills, still rose on the floor of this body and castigated Senator ROBERT C. BYRD of West Virginia, by name and by title, for his action.

The Appalachian highway system, which has numerous corridors that if ever completed, will link 13 States in the poverty pocket of the United States known as Appalachia. In June of this year, the Committee on Public Works and Transportation was advised that at today's ridiculously low appropriations level for the Appalachian highway system—as authorized under the Appalachian Regional Commission Act [ARC]—will not permit the completion of the Appalachian highway system before the year 2065. This system of highways—roads out of poverty for 20 million people living in isolation in 13 States—is 25 years old. Over that 25 year period, the Appalachian highway system has received precisely \$3.6 billion in Federal funds.

Let me repeat that for you. In 25 years, the Appalachian highway system has received exactly \$3.6 billion in Federal funds. The ARC in its entirety over that 25 year period has received only \$5.7 billion.

If it takes another 75 years to complete, in year 2065, it will be the first highway project in this or any other country's history that took 100 years to complete. It only took us 35 years to complete the Interstate Highway Sys-

tem—yet these Appalachian States cannot even get to most of the Interstate System—it does not serve them because there are no access roads, no direct linkages, to the Interstate System.

It is time to bring to the people of Appalachia access roads—access roads leading to jobs, to the free enterprise system where they can use their talents, and where their work ethic can be brought to bear on their need, their right, to the American dream.

Senator BYRD, like the rest of the West Virginia delegation, knows these people, we know their daily hardships, and we know their great dignity. They still have hope, and they still dream. Don't think of Appalachian as a shadowy outline on the map that is somebody else's problem, one that has been nearly forgotten over the past decade, but think of it as a place where country roads pass by porchlit homes where 20 million people lay asleep at night and still dream of a helping hand, not a handout.

I can assure you that Senator ROBERT C. BYRD views them as men and women and children who need nurturing, who need adequate shelter, food, clothing and education, in order to break the cycle of poverty they have known in Appalachia. They are his, and our, brothers and sisters. We are our brother's keeper, says the Good Book.

The people of Appalachia need a road out, and that road out is known as the Appalachian highway system. And that is what Senator BYRD was about, when he provided \$148 million for corridor G with the full concurrence of both the House and the Senate, in conference, on the transportation appropriations bill for fiscal year 1992.

If there was ever a testimonial to incumbency, it is personified in Senator ROBERT C. BYRD, in everything he does—and he serves not just West Virginia, but the Nation, as he presides over the Senate Appropriations Committee.

You want to cry, whine and wring your hands over the deficit—Senator BYRD's every action is to save money for the Federal Government. It is not as though other Members of this body wouldn't do the same thing—it's just that they haven't the seniority to sit where Senator BYRD sits.

Some of the Members who are wailing about breaking last year's budget agreement with this so-called out of control spending by Senator ROBERT C. BYRD, did not vote for last year's budget agreement. I didn't either—but at least I am not now jumping up and down about the evils of busting it. I would bust it, if I could, in order to cross-walk funds from one account to another, namely from foreign aid and defense to domestic programs.

But the record shows that Senator ROBERT C. BYRD, chief architect of last year's budget agreement, has steadfastly resisted and rejected all efforts in the other body to bust that budget agreement, and no one knows better than he the temptation, justifiably, is great to do so in the face of the failed coup in Russia and the end of the cold war. Making Senator BYRD's resistance to breaking with last year's budget even more poignant is the recent Presidential announcement of a reduction in our nuclear arsenal. Talk about increasing temptation to use military and defense dollars for at-

home needs, it really raised expectations about a peace dividend, but then the President said it might cost more to shut down than it would to continue to build our nuclear arsenal.

But don't wait for ROBERT BYRD to break that agreement, for his word is his bond. Just as he upheld the spending ceilings, the pay as you go requirements, and the prohibition against moving funds from one part of the budget to another, he has kept his word to the people of West Virginia to send \$1 billion to them for their great and abiding needs.

A man of his word, a statesman. A great legislator, an outstanding leader of the Senate, a renowned parliamentarian, a historian, a loving father and grandfather, faithful husband, and ever-faithful friend, to me, and to his Nation which he has served for nearly a half century. That is ROBERT C. BYRD.

PROTECTION OF OUR OCEAN'S RESOURCES

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. BEREUTER. Mr. Speaker, decades of indiscriminate and reckless fishing practices have stripped many portions of the oceans bare. For example, the drift net fishing practiced by some Asian countries has been particularly damaging. The harvesting of tuna with purse seine nets has been equally devastating. In particular, Mexico's tuna fishing industry has been responsible for the slaughter of untold numbers of dolphins and other cetaceans.

The Marine Mammal Protection Act addresses these unsound fishing practices by barring imports of tuna caught by nations who exceed certain limits on dolphin deaths. Mexico has been cited under this act, and has gone to the GATT to protest the sanctions.

Mr. Speaker, this Member is a strong supporter of free trade, and I have consistently opposed the creation of artificial trade barriers. But a few nations should not be allowed to deplete the ocean's resources for the sake of larger tuna exports. It is important that the GATT act in an environmentally sound manner.

This member would ask to insert into the RECORD an editorial from the October 9, 1991, New York Times, entitled "Defending Dolphins." The editorial correctly urges Mexico to develop environmentally sound fishing practices. It is in Mexico's interest, and it is in the world's interest to do so. I commend this editorial to my colleagues.

DEFENDING DOLPHINS—WHY WON'T MEXICO TAKE STEPS TO STOP THE KILLING?

(By Homero Aridjis)

MEXICO CITY.—For reasons scientists do not understand, schools of yellowfin tuna swim below dolphin herds in the eastern tropical Pacific. In the late 1950's, fishermen started using huge circular purse-seine nets on the dolphins to catch the tuna below. Since 1959, more than seven million dolphins have died, a slaughter that the U.S. tuna industry initially, and the Mexican and Venezuelan industries subsequently, sought to

conceal and legitimize, with no real official protest.

In 1972, the U.S. mandated the gradual reduction and eventual elimination of the killing of dolphins by its tuna fleet. The Marine Mammal Protection Act was later amended to bar imports of tuna caught by nations that exceeded certain limits on dolphin deaths, and late last year a Federal court ordered an embargo on Mexican tuna under the law's provisions.

The Mexican Government challenged this ruling before the General Agreement on Tariffs and Trade, and in August a GATT panel said that sections of the U.S. law that led to the embargo constituted an illegal trade barrier. The ruling says a GATT member-nation has no right to obstruct trade detrimental to the environment beyond its borders.

If the full GATT council adopts this ruling, it could virtually invalidate many environmental treaties and conventions. Protection of tropical forests, migratory and endangered species, ocean ecosystems and the ozone layer, as well as control of toxic wastes and chemicals, would become impossible. And the dolphins would continue to be slaughtered.

At a meeting of the GATT General Council set for tomorrow, the Mexican Government, pointing to its recent measures to protect the dolphin, will ask for postponement (but not withdrawal) of the ruling. There is reason to believe that this decision was made in exchange for a promise from American officials to pressure Congress to weaken the Marine Mammal Protection Act. This is a dangerous precedent and one more reason why Congress should insist that environmental issues be an integral part of talks on the U.S.-Mexico free-trade pact.

Defending dolphins in Mexico has been a risky business. I have received death threats and been attacked in the press. Criticizing the slaughter is unpatriotic; the dolphin, after all, has no country, belonging to itself alone and to the earth. But the Mexican tuna industry is "patriotic" claiming that challenges to it are tantamount to criticizing the Mexican people.

President Carlos Salinas de Gortari recently announced a plan to protect dolphins and other marine species. Yet there are measures in his 10-point plan that raise concern. One stipulates that the Ministry of Fisheries oversee the placement of observers on tuna boats. The observers, however, are not required to limit the dolphin deaths, merely to count them. Another measure calls for a million-dollar research program to develop techniques to "reduce and abate" the dolphin deaths. But a solution already exists: stop the practice of setting nets on dolphins, as Ecuador and Panama have done.

Recently a European Parliament panel passed a resolution that would ban the European Community's import of tuna caught with purse seine nets. If Mexico agreed to phase out the deliberate encirclement of dolphins, it could keep this market and also recover the U.S. market. Killing dolphins has become a losing proposition: the market for tuna caught with purse seine nets has plummeted, partly because of the embargo.

Although a measure of the Mexican Government's plan states its intention of postponing tomorrow's discussion of the GATT ruling favorable to Mexico, tabling the ruling is not enough. Mexico should propose that GATT bylaws be reformed so that all trade decisions take environmental effects into account. Only then can the dolphin—and the global environment—be protected.

A TRIBUTE TO MITCHELL WOLFSON, JR.

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Mr. Mitchell Wolfson, Jr., who generously helped to build a new Miami Museum of Science and Space Transit Planetarium. In a campaign to commemorate the 500th anniversary of Christopher Columbus' discovery of America, Mr. Wolfson has committed to match \$1 for every \$3 raised by the Miami Museum of Science, the Historical Association of Southern Florida, and the Greater Miami Opera.

The Miami Museum of Science states that the building's new Mediterranean revival facade and colonnade have transformed the 31-year-old structure with the addition of columns, arches, tile walkways, and a beautiful loggia at the front entrance. Completion of this phase of the museum's renovation and expansion marks the initiation of the fundraising campaign for phase II, a three-story wing, which will house major exhibition and classroom space, a research library, and restaurant.

Mr. Wolfson is president of the Wolfson Initiative Corp. and the Novocento Corp., investment firms with interests in Miami and Genoa, Italy. In 1986, Mr. Wolfson established the Wolfsonian Foundation in Miami to support and promote scholarly research, conservation, education, and collection of decorative, design, and propaganda arts in the United States and abroad. The foundation oversees the Mitchell Wolfson, Jr. collection of decorative and propaganda arts, approximately 40,000 objects created between 1875-1945, primarily of American, British, German, and Italian design.

Mr. Wolfson is active in numerous philanthropic and civic organizations. As a trustee of the Greater Miami Opera, the Center for the Fine Arts, the Miami Design Preservation League, the Mitchell Wolfson, Sr. Community Foundation, Inc., the Dade Heritage Trust, and as a member of the International Council of Museums Committee for Fine Arts, Mr. Wolfson exemplifies an unselfishness for the greater good of the community at large.

A graduate of Princeton University, Mr. Wolfson serves on the advisory council of the Princeton Art Museum. Mr. Wolfson received his masters degree from the Johns Hopkins School of Advanced International Studies and serves on their advisory council.

Mr. Wolfson is the only male member of an all-women's club, the Foundlings Club, which he founded in 1986 on Miami Beach to promote the art of intelligent conservation.

I am extremely pleased to recognize Mr. Mitchell Wolfson, Jr. for the outstanding work he has accomplished not only for the community of south Florida, but for many all over the world. I would also like to recognize Mr. Russell Eting, the executive director of the Miami Museum of Science, for his continued success.

TAX REFORM PROVISION
DAMAGING NEW JERSEY ECONOMY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. ANDREWS of New Jersey. Mr. Speaker, I would like to insert the following article from the Sunday Record, entitled "Tax Reform Provision Damaging N.J. Economy" into the CONGRESSIONAL RECORD.

TAX REFORM PROVISION DAMAGING N.J.
ECONOMY

(By John Cali)

Reformers went too far when they abolished the deductibility of passive losses from rental real estate, says John Cali, founding partner of Cali Associates of Cranford.

The 1986 Tax Reform Act struck out at tax shelters, in part, by enacting passive-loss rules designed to stop people from purchasing tax losses from an unrelated business activity.

Cali supports legislation stipulating that the activities of a taxpayer "engaged in the real property business" will be treated, for purposes of passive-loss rules, the same as non-rental trade or business operations.

That legislation is also supported by the National Realty Committee. In testimony before Congress, the committee said:

"Because a passive rental loss may not be deducted against active real estate income, taxpayers engaged in the real estate business are essentially taxed on the gross income of their overall business operations and not on their net income as are other lines of business. This distorted taxation is clearly unfair."

Cali adds his voice to this issue in saying that these provisions of the tax code have been particularly damaging to New Jersey.

The federal Tax Reform Act of 1986 dealt a serious blow to the real estate industry, which today still suffers from a key provision of the law: its taxation of passive-loss properties.

But the impact of the passive-loss rule on real estate properties goes beyond the industry. It has also had a devastating impact on the economic health of the nation by drying up investment dollars for development.

Eliminated investment opportunities followed by an economic downturn severely impacted the real estate industry in New Jersey, which up until that point had served as a strong vehicle for the state's unprecedented economic growth.

The downturn of the real estate industry had a ripple effect that severely impacted the construction and related manufacturing industries, as well as labor and general employment statement.

Fortunately, Congress is moving to remedy the passive-loss provision. A bill (HR-1414) introduced recently by Congressman Mike Andrews, D-Texas, would restore the tax deductibility of passive rental real estate losses that was abolished by the 1986 Tax Reform Act. Many members of Congress recognize the significance of the legislation.

Already, the Andrews bill has 291 co-sponsors, more than a majority of the House. Moreover, over half of the Ways and Means Committee, the House's tax-writing unit, has signed on in support of the legislation.

Of the New Jersey congressional delegation, eight members have co-sponsored the bill: Robert G. Torricelli, D-Englewood; Frank Pallone Jr., D-Long Branch; Jim

Saxton, R-Vincetown; Dean A. Gallo, R-Parsippany-Troy Hills; Robert A. Roe, D-Wayne; Christopher H. Smith, R-Robbinsville; Bernard J. Dwyer, D-Edison; and Robert E. Andrews, D-Bellmar.

Under the passive-loss rules, long-term investment is discouraged and entrepreneurs are hindered from taking long-term risk. The law considers income from the management, leasing, development, brokerage, and construction of real property as active income.

Any losses from rental real estate ownership are classified as passive. Since a passive loss may be deducted against active income, developers are taxed on the gross income of their overall real estate business operations, and not on their net income as are other types of business operations.

This must be revised if developers are to generate investor interest in new projects, particularly in these difficult economic times. Andrews' proposal is a step in the right direction.

The Andrews bill will strengthen and stabilize property values and real estate markets throughout the country by encouraging longterm investment and reinvestment in real estate properties. It will also again spur the entrepreneur to take venture risks in the real estate industry by investing in development.

Furthermore, the bill will give taxpayers who spend more than half their time on real estate activities the right to demonstrate "material possession" and deduct under the same passive-loss rules that apply to taxpayers in all other professions.

The real estate industry has suffered from the 1986 Tax Reform Act. The Andrews bill, however, will go a long way toward helping the country emerge from its development slump by easing the tax burden on the industry.

This jump-start is vital to the return of a healthy real estate market capable of leading the nation out of recession. In New Jersey, the impact of the legislation would prime the pump of the state's economy, bringing investment dollars, construction, and jobs at a time when they are sorely needed.

SALUTE TO THE MIAMI SECTION
OF THE NATIONAL COUNCIL OF
JEWISH WOMEN: 70 YEARS OF
CARING AND SERVICE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. LEHMAN of Florida. Mr. Speaker, for 70 years, the members of the Miami Section of the National Council of Jewish Women have worked to help those in Dade County who have needed help the most: Children, the frail elderly, the homeless, immigrants new to this land, and those who have borne the brunt of physical disaster or personal tragedy.

Members of the NCJW are simply special people: Bright, caring, generous, well-organized, talented, and committed. They represent the very best in our community, for their focus is always on finding ways to help others. I know this from personal experience; My mother was a NCJW member in both Miami and Selma, AL.

[From the Miami Herald, Oct. 10, 1991]

JEWISH MOTHERS

(By Bea L. Himes)

Someone once described the National Council of Jewish Women as a coalition of Jewish mothers who have banded together to care for the world.

Judging from the good deeds the organization has done since its inception almost 100 years ago, the description fits well.

"Whenever there is a need, and Jewish women are called upon to help, we are there," said Theodora Skolnick, a member of the Miami Section.

"We are advocates, that's what we are," said Myra Farr as she rattled off a list of projects the National Council has sponsored. Among other things, the group has come to the aid of immigrants, opened thrift shops, begun a Headstart school for inner-city children and provided services to the elderly.

HUGE MEMBERSHIP

Now more than 100,000 strong in more than 200 American cities, the organization has 1,200 members in Miami and almost a million members worldwide.

The Miami Section, founded as the Daughters of Israel by Ida Cohen, is celebrating its 70th birthday this year. It will culminate with the 21st annual Child Care Luncheon on Dec. 11 at the Hyatt Regency. The Hannah G. Solomon award for outstanding community service will be presented. The award is named for the founder of the national organization in 1893 in Chicago.

The NCJW membership includes businesswomen and young professionals as well as single women, mothers and grandmothers. The organization means something special to each of them.

"As an involved member of NCJW, I have learned to be more aware of legislation which affects women, the elderly and children," said Farr, who lives in Bay Harbor Islands. "This makes me want to work toward the best legislation possible in these areas."

Farr has been a member 53 years. "I joined as a bride. They gave a free membership to brides in those days so I took advantage of it," she said.

HANDS-ON APPROACH

For attorney Nancy Luria-Cohen, 35, NCJW gives her the opportunity to be a "working" member in a worthwhile organization.

"A lot of times you give financial support to organizations that you don't feel 100 percent involved in," Luria-Cohen said. "This organization gives me the opportunity to have hands-on involvement in areas that I feel are very important, such as families, women's reproductive rights, constitutional rights and education."

The organization's goal is to "seek out the unmet needs in the community and meet them," said Annette Zipper, president of the Miami Section. "We get more out of serving than what we give."

She said those who benefit from the organization include people of all races and ethnic backgrounds.

In 1973, the group started a day-care center in Larchmont Gardens, a public housing project. Six years later, it started the Crisis Nursery and a day-care program for Russian immigrant children.

In addition, the women have helped immigrants of all nationalities by providing clothes, housing and work, Farr said.

"The main thing is we learn so much. This organization is a school for community action," she said.

NATIONAL 4-H WEEK

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. NATCHER. Mr. Speaker, once again it is a privilege to join with the members of 4-H as they celebrate National 4-H Week. This year's theme is "4-H: The Difference We Make."

Over 5.8 million youth participated in 4-H youth development programs last year—an increase of 5.6 percent over the previous year. Kentucky, with 3,515 4-H Clubs, had the second-highest number of clubs of any state, and had the highest number of youth in 4-H instructional TV of any State, with 11,032 participating.

Individual members enroll in one or more organized projects each year. The average in 1991 was 1.8 projects per member. The most popular projects were in the areas of animals and poultry, food and nutrition, natural resources, individual and family resources, and mechanical sciences.

Major efforts were begun to expand the extension's outreach to youth at risk who are most vulnerable because of poverty, lack of parental and community support, and negative peer pressure. These efforts include 69 local program sites. Approximately one-third of these sites are providing badly needed high-quality school-age child care; another third are emphasizing scientific, technological, and reading literacy; and the balance are forming broad coalitions of youth-serving agencies and concerned groups to jointly address the problems of youth at risk. On September 16, a Youth at Risk Summit II satellite teleconference was conducted, involving not only thousands of 4-H youth, volunteers, and staff, but representatives of many other youth-serving agencies. The teleconference provided updates on developments and progress in Youth at Risk programming since the Youth at Risk Summit held in Washington, DC last year.

4-H programs increasingly are developed in partnership with other agencies, national associations, and private sector partners. One such example is a new nationwide 4-H Environmental Stewardship now being developed by the National 4-H Council, Extension Service, USDA, and five major partner corporations. Most new 4-H efforts, such as this one, address major societal issues.

Administrators of the Cooperative Extension Service in my home State of Kentucky have always led efforts to make sure that all interested youth in the State could benefit from the many educational programs offered. As a further step to facilitate that effort, this past year they changed the title of the professional staff members working with youth programs from County Extension Agent for 4-H to County Extension Agent for 4-H/Youth Development.

During fiscal year 1991, Kentucky 4-H involved 226,634 young people through the many and varied educational programs offered. A total of 42 percent of the potential youth ages 9 through 19 participated in some aspect of the 4-H program. The youth were active in 8,212 4-H clubs, special interest, and school enrichment units. They were assisted by 28,658 volunteer teen and adult leaders.

The county programs in the Second Congressional District of Kentucky, which I have the privilege of representing in the Congress, reported 33,955 youth involved in 1,323 clubs/units that were led by 4,615 volunteer leaders. A total of 43 percent of youth ages 9 through 19 were involved in some aspect of the 4-H program.

Key leaders in Kentucky 4-H are from the Second Congressional District. Bill Corum of Meade County just completed his term as president of Friends of Kentucky (the State foundation). He now moves on to an immediate past president term as a member of the executive committee. Mrs. Preston (Linda) Jeffers continues as secretary/treasurer of Friends. Romanza Johnson of Warren County serves on the board of directors. Mrs. James (Margie) Brookshire of Breckinridge County is a member of two very important State advisory groups, the Kentucky 4-H State Leaders Council and the State Teen Council, and she also serves on the National Extension Advisory Committee. Keith Rogers of Hardin County is the immediate past president of the State Leaders Council and he now serves on the executive committee. Keith Rogers, Bill Skinner of Warren County, Russell Lemons of Hardin County, and many others have established a 4-H alumni organization for Kentucky. Roberta Hunt, County Extension Agent for 4-H/Youth Development in Washington County, was recently elected president of the Kentucky Association of Extension 4-H Agents.

The following 4-H'ers from the Second Congressional District of Kentucky won State championships in project records: Jennifer Crowley (Davies County) in consumer education, Jennifer Bryant (Davies County) in home environment, Bart Jones (Warren County) in swine, and Jennifer Edmundson (Warren County) in career exploration.

The following volunteer teen and adult leaders were recognized as area champions through the Feltner 4-H Leadership Recognition program: Minnie Swack (Warren County) and Judy Taul (Breckinridge County)—adult; Greg Swack (Warren County), Kimberly Akins (Washington County), and Lee Anne Day (Spencer County)—teen. Kimberly Akins was selected as one of five teens to be honored as a State winner in the program.

I would like to recognize the following 4-H'ers who were winners of the 4-H exhibits and activities held at the Kentucky State Fair: Allen County—Leslie Brown, Beth Chastain, and Kristy Erwin; Barren County—Stephen Gardner, Lindsay Gardner, and Casey Pedigo; Breckinridge County—Patty Jo Taul; Bullitt County—April Whittis; Davies County—Jennifer Bryan, Jennifer Crowley, Justin Morgan, Aaron Wilkerson, and Margie Zoglmann; Grayson County—Molly Cain and April Patterson; Hancock County—Clint Basinger; Hardin County—Phillip Cochran, Jarrod Goff, Mike Gunter, John Heitzman, Eric Offutt, John Poskin, and Amanda Ramer; LaRue County—Patrick Durham, Luke French, Joseph Gentry, Misty Gentry, Matthew Rock, and Jonathan Spratt; Marion County—Susan Courtwright, Tina Miles, Amanda Lee, and Danielle Ford; Meade County—Meredith Staton and James Gavin; Nelson County—Brian Reed, Jacob Miller, Amanda Raizor, Beth McIntyre, Alice Dickerson, Aaron Reding, Jeannie Greenwell,

and Paula Lundy; Spencer County—Ryan Bivens, Sara Bell, Heather Herndon; Warren County—Bart Jones, Jason Cole, Danielle Harnest, Brooke Pearson, and Amanda Cole; and Washington County—Erin Remington, Anne Davis, Kim Akins, Tige Akins, and Shannon Edelen; along with the Glendale Children's Home and Hardin County for the best county exhibit—swine.

Also, the following young people from the Second Congressional District were top winners in the Kentucky 4-H Speech and Demonstration Contest: Speech—Margaret Haydon (Washington County), Stephanie Murphy (Washington County), Jeri Fields (Warren County), and Beckie Rasdall (Warren County); Demonstrations—Justin Morgan (Davies County), Jason Cole (Warren County), Amanda Cole (Warren County), Alice Ann Gentry (Warren County), Nathan Smith (Spencer County) and Heather Ploeg (Davies County).

Fifteen 4-H'ers from the Second Congressional District participated in the American Heritage Program. They were among 116 teens and adults who traveled to Washington, DC, and stayed at the National 4-H Center while studying and learning more about citizenship and our Government. Also, nine 4-H'ers and their families in the Second Congressional District served as hosts for Japanese youngsters through the LABO Exchange Program.

At this time I would like to commend all of those associated with 4-H programs not only in the Second Congressional District and the Commonwealth of Kentucky, but throughout the United States, for their past achievements, and I want to wish them continued success in all their future endeavors.

OPEN SEASON ON CLARENCE
THOMAS

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. EMERSON. Mr. Speaker, in the ongoing effort of the American public, indeed the American Congress, to gain perspective on the controversy relating to action or inaction in the other body, re Judge Thomas' nomination to be an Associate Justice, the article following—written by Juan Williams of the Washington Post—is an important, very important, piece of reading.

[From the Washington Post, October 10, 1991]

OPEN SEASON ON CLARENCE THOMAS

(By Juan Williams)

The phone calls came throughout September. Did Clarence Thomas ever take money from the South African government? Was he under orders from the Reagan White House when he criticized civil rights leaders? Did he beat his first wife? Did I know anything about expense account charges he filed for out-of-town speeches? Did he say that women don't want equal pay for equal work? And finally, one exasperated voice said: "Have you got anything on your tapes we can use to stop Thomas?"

The calls came from staff members working for Democrats on the Senate Judiciary Committee. They were calling me because

several articles written about Thomas have carried my byline. When I was working as a White House correspondent in the early '80s, I had gotten to know Thomas as a news source and later wrote a long profile of him.

The desperate search for ammunition to shoot down Thomas has turned the 102 days since President Bush nominated him for a seat on the Supreme Court into a liberal's nightmare. Here is indiscriminate, mean-spirited mudslinging supported by the so-called champions of fairness: liberal politicians, unions, civil rights groups and women's organizations. They have been mindlessly led into mob action against one man by the Leadership Conference on Civil Rights. Moderate and liberal senators, operating in the proud tradition of men such as Hubert Humphrey and Robert Kennedy, have allowed themselves to become sponsors of smear tactics that have historically been associated with the gutter politics of a Lee Atwater or crazed right-wing self-promoters like Sen. Joseph McCarthy.

During the hearings on his nomination Thomas was subjected to a glaring double standard. When he did not answer questions that former nominees David Souter and Anthony Kennedy did not answer, he was pilloried for his evasiveness. One opponent testified that her basis for opposing him was his lack of judicial experience. She did not know that Supreme Court justices such as liberal icons Earl Warren and Felix Frankfurter, as well as current Chief Justice William Rehnquist, had no judicial experience before taking a seat on the high court.

Even the final vote of the Senate Judiciary Committee on whether to recommend Thomas for confirmation turned into a shameful assault on Thomas by the leading lights of progressive Democratic politics. For example, in an incredibly bizarre act, Chairman Joseph Biden stood up after a full slate of testimony and said Thomas would make a "solid justice," but then voted against him anyway.

At the time of the vote, two of the committee's Democrats later explained to me, the members of the Judiciary Committee figured it would make no difference, since Thomas had the votes to gain confirmation from the full Senate. So, they decided, why not play along with the angry roar coming from the Leadership Conference? "Thomas will win, and the vote will embarrass Bush and leave [the Leadership Conference] feeling that they were heard," explained one senator on the committee.

Now the Senate has extended its attacks on fairness, decency and its own good name by averting its eyes while someone in a position to leak has corrupted the entire hearing process by releasing a sealed affidavit containing an allegation that had been investigated by the FBI, reviewed by Thomas's opponents and supporters on the Senate committee and put aside as inconclusive and insufficient to warrant further investigation or stop the committee's final vote.

But that fair process and the intense questioning Thomas faced in front of the committee for over a week were not enough for members of the staffs of Sens. Edward M. Kennedy and Howard Metzenbaum. In addition to calls to me and to people at the Equal Employment Opportunity Commission, they were pressing a former EEOC employee, University of Oklahoma law professor Anita Hill, for negative information about Thomas. Thomas had hired Hill for two jobs in Washington.

Hill said the Senate staffers who called her were specifically interested in talking about

rumors involving sexual harassment. She had no credible evidence of Thomas's involvement in any sexual harassment, but she was prompted to say he had asked her out and mentioned pornographic movies to her. She rejected him as a jerk, but said she never felt her job was threatened by him, he never touched her, and she followed him to subsequent jobs and even had him write references for her.

Hill never filed any complaint against Thomas; she never mentioned the problem to reporters for The Post during extensive interviews this summer after the nomination, and even in her statement to the FBI never charged Thomas with sexual harassment but "talked about [his] behavior."

Sen. Paul Simon, an all-out opponent of Thomas, has said there is no "evidence that her turning him down in any way harmed her and he later recommended her for a job [as a law professor]." Hill did say that because Thomas was her boss, she felt "the pressure was such that I was going to have to submit . . . in order to continue getting good assignments." But by her own account she never did submit and continued to get first-rate assignments.

The bottom line, then, is that Senate staffers have found their speck of mud to fling at Clarence Thomas in an alleged sexual conversation between two adults. This is not the Senate Judiciary Committee finding out that Hugo Black had once been in the Ku Klux Klan (he had, and was nonetheless confirmed). This is not the Judiciary Committee finding that the nominee is an ideologue incapable of bringing a fair and open mind to the deliberations of the court. This slimy exercise orchestrated in the form of leaks of an affidavit to the Leadership Conference on Civil Rights is an abuse of the Senate confirmation process, an abuse of Senate rules and an unforgivable abuse of a human being named Clarence Thomas.

Further damaging is the blood-in-the-water response from reputable news operations, notably National Public Radio. They have magnified every question about Thomas into an indictment and sacrificed journalistic balance and integrity for a place in the mob. The New York Times ran a front-page article about "Sexism and the Senate" that gave space to complaints that only two of the 100 members of the Senate are female. The article, in an amazing leap of illogic, concluded that if a woman had been on the Judiciary Committee, more attention would have been given to Professor Hill's report. But attention was given to what she said. A full investigation took place. Why would a woman senator not have reached the conclusion that what took place did not rise to the level necessary to delay the vote on Thomas in the committee or to deny him confirmation?

To listen to or read some news reports on Thomas over the past month is to discover a monster of a man, totally unlike the human being full of sincerity, confusion, and struggles whom I saw as a reporter who watched him for some 10 years. He has been conveniently transformed into a monster about whom it is fair to say anything, to whom it is fair to do anything. President Bush may be packing the court with conservatives, but that is another argument, larger than Clarence Thomas. In pursuit of abuses by a conservative president the liberals have become the abusive monsters.

Sen. Charles E. Grassley said on the Senate floor Tuesday that the smears heaped on Thomas amounted to the "worse treatment of a nominee I've seen in 11 years in the Sen-

ate." Sen. Dennis DeConcini said it "is inconceivable, it is unfair and I can't imagine anything more unfair to the man." And Sen. Orrin G. Hatch described the entire week's performance as a "last-ditch attempt to smear the judge."

Sadly, that's right.

A TRIBUTE TO HAYNES RICE

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. DELLUMS. Mr. Speaker, I would like to take this opportunity to pay tribute, on the occasion of his passing, to a truly outstanding American citizen, Mr. Haynes Rice. Haynes Rice's life reflects his selfless commitment to the reform and improvement of the American health care system. He was without doubt one of our country's most valuable assets in the struggle for quality medical care.

Mr. Rice passed away on August 2, 1991, leaving a wife of 36 years and two children. Born in Knoxville, TN, on January 10, 1932, Haynes Rice would receive his degree in accounting from West Virginia State College. After his graduation, Mr. Rice received his military commission and served our Nation for 2 years as a 1st lieutenant in Korea and Hawaii.

His professional life began with his employment at Kate Bitting Reynolds Memorial Hospital in Winston-Salem, NC. It was here that Mr. Rice's administrative brilliance was first recognized. He was sent to the University of Chicago where he became perhaps the most outstanding student in hospital administration that the university had ever seen. His dedication to reform continued to grow over the years. It was not always easy to maintain this level of dedication in the face of a problem of such massive proportions. But his frustration with the indifference of this Nation to the care of the less fortunate never managed to diminish his courage or his determination to make real progress.

His career in health care administration would span more than 35 years. Among countless other executive positions and awards for excellence, Mr. Rice served as the chief executive officer for 6 hospitals, was appointed to the adjunct faculty of 10 graduate programs and wrote numerous articles addressing the topics of the minority health care professional and health services for the poor. In July 1991, Mr. Rice received the Award of Honor from the American Hospital Association. His personal concern for the black and minority health professional was so sincere, and his efforts to promote their educational opportunities so monumental, that it is not unrealistic to say that there is not one successful black health care executive today whose life has gone untouched by Haynes Rice.

But it would be impossible to measure the impact that Haynes Rice's life had upon the people of this Nation. His presence is still being felt through the myriad community programs he helped begin and the countless men and women whose lives he touched personally and directly. Mr. Rice is remembered as a hero in communities from Harlem to Washington, DC.

Mr. Rice's most recent work at Howard University Hospital was representative of the depth of his devotion to the care of those who could not care for themselves. His outspokenness on the issue of abandoned babies led to the establishment of a home for boarder babies sponsored by Howard University Hospital in 1991. It is fitting that great tradition begun by Haynes Rice will be carried on by this generation of new lives. His greatest monument will be the living fact of their salvation and of their second chance.

**DON'T DISMANTLE THE JONES
ACT**

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. JONES of North Carolina. Mr. Speaker, the American Waterways Operators is a leading maritime trade organization which speaks for the inland and coastal tug and barge industry. Its president, Mr. Joe Farrell, has frequently testified before Congress, and his recommendations are always received respectfully by legislators. On October 4, he authored the following article in the *Journal of Commerce*. I commend its message to the attention of Members of the House.

DON'T DISMANTLE THE JONES ACT
(By Joe Farrell)

The International Trade Commission issued a report on Sept. 19 claiming the American consumer would benefit by somewhere between \$4.2 billion and \$10.4 billion annually if waterborne transportation between U.S. ports were opened up to foreign competition.

Under present U.S. laws, only vessels that are owned by U.S. citizens, built in U.S. shipyards and manned by U.S. crews can carry passengers and freight between points in the United States. Foreign ships are prohibited from providing this service. This policy, known as cabotage, was created in the maritime industry by the 1920 Jones Act. The ITC report implies that everyone would be much better off if foreign vessels, crewed by foreign nationals, took over the waterborne domestic trade of the United States.

Just for starters, we as taxpayers must question the merits of a government study that cannot tie down the putative benefits to American consumers more precisely than the breathtaking range of \$6.2 billion. Such a range is like a real estate agent trying to sell a house that he describes as costing somewhere between \$150,000 and \$450,000. One would have to wonder about both the house and the agent.

The cabotage laws of the United States were not enacted in the first place to benefit the American consumer. In fact, the preamble to the Jones Act states that "... it is necessary for the national defense and for the proper growth of its foreign and domestic commerce that the United States shall have a merchant marine ... as a naval or military auxiliary in time of war or national emergency, ultimately to be owned and operated privately by the citizens of the United States."

Our cabotage laws, like the cabotage laws of all the maritime nations in the world, are in place to protect the national security of the United States and to foster benefits for the U.S. economy. The ITC would have some

parties counting their money at too great a risk to all.

One need look no further than this year's Persian Gulf war to see the compelling, contemporary value of the Jones Act. After a good deal of scrambling, the United States finally begged or borrowed enough ships to transport over 90% of cargoes needed for the war effort. (Some of those ships didn't work very well, but never mind.) In the end, the U.S. government had severe problems manning those vessels with trained seamen.

Putting trained people on merchant vessels in time of war will always be a major hurdle; in a conflict more protracted than the Persian Gulf war, U.S. tug and barge operators can provide a rich natural reserve of trained seaman. While not trained for trans-oceanic commerce, of course, they are experienced in applicable maritime skills that have critical value in time of national emergency. And there are more on-board jobs in the barge and towing industry than in any other sector of the U.S. maritime industry. If the Jones Act disappeared, so would the lion's share of our ready reserves.

The Jones Act is arguably the only U.S. maritime promotional statute that has worked. The Jones Act fleet—a fleet, incidentally, which receives not one penny of government subsidy—is thriving. No keener competition can be found in any sector of American business and commerce than one finds in the tug and barge industry, scores of towing companies operating on the inland rivers and along the coast of the United States vie with one another for cargoes. That competition helps to explain why this industry carries 15% of all U.S. intercity freight for only 2% of the nation's freight bill.

Not to be forgotten in this debate is that American citizens have invested billions of dollars in this fleet with the good faith understanding that the Jones Act would remain intact. If the Jones Act disappeared, so would that competition, so would that faith. So would U.S. flag vessels, so would an American citizen merchant marine.

There is also a new and powerful reason to keep the waterborne domestic trades of the United States in the hands of American citizens. We are determined to preserve and protect or precious environment: the wild-fowl habitat, pristine shorelines and vast marine recreational areas. Merchant seamen from foreign lands are steeped in their own rich cultures. Yet, they often are unfamiliar with the language and culture of the United States. The majority have only scant knowledge, if any, of complex U.S. and state environmental laws and regulations. Opening the Jones Act trades would allow foreign crews—in vessels built below U.S. standards and owned by citizens of other lands—to operate beyond the reach of U.S. jurisprudence.

Foreign crews, manning vessels built to different standards, would ply the waters of the Chesapeake Bay, Long Island Sound, the Upper Mississippi River and the Columbia River, for example. Such action could grant them a new version of diplomatic immunity—from marine safety and environmental responsibility.

Xenophobia? I think not. Would we willingly turn over the ownership and operation of our police forces or the maintenance of U.S. commercial aircraft to men and women from distant foreign lands? We are indeed a global village, but it will always make sense for some things to repose with citizens of their own land. Let's not be so foolish as to sacrifice what is crucial for a not-very-well-defined but surely lesser benefit.

**UNITED STATES RELATIONS WITH
THE SOVIET UNION AND THE RE-
PUBLICS**

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. HAMILTON. Mr. Speaker, on October 2, 1991, the Under Secretary of State for Economic and Agricultural Affairs and Counselor of the Department of State, Mr. Robert B. Zoellick, testified before the Subcommittee on Europe and the Middle East of the Committee on Foreign Affairs concerning United States policy toward the Soviet Union. His written statement, "Relations of the United States With the Soviet Union and the Republics," is a thorough review of current United States policy, and I commend it to my colleagues. The text of Mr. Zoellick's testimony follows:

STATEMENT OF ROBERT B. ZOELICK

Mr. Chairman and Members of the Committee: I am pleased to have this opportunity to report on recent events in the Soviet Union and the republics.

I will stress five points:

First, the events of August 1991 in the Soviet Union constitute one of the undeniable watersheds of our age. As President Bush stated last week, "[t]his revival of history ushers in a new era, teeming with opportunities and perils." And the President took a major initiative in setting the course for this new age last Friday through his announcement of bold steps and proposals to reduce the nuclear threat.

Second, power has shifted almost completely to the republics of the Soviet Union; the fundamental question now is whether a new form of cohesion among them is possible or desirable.

Third, democratic reformers are now in key positions, but myriad threats lurk around them. Their success is by no means assured.

Fourth, in this new post-Cold War era, the U.S. must continue to be deeply engaged with the Soviet Union and the republics—on matters of internal political evaluation, economic reform, and foreign and security policy.

Fifth, we need a sensible and realistic basis for assessing what constitutes successful policy in this time of transition.

A NEW ERA OF HISTORY

Government officials are frequently accused, fairly I suppose, of overdramatizing changes in policy or events. Not this time. We have leapt into a new era of history.

Consider the situation in the wake of the failed Apparatchik Counterrevolution. The Russian Empire, and then the Communist Empire that succeeded it, have been among the great forces that determined the history of Europe, Asia, and indeed the world, for the past three centuries. That empire is now shattered. The Communist Party that ran it is banned or suspended in its homeland, its assets have been taken away, and it is under investigation. A country that reaches across 11 time zones is in the throes of political, economic, and social upheaval.

It may be many years before this new age settles into its own pattern. Even the first label in common usage—the post-Cold War era—reflects the fact that to date its single most dominant characteristic is the abandonment of the Cold War that came before. (Indeed, a former colleague recalled the

story of the Chinese historian who, when asked recently to comment on the historical consequences of the French Revolution, responded, "it is too soon to tell.")

In grasping for historical analogies, it is natural to seize on other lost, multinational empires—for example, the Austro-Hungarian or the Ottoman. Like earlier multinational empires that fragmented, our longstanding antagonist is struggling to determine how the pieces might relate to one another. But I would also like to draw attention to another point of comparison: the dangers and opportunities that the United States faced in the aftermath of World War II, when we reached out to former enemies, Germany and Japan, helping to establish them as democratic market economies and allies. Now the Cold War has ended. Many of the new leaders in the Soviet Union and the republics are looking to the United States to help guide them into becoming contributors in the democratic community of nations.

Last week at the United Nations, President Bush referred to the challenges of building peace and prosperity as we face this "resumption of history." Last Friday, the President outlined steps we will take, and others that we propose, to stand down from the tense nuclear confrontation with the Soviet Union—a state of imminent danger that my generation had etched onto its early consciousness in 1962 and had expected to have persist through its existence.

The new security environment that President Bush hopes to establish also has enormous political implications for the future. As Secretary Baker stated this June in Berlin, "the door to the Euro-Atlantic community is open. But only the Soviets can decide to step over the threshold."

The agents of the Old Soviet regime did not want to take that step. But ironically, their actions in August to backtrack ended up toppling them and sending the Soviet Union and its republics stumbling ahead. The direction is right, but there are serious questions as to whether new leaders of reform can keep their footing.

The reformers are attempting to transform the traditional institutions of repression in the Soviet Union. Their effort with the KGB and the Army may offer one of the most startling examples of the Soviet Union's metamorphosis.

Vadim Bakatin, the new head of the KGB, told us in September that he intended to cut back many of the KGB's activities and establish those that remain on a legal foundation. Bakatin was particularly interested in learning more about the legal and oversight systems that Western countries have developed for their intelligence services. Nor were these just musings; he demonstrated the detailed knowledge he had already obtained about Western legislation on wiretaps. Bakatin also seemed eager to strengthen exchanges with the CIA. While our anti-terrorism discussions with the KGB have already broken new and potentially beneficial ground, Bakatin's interest clearly extended further. He wanted to draw from the experience of Western intelligence agencies to establish the KGB as a responsible institution in the new Soviet society.

One important element of Bakatin's strategy is to bring in new people and then build up new leaders who are committed to reform. The new democrats were deeply troubled by the quiescence of many officials during the August coup.

The new ways have dangers of their own, of course. One Russian told us that when the

new head of the KGB for a large city asked what he was supposed to do, he was told that one task alone would ensure success: He was to make sure his democratic bosses were alerted in advance of any other coup attempt.

The new Minister of Defense, Air Marshal Shaposhnikov, also outlined his intention to redirect a defense establishment that for decades had been a pillar of the totalitarian state. He is seeking to build upon the military's pride in being an army of the people. At critical moments in Russian and Soviet history, the military became the embodiment of the Motherland. Shaposhnikov is proud that during the critical moments of August, this army of the people would not fire on them.

But Shaposhnikov is not content with an army guided by its heart; he wants to support these impulses by winning over the minds of soldiers and civilians alike. His strategy, like Bakatin's, is to establish a Defense Ministry and military subject to civilians and the rule of law.

Shaposhnikov intends to reduce the size of his forces and to increase the role of volunteers. He plans to transform the military to reflect a new state of center-republic relations. He speculated about working out legal arrangements with each republic, establishing clearly that the military's role would be to defend, and not to interfere, in the republics. Indeed, his questions about U.S. stationing and status of forces arrangements abroad appeared to be a search for appropriate models.

I was struck particularly by Shaposhnikov's interest in the U.S. Code of military justice and our military police. He wants to build public legitimacy for the Soviet Army. And he believes that to do so, the civilian public must trust that the military adheres to the rule of law in its own internal affairs as well as toward the society at large. Given all the demands on Shaposhnikov's time, his attention to this means of building the military's place in a civilian society suggested to me that a very new man is in charge.

The democrats hope to transform the old institutions of repression into what they describe as a "safety net" for democracy. They can build on the fact that during the August coup many people in the security apparatus simply refused to act against democratic leaders or, just as important, against the people in the streets. Nevertheless, it will take time for the new thinking to be accepted by all the old rank and file.

It is too early to know whether these courageous leaders will succeed. If this is indeed a second Russian revolution, we must also face up to the fact that the furies of revolutions have frequently created consequences that were impossible to foresee or control. The forces now unleashed in the Soviet Union could lead to disintegration and conflict that could plague Eurasia and the world for decades to come. One or more autocrats may seek to impose dominating authority at a terrible price, as Lenin was able to do after the Civil War period. Whatever the course of the future, we can shape it only if we recognize that the policy framework that we have used for the Soviet Union over the past 40 years is now history.

THE GREAT POWER SHIFT: THE DOMINANCE OF THE REPUBLICS

Perhaps the most striking characteristic of the post-coup environment is the dramatic shift of power from the center to the republics. Almost overnight, the key question about the political compact has been trans-

formed: Before August, we asked what would be the division of political power between the center and the republics; today and question is whether cohesion among republics is possible.

1. From the Center to the Republics to * * *

Mayor Popov of Moscow placed this dramatic development within a context. He outlined three different stages of political contract and related them to the reform impulse. In the first, Gorbachev had tried to reform society from the center. Like Peter the Great or Alexander II, the other great Russian modernizers who preceded him, Gorbachev had launched an era of reform from above.

But as the reforms met resistance from the established order, an order based on the entrenched power of highly centralized institutions, some Soviets—Russians and non-Russians—speculated that the route to reform would have to run through the individual republics. But this second alternative, while theoretically possible, also confronted many obstacles. It divided the combined force of reformers. Nationalism, and old animosities, at times superseded the drive for democracy and market reforms. Moreover, the republics were linked by a highly centralized industrial structure, and even if the old economic structure could be overcome, autarkic republics would forgo the potential benefits from higher degrees of integration.

Popov's third stage was a division of labor between the center and the republics. The first effort to legally establish such an allocation of power came from the center earlier this year when Gorbachev negotiated the one-plus-nine agreement—Gorbachev plus nine republic leaders—that was to lead to the new union treaty. Indeed, it was the prospect of signing that treaty in late August that probably led the coup plotters to act when they did. But in the aftermath of the coup, Popov concluded, only what he labels a "nine-plus-one arrangement" is possible. By this he means it is up to the independent republics to determine what authorities they will cede to a new center.

Another Russian reformer was even more explicit about the loss of central authority, at least in economic matters. The concept of one-plus-others is gone, he said. The question now is whether they'll even have a zero-plus-nine or -twelve or some other number. Thus, he believes that any common economic authority will have to be newly created by the republics.

2. A Crisis of Legitimacy

I suspect that the underlying problem of fragmentation runs even deeper than a shift of power to the republics. We are already seeing signs that subordinate groups or regions within the republics are questioning republican authority as well.

In testimony I gave to the Senate Foreign Relations Committee in February of this year, I stated that the fundamental problem confronting all leaders and governments in the Soviet Union is to overcome a crisis of legitimacy. As perestroika and glasnost gave people the freedom to question, as the grip of fear loosened, people would not follow a leadership that had no right to govern. That is still a primary problem today. It is true for both the center and many republics.

During the winter and early spring, the Soviet leadership tried to cope with the crisis of legitimacy by restoring order. They falsely equated order with political legitimacy. And for them, order depended on authority.

But equating legitimacy with order and authority turned out to be a backward formula. The heavy hand of authority could not

restore order in the Baltics, at least not at a price the leadership was willing to pay. Nor could authority reorder a broken down economy or currency. The leadership failed to reestablish the power of the center through national institutions like the Army, the KGB, and the Communist Party. Then when Gorbachev tried to reestablish political legitimacy based on a new Union Treaty linked to the development of a new constitution and elections, the old Communist boys made their last gasp through the coup. The brave and successful resistance mobilized by President Yeltsin around the Russian Republic doomed the old center that Gorbachev had sought to maintain through a new union treaty.

So we are now in a period when the republics are seeking to establish their legitimacy. They have declared independence. Now they must determine what independence means for their people and the relation of republics to one another.

We have also seen that one cannot necessarily equate republics with reform. After decades of a Cold War waged against the totalitarian center, some assumed that those within the Soviet Union who opposed this center must also stand for the democratic principles the center crushed. And in fact, as the old central authorities delayed or retreated, many republics had become the driving forces for reform. But we have already seen, in a relatively short time, that the republics also have a mixed record. Some leaders are using the disintegration of central authority to maximize their own power at home. Others use violence and intimidation against those who challenge them and to threaten minorities within their republics.

We need to be careful not to examine the development of republican independence solely through the lens of our conceptions of the nation-state. Nationalism, one of the momentous movements of the 19th and 20th Centuries in the rest of the world, has followed a somewhat different course in the Soviet Union. Russian nationalism has existed for some time, but it had been harnessed to serve the ends of Soviet Communism. Russian chauvinism had antagonized many other peoples in the USSR. Now the national movements in the border republics have been freed to define their own national characters and their origins in culture, literature, language, territory, and history; they are still evolving and still exploring how they relate to one another. While many of the nationalisms have old and distinguished lineages, the relation between nationalism and the state is frequently not yet well defined.

Moreover, the national movements do not fit neatly within republic boundaries. One in five Soviet citizens lives outside his or her ethnic republic or area. So there is substantial potential for friction and conflict between republic governments and national movements.

Ultimately, political legitimacy, and the stability that it offers, must be based on consent of the governed. That's one reason why President Yeltsin, one of the few leaders elected by his people, has a particularly important role to play. Republican independence must be complemented by democracy.

Yet the rule of the majority must respect the rights of the minority. As Thomas Jefferson stated in his First Inaugural Address: "Though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; the minority possess their equal right, which equal laws must protect, and to violate which would be oppression."

3. Cooperation Among Independent Republics

The newly independent republics also need to recognize the benefits of integrating or coordinating structures. This is not the same as seeking a recentralization of power. As former Secretary of State Kissinger pointed out recently in a thoughtful op-ed piece, the highly centralized Russian state—through different leaders, ideologies, and centuries—has relied on hegemonic armed forces and outward expansion to try to dominate at least two continents. But autarkic republics, suspicious and perhaps even hostile to one another, pose dangers, too.

In particular, cooperation among republics may be important in:

Avoiding ethnic discord and even civil war; Enhancing security, particularly through the central command and control of nuclear weapons; and

Strengthening the prospects for a successful economic reform program.

Given the ethnic patchwork of the Soviet Union, some basic cohesion may be important to stave off disintegration. The importance of some cooperation among the republics was driven home to us by our conversations a few weeks ago with Aleksandr Yakovlev, Eduard Shevardnadze, and other reform leaders. They were particularly anxious about the Ukraine. Of the 52 million people in the Ukraine, an estimated 11 million are Russian; many have intermarried. While Yakovlev and Shevardnadze acknowledged the fact of the Ukraine's independence, they also pointed out the danger that if the Ukraine totally disassociates itself from Russia, large Russian minorities in places like Kharkov, the Donbas, Odessa, and the Crimea may try to secede. If the Russians in the Ukraine leave, they continued, the Russians that comprise 38 percent of the population in Kazakhstan may decide they, too, wish to restore ties with Russia. A divided Kazakhstan could spur the rise of a new Islamic tide across the southern reaches of the Soviet Union. The two reformers concluded this could have far-reaching spillover effects—not only on the Islamic neighbors, but also in nearby multi-ethnic nations like India.

This may well be an overly fearful picture. But these men are serious observers, and their warnings bear careful reflection on the part of all sides. It will be particularly important for Russian leaders to demonstrate to non-Russians that they will be able to receive fair treatment and can exert equitable influence in any arrangements that are struck.

Some cohesion is important for security and stability, too. Central control of nuclear forces is critical to preventing proliferation. Eurasian stability also will not be served by the creation of large, independent republican armies. Nor can economic reform be pursued by small states striving to build military establishments.

Finally, there are significant economic reasons for some common policies among republics. As the United States has demonstrated for over 200 years and as the Western Europeans have also learned, there are substantial economic benefits to a large internal market unhindered by trade barriers. Indeed, it is vital that the reform leaders finally move ahead with a serious, comprehensive program for a market economy, and that effort will be far harder if the republics cannot agree on common economic policies.

Robert Hormats elucidated this point in his recent testimony before the Senate. One of the legacies of Stalin and his successors is a highly interdependent structure of produc-

tion. Hormats reported that one recent Soviet study examining 6,000 different products determined that about three quarters were supplied by just one producer. Soviet industrialists told him that single factory monopolies tend to be the rule, not the exception, and that they account for an estimated 30-40 percent of industrial output. The CIA has pointed out that "the Soviet Union's entire output of potato, corn and cotton harvesting equipment comes from single factories—all in different republics."

This extraordinary economic monopolization already makes price decontrol exceedingly difficult; if the republics do not maintain open trade and agree to instituting reforms at a roughly similar pace, the already substantial dislocations will intensify. Similarly, the development of a macroeconomic stabilization program—to establish some steady value for a currency—depends on sound monetary and fiscal policies. These policies depend, in turn, on agreements to cut spending, collect revenues, and control the money supply. Therefore, one of the critical challenges facing the people of the Soviet Union is how to strike the appropriate balance between smaller, independent political units and cohesion that recognizes economic and political interdependencies. This is not a new question, and the leaders of the republics can draw from the experiences of others as they search for answers.

4. Balancing the Devolution and Evolution of Sovereignty

As Secretary Baker pointed out in a speech in Berlin this June, one of the most striking phenomena across all of Europe today is the combined and simultaneous devolution and evolution of the nation-state. While the nation-state remains by far the most significant political unit, its political role is being increasingly supplemented by both supranational and subnational units.

In Western Europe, an intense and comprehensive voluntary evolution of governing authority above the national level has been accompanied by the devolution of power to state and local governments, to regions that sometimes cross national borders, and to the private sector. In Central and Eastern Europe, and now clearly in the Soviet Union as well, devolution is certainly the more prominent phenomenon. The collapse of Communism has freed ethnicity to re-emerge as a powerful political force, threatening to erect new divisions between countries and, even more acutely, within multinational states.

Evolution and devolution need not be alternatives, but instead can be complementary, and indeed interdependent developments. The foundation must be democracy and grassroots involvement in political processes. The challenge for democracy is to encompass, to represent, but also to transcend, ethnic ties on the basis of common values.

The United States balances democracy and diversity through federalism. The architects of a united Europe have adopted the principal of "subsidiarity"—the devolution of responsibility to the lowest level of government capable of performing it effectively. By the same token, it makes sense for the various parts of the Soviet Union to consider balancing devolution of authority with the voluntary common delegation of powers for basic matters such as defense, trade, monetary systems, and the protection of basic human rights—particularly equal treatment of minorities. Given the strength of the drive for independence, it may take time before the citizens of the republics are willing to consider such combinations—but the need will not go away.

In 1945, much of Western Europe was broken, hungry, and hostile. But the integration of Western Europe within the EC and NATO has virtually transcended all the old territorial disputes, irredentist claims, and ethnic grievances among and within their member states. Euro-Atlantic integration has made it literally inconceivable that localized disputes could become a source for serious conflict among these states. The incentives for cooperation within these multi- and supranational frameworks are overwhelmingly high compared to with the remaining areas of discord.

Eventually, similar structures will have to develop to shape interdependence with and among the lands of Central and Eastern Europe and the Soviet Union if they are to ever share in comparable levels of peace and prosperity. The processes of evolution and devolution need to be kept in constructive equilibrium. Only by achieving balanced progress in both directions can the individual be assured a voice in a democratic and interdependent world.

5. In Sum

In sum, although power has now shifted to the republics, the crisis of political legitimacy remains acute. The fragmentation of authority could continue—down to still smaller units—if the new leaders fail to establish legitimacy through democracy with respect for minority rights. A preoccupation with republican independence is yesterday's battle, a conflict waged and won against totalitarian central authority. Decentralized power in the republics will not necessarily overcome ethnic strife or economic autarky. At this point in time, an ongoing reform effort needs to turn to these new challenges. We need only look as far as Yugoslavia to see the costs of devolution that slides into disintegration.

AN OPPORTUNITY FOR DEMOCRACY

In the immediate aftermath of the coup, Aleksandr Yakovlev told us that he and his fellow democrats owed a great debt of thanks to a coup plotters. Those eight men, he explained, had opened the way for the democrats to propel reform five or ten years ahead. Old apparatchiks could be moved to the side. The confrontation had produced a real revolution in the minds of the people. Power was now with the democrats. But Yakovlev still asked, "Can we cope?"

There is now a great opportunity to launch true, far-reaching reforms in the Soviet Union and its republics. Conditions at home remain extraordinarily difficult. The old command economy has broken down, but no market system exists to succeed it. The traditional system of authority has collapsed, but the forces of the new, rough-edged pluralism have yet to work out cooperative arrangements so that they can design and implement a program.

The democrats recognize that they must build a stronger base of support. One reform leader told us that during the coup the democrats drew vital support from the "oppositionists". These people are not necessarily the same as democrats. They have rejected the old Communist ways, but as of yet they do not have a deep commitment to any successor system.

Shevardnadze, Yakovlev, Popov, Sobchak, Stankevich and others launched in July 1991 a new Movement for Democratic Reform. At present, it is an umbrella organization that draws from the various fledgling democratic parties that had already been forming, as well as from new participants. They are working to avoid the traditional Russian re-

form problem of failing to link the intelligentsia with other groups. Interestingly, Shervardnadze told us that two core groups of support were young people and some leaders in the defense industrial sector. The latter—intelligent, technologically sophisticated leaders—recognize that the old system does not work, and they believe there is an opportunity to put their skills to use in a market economy.

The greatest danger the reformers now face is the discrediting of democracy. The average man or woman on the street seems sullen, tired of talk. The new parliaments, like the old Dumas of 1905-17, seem to offer high drama, but no change for the better. One person summarized the situation with an anecdote: The first person who puts vodka on the shelves, she said, will carry the day. Presidents Gorbachev and Yeltsin, who seem to be working in concert, both told us: We need to help people.

Gorbachev also told us that the coup removed the head of the serpent, but a large body of traditionalists remains. He pointed to two significant risks. First, indifference and apathy would weigh down efforts to stimulate a new political and economic system. Alternatively, frustrations might build into an acute response, a demand for action, any action.

Authoritarian strains run deep in Russian and Soviet society. At some point, desperate people may turn back to the autocrat who claims a firm hand is needed to pull people back up. Yet the coup demonstrated that an organized resistance, assembled around newly elected leaders, could defeat authoritarians. Moreover, important groups—including the Army and parts of the KGB—would not intervene against the democrats. Frankly, the big unknown variable is the legendary ability of the Russian people to endure.

A visitor to Moscow or St. Petersburg knows that winter is coming. Perhaps because winter has played such a major role in Russian history, defeating invaders and leaders alike, the encroaching winter appears to be taking on a symbolic feature of challenge. While the task ahead for the democrats will of course extend much beyond the next six months, the new democratic mayors of Moscow and St. Petersburg are mobilizing to meet the needs of their publics over this period.

For Mayor Sobchak of St. Petersburg and other new, dynamic leaders, these preparations are part of a large strategy: They understand people need confidence in the future; they need hope; they need some examples of success. Sobchak also recognizes that the spirit of the people needs to be invigorated by their own sense of what they can accomplish, not by what others can give to them.

These are proud people. They want their accomplishments and potential—which are great—to be recognized. They want our support and cooperation. But they prefer investments or loans to handouts. Perhaps the most encouraging sign is that the type of leaders who will need to step forward if Russia and the other republics are going to be successful—people like Sobchak and Nazarbayev of Kazakhstan—recognizes the great opportunities to be seized and the dangers to be avoided ultimately depend on tapping the creativity and energy of the people they represent.

A POLICY OF ACTIVE U.S. ENGAGEMENT WITH THE SOVIET UNION AND THE REPUBLICS

Throughout four decades of Cold War, America's relations with the Soviet Union

were the primary preoccupation of our foreign policy. Although the old Communist regime is now gone, it would be a tremendous mistake to disengage just as the Soviet Union and its republics are moving into a critical stage of transition. The United States continues to have strong national interests in the course of events in that country. U.S. policy towards the Soviet Union and the republics must continue to adapt to meet changes and changing circumstances.

One strong national interest draws from a strain of our foreign policy that dates back to our earliest days as a nation. The United States has always viewed itself as a practical experiment in liberty and democracy. And we have welcomed, encouraged and, when possible, even protected those who aspire to these same values. This is the important element of idealism in American foreign policy. Today's events in the Soviet Union and its republics offer one of our greatest historical opportunities to promote those values, and through doing so, to foster a democratic partner that can help us address other challenges around the world.

But America's statercraft has also sought to blend realism with this idealism. In this situation, our realistic national self-interests also dictate serious engagement. There is the potential for a democratic and market-oriented Soviet Union to contribute to global peace, stability, and prosperity.

But even if this potential fails to be fulfilled, we have an interest in precluding a return to an authoritarian state or states that may threaten neighbors. Within the past two centuries, the armies of Russia and the Soviet Union have marched from the shores of the Pacific to Paris and Berlin. Today, the borders of the Soviet Union mark an arc of other lands in transition: from the aspiring democracies of Central and Eastern Europe, through the Islamic lands of the Mideast, on to South Asian countries struggling with their own religious and national conflicts, and extending to the Communists of Eastern and Northern Asia who are trying to bolster bankrupt regimes. A large share of the world's nuclear weapons remains in the Soviet Union. Various republics have great factories for producing advanced conventional weapons, and some may be already looking for new markets in the world's troublespots. Upheaval in the heart of Eurasia could threaten the very countries that are our primary allies and economic partners.

In sum, because of both our ideals and our self-interest, our foreign policy must continue to direct considerable energy and creativity to the Soviet Union and its republics.

Let me briefly highlight our thinking on three topics: (1) political evolution; (2) economic reform; and (3) foreign and security policy.

1. Political Evolution

Our policy towards the political evolution of the Soviet Union needs to respect the fluidity of the situation. And we must acknowledge the limits of any outsider's ability to affect the future course of events.

This is a key point: The fundamental need to establish political legitimacy can only be accomplished by the people of the Soviet Union and its republics. It's up to them to determine the outcome, not us.

But we are not disinterested bystanders. Many Soviet reformers, people of great reputation at home and abroad, have told us that the opinions of the Western democracies, and in particular the United States, are important. And although it is not our place to delineate the final outcome of the new political arrangements, we can speak to

the process by which the decisions are reached.

Therefore, we have informed the leaders of the Soviet Union and its republics that our policies towards them will be guided by five principles set out by Secretary Baker on September 4:

First, they should determine the future of the country peacefully, consistent with democratic values and practices, and the principles of the Helsinki Final Act.

Second, we urge respect for existing borders, internal and external; any change of borders should only occur by peaceful and consensual means, consistent with CSCE principles.

Third, all levels of government should be based on democracy and the rule of law, especially through elections.

Fourth, all parties should safeguard human rights, based on full respect for the individual and including equal treatment of minorities.

Fifth, we urge respect for international law and existing international obligations.

These principles are of course not only applicable to the Soviet Union. They are drawn from the core principles of CSCE, the Helsinki Process, including the Charter of Paris. They have been adopted by 38 countries reaching from North America throughout Europe.

These principles are not mere guidelines. They are also standards of accountability. Those Soviet leaders and peoples who adhere to these principles should know they are building the only sure basis for our support and assistance.

That's the message Secretary Baker conveyed to all Soviet and republic leaders when he went to the Soviet Union last month. That's a message we've asked our allies to reinforce. And that's a message we ask the Congress to support, too.

I would also draw special attention to the fact that human rights remains at the heart of our policy toward the USSR and the republics. It is as important now as ever before, as the republics gain authority over such issues as emigration and other fundamental human liberties. Some of the republics are potential abusers of human rights. So we're making very clear to all of them that human rights, including equal rights for minorities, must be respected and that their behavior in this regard will be a major factor in determining our engagement with them.

As I pointed out in February, we also need to try to manage uncertainty by multiplying our points of access within a society that is transforming itself. We have been working for some time to expand our contacts with republic and local leaders. This has included a program of "circuit riders" regular visits by U.S. Embassy officials to republics where they can develop special ties. These contacts need to be strengthened further through opening new American consulates or "small posts" in various republics. We have sought ways to support democrats, free trade unions, the development of a free media, and market reformers. We have recently proposed Peace Corps programs.

We also believe that it's time for the Soviet Union and the U.S. to terminate the impediments to human contacts that are among the pernicious legacies of the Cold War. We urge Soviet agreement to our "Open Lands" proposal that would open all closed areas in both countries to travel by each other's citizens. We are also eager to work to lift onerous travel controls, visa restrictions, and other barriers to regular contacts between our citizens.

Our efforts are designed to expand our contacts with the full range of important groups in the newly pluralistic Soviet Union. Indeed, the need may be greatest with "swing groups", such as the Soviet military and the defense industrial complex. These remain powerful institutions or groups, and they reflect the anxiety that troubles much of the society. No Soviet leader will be able to ignore the military's concern about housing and jobs for the troops withdrawn from Central and Eastern Europe and the Baltics. No economic reform program will be politically successful if it does not address the fears of the skilled and influential workers in the defense industrial sector.

2. Economic Reforms

Market economic reforms also must catch up with the new political freedom.

The most obvious need is to offer humanitarian support to ensure that basic needs are met during the winter. We have already sent two high-level missions to evaluate needs and distribute problems throughout the Soviet Union. This week Secretary Madigan is leading another team, including a number of private business executives. Since a significant dimension of the food problem is the failure to acquire, transport, store, and distribute foodstuffs effectively, an important part of USDA's work is to identify ways to help the Soviets and the republics introduce markets, thus fully utilizing what they produce. We are also sharing our assessments with the other G-7 countries, and our experts will meet within about a week to strengthen our cooperation.

In the meantime, we have decided to accelerate the availability of the \$1.5 billion of CCC credit guarantees that the President announced this June, and increased the coverage, so the Soviets can secure credit to buy large quantities of American grain and other basic foodstuffs. (This \$1.5 billion is in addition to \$1 billion of CCC credit guarantees we provided in December 1990.) And we are examining other possibilities to meet emergency food needs.

Since early this year, we have worked with Project Hope to deliver urgently needed medical supplies directly to target locations. A number of U.S. pharmaceutical firms have made generous in-kind donations to this effort. So far, we have sent shipments to the Ukraine, the Aral Sea region of Kazakhstan and Uzbekistan, and Moscow, and we have others planned for the Urals industrial region and elsewhere. AID is working with Project Hope to extend and expand this program.

The second element of our economic effort is to work with the Soviet Union and its republics to develop expeditiously a serious and comprehensive market economic reform plan. The new Special Association with the IMF and World Bank, first proposed by President Bush last December, enables the reformers to start working right away with Western experts to develop a reform program that meets the standards of the international economic community. It is very important that the reforms meet these standards—not because Western governments want to establish hurdles, but because these reforms are the key to tapping the Soviet Union's own considerable resources and talents. Private capital will only invest where businesses determine the mix of return and risk to be worthwhile. The critical fact is that given the size of the Soviet economy, even large infusions of funds from Western governments would be insufficient to make a difference on the fundamental question of economic growth. We don't do the new re-

form leaders any favor by obscuring the fact that only private capital flows will enable them to create growth and jobs.

Most economists could probably agree on the components of a suitable market economic reform plan for the Soviet Union. That's not the problem. The plan will need to include the clear establishment of property and contract rights, privatization, competition among producers, macroeconomic stabilization, price decontrol, and some narrowly delineated system to ensure that the general public receives necessities in the aftermath of price decontrol and before producers respond to price signals by increasing supplies. The difficult task is the sequencing of these actions.

There is no doubt that the implementation of such a plan would be difficult. But as we have told the Soviets for years now, the situation will not get better while they wait. Indeed, I believe it is imperative to act promptly so as to draw upon public support in the aftermath of the coup. I believe leading reform economists, such as Grigory Yavlinskiy, share this perspective. But they are struggling at present to secure a new economic treaty among republics that might enable them to have the authority to implement such a plan.

The third component of our economic engagement is an enhanced program of technical cooperation. We began this effort in the autumn of 1989; now we need to expand it. As you are aware, the Administration is seeking authorization from Congress to spend a limited sum of foreign assistance monies for technical assistance to the Soviet Union and the republics.

Our political assistance will concentrate on helping to build democratic institutions.

Our present economic priorities are: Improvements in the food distribution system, so the Soviets can use their own resources to help meet basic needs.

Promotion of private investment in the energy sector, which could help the Soviets and the republics increase their hard currency earnings in the medium term.

Support for defense conversion, which, while extraordinarily difficult, is obviously highly significant politically and economically.

Finally, we need to expand our efforts to train people in the basics of business and to improve the understanding of how a market economy works.

President Bush sought to lend high visibility to the priority of helping to build a private sector by hosting a large breakfast for business entrepreneurs when he visited Moscow. The Commerce Department has begun an internship program with American businesses, which we would like to expand. The Peace Corps has proven helpful in Central and Eastern Europe at a low cost, and we are examining whether we might draw on its skills in this area in the Soviet Union. In addition, as Secretary Brady has suggested, we are working on ways to draw on the capabilities of our private sector, including through groups like the Citizen Democracy Corps.

We hope the Congress will be able to support our efforts by authorizing expenditures for enhanced technical assistance to help build democracy and a market economy, by repealing the Stevenson and Byrd limitations on our credit programs, and by ratifying the Trade Agreement.

3. Foreign and Security Policy

Our third area of engagement is through our foreign policy agenda. We are pleased with the accomplishments in this realm to

date, but we have much more to do. Our strategy since 1989 has been to explore and develop possible "points of mutual advantage" for both the United States and the Soviet Union. We probed the "new thinking" in Soviet foreign policy, seeking to shape and, where possible, to alter Soviet policy calculations so that they might face up to the contradictions between the new thinking and old habits. This strategy required us to broaden and deepen our agenda with the Soviets.

Our first objective was to work with the Soviets to overcome the division of Europe, the original cause of the Cold War. Our cooperative approach avoided singularizing or isolating any party that respected moves towards freedom. The Iron Curtain was scrapped, and we achieved German unification peacefully and democratically. The Baltics have been freed. Although many Soviet troops still need to return home from Germany, Poland, the Baltics and Cuba, we are close to achieving some of the key goals of the U.S. foreign policy for over 45 years.

Second, we stressed our common interest in resolving regional conflicts peacefully, often seeking to rely on elections as a means of establishing legitimacy and the local popular will. To create an appropriate context for elections, we sought to use our respective influence to persuade conflicting parties that the use of arms would not produce an enduring solution. This has been the approximate formula for our cooperative efforts in Nicaragua, El Salvador, Cambodia, Angola, and Afghanistan. The experience provided the basis for the immediate, joint U.S.-Soviet denunciation of Iraq's attack on Kuwait, which in turn provided the basis for unprecedented UN and multinational action.

Since the failed August coup, the pathways of cooperation that we established have multiplied. We have agreed with the Soviets to cut off all arms to the antagonists in Afghanistan by the end of the year. The Soviet Union has agreed to withdraw its troops from Cuba and put its economic relationship with Cuba on a commercial basis. We hope the increasing isolation of Castro will eventually persuade him that the people of Cuba can only prosper if they are given the freedom that more and more people around the world now enjoy. There also now is a chance that the rebels in El Salvador recognize there is no future in killing, and that both sides of that deeply wounded society have decided to try to leave hatred behind for peaceful reconciliation. There may be possibilities for returning the Northern Territories to Japan, ending one of the last territorial disputes of World War II. Finally, we are working with the Soviets to launch a Mideast peace conference.

Third, over the past two years, we have deepened and expanded the arms control agenda. This led to landmark agreements on conventional forces, strategic arms, and chemical weapons destruction. We still must focus on the ratification and complete implementation of such agreements.

But now we can also move to a different threshold of accomplishment. President Bush pointed the way to a whole new attitude toward nuclear weapons, stability, and security in his Friday address.

Indeed, inherent in the President's message was an important theme: The dangers that we, and the Soviets, will face in the future are more likely to come from rogue third parties than from one another. So it makes sense that our arms control thinking shift increasingly to the risks of proliferation and regional conflicts.

Our fourth objective was to launch joint efforts to solve translational problems of common interest, such as narcotics, terrorism, and the environment. Now this work must increasingly involve republic leadership.

In sum, our foreign policy agenda remains rich in potential. As we sweep away the items on the old agenda, it is our intention to move a new agenda, one where we hope the changing Soviet Union can act increasingly as a partner in addressing future problems.

DEFINING POLICY SUCCESS

I would like to conclude by raising a point that might seem somewhat unusual, but which I believe is important as the United States considers its future relations with the Soviet Union and the republics. We are likely to be working through a transitional period for what could be a considerable period of time. So we need to reflect carefully on what we would consider to be the results of a successful policy.

I suspect we would generally share a sense of the objectives on the foreign policy agenda I outlined. But what constitutes success in the other dimensions of our policy—especially those related to political evolution and economic reform?

Frankly, we should not be surprised if the Soviet Union and its republics are not able to completely transform themselves into a stable, prosperous democracy or democracies on the Western European model within the next few years.

Nevertheless, there are numerous results short of that goal that might be possible. These intermediate results could prove beneficial to the United States and the world at large. And they could be steps on a pathway to a tremendous achievement.

I suggest that we direct our efforts at maintaining the conditions in which democratic and market economic reformers can continue to strive to bring the Soviet Union within the larger Euro-Atlantic community. We should expect that there will be setbacks. We should expect that some republics will go through periods of struggle, violence, factionalism, and even a return to the old tools of repression. But these twists and turns should not dissuade us from continuing to encourage and support those who continue the effort to embrace the five political principles I outlined above.

For 45 years, other Americans held fast so that freedom and liberty could finally light the lives of hundreds of millions of people frozen in a backward and frightening age. These people will need the leadership, spirit, and example that only America can supply. And subsequent generations of Americans will be better off for our continued effort.

DEATH, DYING, AND HEALING IN TENNESSEE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. DUNCAN. Mr. Speaker, I would like to express my sincere appreciation to Sharon Racsko, the daughter of Clemma Link, who passed away on July 31, 1991.

Mrs. Racsko has written a wonderful tribute to her mother which highlights the true values to her mother and the closeness shared by its residents.

Mrs. Link passed away after a 5-year battle with cancer. Her strength and that of her fam-

ily was maintained by their faith, friends, and community.

I salute Mrs. Link, her family, and Vonore for reminding us never to take for granted God, family, and community.

DEATH, DYING, AND HEALING IN TENNESSEE

The Navy seemed like such a great place to bury my Tennessee accent. Not only was my accent a sure give away, but my naivete screamed to strangers that yes, I was just a country girl. I wanted the death of my past and I honestly believed leaving Tennessee would make it happen.

It was the stereotype of being an uneducated, hillbilly that I wanted to see die. I wanted the chance to free myself, to prove that being from a small town in Tennessee didn't have to be a life-long handicap. Well, in time, the Navy did help me lose my accent. Living in Florida, Mississippi, Texas, California, and South Korea did re-educate me on what the "real world" was all about. And yes, getting my college degree and entering graduate school did prove I wasn't really a hillbilly. Surely everyone knows hillbillies don't go to college. Or do they?

I knew one who did . . . my mother. She was the oldest of seven children and the daughter of a well-known back-woods preacher from Vonore, Tennessee (Rev. James Patton). But she, too, wanted to shed her southern accent, and escape the innocence of her rural upbringing. She, too, wanted more education than a one-room school house had to offer. What did she learn in the "real world" that I had not? It wasn't until her death this past July 31st, 1991 that I found out. It wasn't until her five year battle of terminal cancer brought me to her bedside that I took the time to see what joy being from a small town in Tennessee could bring.

How can this be? I'm not sure how the transformation that honest-to-goodness Christianity can bring, but for me it happened not in a loud way, not in a self-seeking way, but in a calm, peaceful, and humble way. It came in a covered dish, in a small african violet, in a painted basket, in a handmade walking stick, in a discreet get-well card with church donations, in phone calls, in a gospel tape, in visits, in the get-well cards from Bible-school children, in a bushel of peaches, in a handmade birdhouse. It came through cards, through nurses, through prayers, through the condolence letters of state officials, and it came through the family . . . the family of God.

While my mother is gone, the lesson her death has taught me is so great and poignant that even sharing it with those who made it happen cannot attest to the impact it has made in my life. Yes, quietly dying in a small obscure town in Tennessee, surrounded by friends, family, and true Christians yields a far greater reward than the death of a hillbilly stereotype. For losing one's accent, obtaining a formal education, and living all over the world, cannot compare to the quiet understanding that I finally found as I held my dying mother's hand. It was all too clear then that dying in Tennessee means grief is shared, and that healing will come.

I think my mother planned, and knew in her heart, that her return to Tennessee last year would be the last great gift she could give us. For surely she knew we would be in the loving care of those "hillbillies" who know God. And she was right. Mommy was much wiser than I ever knew. . . . I wish I could tell her now.

TENNESSEE HEALING

(By Sharon R. Link Racsko, September 14, 1991)

Looking into the weathered faces,
Shaking the calloused, and trembling
hands,
I took a moment to reflect on, the
Genuine concern of each child, woman and
man.

It was then that wisdom came closer ...
As it whispered its lesson to me.
No matter how far you travel
Your true home is in Tennessee.

While shocked at this vivid revelation,
I pondered on it for a while.
Yes, I thought it's here ...
That Christianity is still in style.

From that moment on my grief
Suddenly, felt lighter I thought,
And forward I took my first step
In the Healing that Tennessee had brought.

Patriarch Dimitrios I

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. FEIGHAN. Mr. Speaker, it is with a profound sense of loss that the world mourns the passing of Patriarch Dimitrios I, the ecumenical patriarch of the 250 million-member Eastern Orthodox Church, including the Greek Orthodox Archdiocese of North and South America. I know many Members of Congress will recall the historic U.S. visit of the Patriarch just last year and the enormous outpouring of support that we saw from the Orthodox community in this country.

Patriarch Dimitrios devoted his tenure to the pursuit of world peace and to dialog among all Christian denominations and other religious traditions. In 1987, he paid a 5-day visit to the Vatican where he met with Pope John Paul II. The two spiritual leaders issued an historic declaration committing their respective churches to a continuing dialog that would ultimately lead to full communion between the Orthodox and Catholic churches. This was a great step toward healing the millennium old rift between Eastern and Western Christianity.

His mission was an inspiration to people of all faiths everywhere. The Patriarch reminded us that what we hold in common is more important than what divides us.

The Patriarch's passing last week comes at a time when the Eastern Orthodox Church is, at last, emerging from under the thumb of Communist control throughout Eastern Europe. As the consolidation of democratic rule takes hold throughout the region, the Eastern Orthodox Church will undoubtedly play a pivotal role in shaping the domestic and international face of the new world order.

As the leaders of the Eastern Orthodox Church gather to mourn their beloved Dimitrios and to select a new patriarch, I ask my colleagues to join me in expressing our deepest condolences on the loss of this distinguished religious leader and man of peace.

TRIBUTE TO THE FRANKENMUTH OKTOBERFEST

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. TRAXLER. Mr. Speaker, I rise to inform my colleagues of the second annual Frankenmuth Oktoberfest during October 11-13 in Frankenmuth, MI which is located in my district. These fine people hold this celebration in honor of the reunification of East and West Germany. I commend the wonderful citizens of Frankenmuth who have for the past 146 years continued to appreciate and nurture their German heritage.

The community of Frankenmuth was founded by immigrants from the Franken area of Germany in 1845. Today, the heritage of the Frankenmuth community is maintained through language instruction in our schools, through promotion of Bavarian-style architecture in our buildings, through cultural exchanges sponsored by the city's sister city committee, and through activities and events.

Let me tell you about the fineness of Michigan's "Little Bavaria", Frankenmuth. It is a town of 4,408 residents, and it attracts 3 million tourists every year, making it the No. 1 visitor attraction in Michigan. The draw is the Bavarian architecture, the Bavarian Inn and Zehnder's Restaurants, the Frankenmuth Brewery, and Bronner's year-round Christmas Wonderland.

The Oktoberfest celebration will include German music and food. A special treat during Oktoberfest is a personal appearance by "De Jodeler Franzl". Franzl is from Zillertal and will be appearing in Frankenmuth during his North American musical tour. I invite my colleagues to come to Frankenmuth, MI to participate in the Oktoberfest activities. I salute my Michigan neighbors of Frankenmuth for their pride and loyalty to their German heritage.

HORACE F. "BUDDY" BROWN
CELEBRATES HIS 80TH BIRTHDAY

HON. JACK FIELDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. FIELDS. Mr. Speaker, I want to take a moment to bring to the attention of my colleagues, news of a very festive event that will take place this Saturday in Baden, MD.

In Baden, Saturday, friends and family of Horace F. "Buddy" Brown, Sr. will gather to wish him well and help him celebrate his 80th birthday.

Mr. Brown was born in Reading, PA, on October 12, 1911, the son of Albert and Elsie Brown. In his middle teen years, Mr. Brown's family moved to Atlantic City, NJ. When he reached adulthood Mr. Brown moved to Washington, DC, where he worked as a florist near the Shoreham Hotel. During his career as a florist, Mr. Brown enjoyed serving the needs of many of Washington's citizens and visitors.

One of Mr. Brown's regular customers to whom he regularly supplied flowers during the

1930's, was a well-known woman who visited his shop each Saturday to purchase 50 cents of flowers. It seems that the woman's hair salon was also located near the Shoreham Hotel, and she found it convenient to purchase her flowers at Mr. Brown's shop. Her name was Eleanor Roosevelt, and as the wife of President Franklin Roosevelt, she served then as the Nation's first lady.

Another customer made an indelible impression on Mr. Brown—as she would have, no doubt, on anyone here in this Chamber. It seems that on one particular evening, a woman and two companions breezed into his shop to purchase a corsage they had inexplicably forgotten to purchase earlier. After they had selected an appropriate corsage the woman asked Mr. Brown if he would be so kind as to pin the corsage to her dress. And, shaking slightly with understandable nervousness, Mr. Brown carefully and expertly affixed the corsage before the great movie star, Jean Harlow, and her companions departed his shop.

Despite having met Eleanor Roosevelt and Jean Harlow, another woman captured Mr. Brown's heart. In the summer of 1937, Mr. Brown met one of his neighbors Miss Mildred Cheek, who had recently moved to Washington from Durham, NC. Mr. Brown and Miss Cheek had rented rooms in adjoining boarding houses and met during their normal comings and goings. They enjoyed one another's company, and were married on October 29, 1937. Later this month, Mr. and Mrs. Brown will celebrate their 54th wedding anniversary.

In 1939, Mr. Brown began working for Lansburg's department store, eventually rising to the position of stock manager for the store's warehouse. He retired in 1974, after 35 years of employment.

For the last 21 years, Mr. and Mrs. Brown have resided in Brandywine, MD. Their three children—Frank Brown of Greensboro, NC; Vicki Peckham of Washington, DC; and Robin Bridges of Forestville, MD—will join them this weekend in Maryland to help Mr. Brown observe and celebrate his 80th birthday.

Mr. Speaker, I know that you join with me in wishing this wonderful man a happy 80th birthday, and wishing him and his lovely wife many more years of good health and happiness together. Their love and devotion to one another inspires all who know them, including their three children, their five grandchildren, and their one great-grandchild.

Happy birthday, Mr. Brown.

THE MOUNT SINAI—I.J. SELIKOFF
OCCUPATIONAL HEALTH CLINICAL CENTER: GRAND OPENING
OF A NEW WESTCHESTER INSTITUTION

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mrs. LOWEY of New York. Mr. Speaker, I rise today with pleasure to announce that Westchester County is gaining an important and much-needed new health facility. The Mount Sinai—I.J. Selikoff Occupational Health

Clinical Center is opening a Lower Hudson Valley division at the Phelps Memorial Hospital in North Tarrytown. It is a welcome and important addition to the services that are offered in our region.

The center is part of a statewide network of occupational health clinics funded by New York State. As a member of the Education and Labor Committee here in the House, I have been a strong proponent of workplace safety and of providing adequate health care to American workers. I am proud that my State has taken the lead in this area, and that Westchester will now benefit from this first-rate new occupational health clinic.

I have also been a fervent supporter of partnerships between the private and public sectors and between labor and management. In this area, as well, I can point to the Mount Sinai-Selikoff Center as an example of just such a cooperative program. The center's advisory board consists of people from many walks of life—labor representatives, employers, health professionals, academicians, and public health officials. They work closely with a variety of public and private institutions to ensure that our local workforce will be provided with the kind of quality occupational health care that it deserves.

I salute the board members and all who are associated with this fine center for bringing this excellent program to Westchester.

WELL DONE, A. ROY KIRKLEY, SR.

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues the outstanding career of A. Roy Kirkley, Sr. Professor Kirkley recently joined the ranks of the retired.

Roy Kirkley was born in 1929 in Vauxhall, New Jersey. In 1947 he was employed by Congoleum Nairn, where he became involved in the labor movement. He was elected shop steward and negotiating committee member. In 1963 Roy was appointed business agent, organizer, and education and political representative of the Amalgamated Clothing Workers of America Philadelphia Joint Board. He represented the 5,000-member local 170.

In 1970 Roy's love and knowledge of the labor movement took him to the classroom. He was appointed associate extension specialist/professor and coordinator of labor programs for Rutgers Labor Education Center. On July 1, 1972, Roy was promoted to full professor, with tenure, at Rutgers, the State university of New Jersey. He retired from that position on September 1, 1991. He has the distinction of having been the only African-American tenured full professor in the labor studies field in the United States.

Roy is a very active member of the A. Philip Randolph Institute. In 1971 he was appointed to the national board. He has used that opportunity to organize and service affiliate groups in 130 cities and 32 States. In his own home State, he is State coordinator of the New Jersey State A. Philip Randolph Institute. Be-

tween 1979 and 1980 Professor Kirkley took a sabbatical and researched the needs of African-American workers in the trade union movement. This work resulted in the A. Philip Randolph Education Fund Intern Program.

Mr. Speaker, I know my colleagues would like to join me as I extend my congratulations on an outstanding career, and my best wishes for a happy retirement to Prof. A. Roy Kirkley, Sr., and his family.

THE CSCE MOSCOW MEETING ON THE HUMAN DIMENSION

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. HOYER. Mr. Speaker, last Friday, October 4, the 38 participating States of the Conference on Security and Cooperation in Europe concluded the Moscow Meeting on the Human Dimension. This month-long meeting, the third and final in the human dimension series, was a milestone in the Helsinki process. Its location was especially symbolic, illustrating not only how far we have come in bridging the gap between East and West, but also how far we have to go in eliminating human rights abuses within the CSCE. And in the wake of a failed coup, in a city where barricades still line the streets and shrines to the fallen still dot the sidewalks, the CSCE's role in safeguarding democracy, human rights, and the rule of law, seemed more urgent than ever.

As chairman of the Commission on Security and Cooperation in Europe, I, along with Co-chairman DENNIS DECONCINI, led a congressional delegation to Moscow for the opening of the meeting. We were there to welcome the newly independent Baltic States, Estonia, Latvia, and Lithuania, to their rightful places at the CSCE table. Members of the Commission staff stayed on for the entire meeting, serving as part of the U.S. delegation under the able leadership of Ambassador Max Kampelman.

The selection of Ambassador Kampelman as head of the U.S. delegation showed the very high priority the United States places on the CSCE process. Ambassador Kampelman's long connection with the CSCE, and his many important contributions to its success, are well known to all of us on the Commission, and especially to those who have had the honor to work with him. He is a skilled negotiator, an accomplished diplomat, and a good friend. I commend him for his leadership in Moscow.

The final document adopted in Moscow deepens and supplements CSCE commitments in the Copenhagen and Geneva Documents, as well as the Charter of Paris for a New Europe. It categorically and irrevocably declares that CSCE human dimension commitments are matters of direct and legitimate concern to all participating States, and not solely the internal affair of the State concerned. This puts to rest, once and for all, the argument that criticism of a State's human rights performance constitutes interference in internal affairs. And by doing so, the Moscow Document opens the door to more effective review of implementation and pursuit of our common goals.

Two years ago, in Vienna, the CSCE created a procedure allowing for a rigorous and virtually continuous review of human rights issues. This procedure, known as the human dimension mechanism, provided for instances of nonimplementation of CSCE commitments to be raised by any participating State at any time, and committed each government to respond when questions concerning its implementation record were raised.

The cornerstone of the Moscow Document is the significant expansion of this mechanism. The newly enhanced mechanism introduces the idea of the CSCE playing a mediating or advisory role in helping a participating State to resolve disputes or deal with potential problems before they reach the point of serious confrontation. Any participating State may, on a voluntary basis, invite a panel—drawn from a CSCE roster—of experienced, skilled people to enter its territory in order to encourage a mediation or good offices process directly with the concerned parties.

But if these voluntary measures are not taken, or prove inconclusive, the expanded mechanism also provides for an additional, more intrusive step: A mandatory fact-finding function. Adding the mandatory element is significant for two reasons: It should act as an incentive for a State to request assistance voluntarily, which is the preferred outcome, and it will provide the CSCE with a tool for addressing an issue of concern to the CSCE community, even when the State involved is unwilling.

In addition to the expanded mechanism, the Moscow Document contains advances over previous CSCE commitments in several important areas. It strengthens commitments to the rule of law, focusing on such issues as the independence of the judiciary; the importance of open and accountable legislative processes and review of administrative regulations and decisions; the need for civilian control of military and paramilitary forces, internal security and intelligence services, and the police; and safeguarding the independent media, including first-time recognition within the CSCE that independent media are essential to free and open societies and accountable systems of government.

The document also contains commitments in other areas of the human dimension, including freedom of movement, respect for the rights of migrant workers, nondiscriminatory treatment of women, and a detailed elaboration of provisions on nongovernmental organizations. I am especially pleased to note that the participating States agreed in Moscow to ensure protection of the human rights of persons with disabilities, and to take steps to ensure the equal opportunity of such persons to participate fully in the life of their society. This commitment is an important step toward achieving equality for persons with disabilities throughout the CSCE community whose rights have been too long ignored.

The United States delegation delivered a number of strong statements at the conference, on issues such as free and fair elections, the critical situation in Yugoslavia, the deteriorating human rights situation in Georgia, the rise of intolerance in a number of CSCE countries, and continued barriers to freedom of movement.

With regard to that last point, however, I would like to express my profound disappointment that the Soviet Union did not, as we had hoped and urged, resolve the outstanding refusenik cases by the close of the Moscow meeting. By missing this opportunity, the Soviet Union squandered a valuable chance to demonstrate concretely its commitment to actualize the human dimension of the CSCE.

With that serious qualification, Mr. Speaker, I think, overall, that we can be pleased with what was achieved in Moscow. The Moscow Document holds reinforced and renewed commitments to implement all CSCE provisions, and recognizes that full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law are prerequisites for a lasting order of peace, security, justice, and cooperation in Europe.

Our task, now, is to press all participating States to make these commitments a reality. The new mechanism is only as strong as the political will of the States to employ it. The new provisions are only as bold as the will of the States to enforce them. And the serious challenges confronting Europe will only be dissolved by a CSCE ready to act on them.

As we look to the fourth followup meeting of the CSCE, to be held in Helsinki next spring, we must be prepared to respond to a changing Europe with flexibility, determination, and speed. We need to develop a framework for considering new participation in the CSCE; Armenia and Georgia have already made their requests. We need to address the question of self-determination—an increasingly relevant and potentially explosive concern. We need to broaden CSCE's environmental component, for the transboundary nature of pollution requires concerted multilateral efforts. We need to consider ways to improve the openness of CSCE meetings and procedures, and to more fully involve the nongovernmental community, whose work is so critical to our own. And we need to continue our serious review of implementation, in spite and because of the tremendous progress of the CSCE community has made toward full realization of the Helsinki principles. Only with ceaseless resolve and conviction can we render the Helsinki process worthy of those whose rights it strives to protect.

HONORING THELMA MONTGOMERY,
PRINCIPAL OF SANTE FE HIGH
SCHOOL

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. TORRES. Mr. Speaker, I rise today to recognize a special individual, Ms. Thelma Montgomery, principal of Santa Fe High School in Sante Fe Springs, CA. Ms. Montgomery is retiring from public education after 23 years of service to our youth and will be honored at a special celebration on Sunday, October 20, 1991.

Ms. Montgomery received her bachelor of arts and masters degrees in English from California State University, Fullerton. She later

received a second masters degree in secondary education from Whittier College and also completed pre-doctorate work at the University of Southern California.

Ms. Montgomery has dedicated her career to the field of education. She served for 10 years as an English teacher and department chair at Whittier High School. She then moved to Santa Fe High School and assumed the position of vice-principal of curriculum and was promoted to principal where she has served since 1980. In addition, she has performed the duties of an associate professor at Whittier College since 1980.

She has been active in various community projects and has been honored as outstanding educator by the State of California and the Community Achievement Award by Toastmasters. She was also the nominee for the State of California for the U.S. Blue Ribbon Award for high school principals in 1991.

During her tenure at Santa Fe High School, she implemented a myriad of successful programs, such as the Student Honor Court, school-wide discipline plans, student guidance & curriculum councils, the Alumni Hall of Fame and Education Business Partnership Programs. In 1991, under Ms. Montgomery's direction, Santa Fe High School won the "distinguished school" competition at the local and State levels and advanced as a national finalist.

Mr. Speaker, on October 20, 1991, teachers, administrators, former students and civic leaders will gather to honor Ms. Thelma Montgomery for her tremendous contributions to the field of education and the community. I ask my colleagues to join me in saluting this exceptional woman for her outstanding record of educational service to the young people of my district.

TRIBUTE TO VERONICA PERRY:
SHE OVERCAME TRAGEDY AND
KEPT ON GIVING

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. RANGEL. Mr. Speaker, I rise to pay tribute to Ms. Veronica Perry, who succumbed Friday, October 4, to complications of heart surgery. She was 44 years old.

Ms. Veronica Perry may well be remembered as a "mother's mother." For most of her adult life she was an advocate for children, a teacher and an elected member of the community school board. Most of all, to the children of 114th Street in Harlem, where she lived, Ms. Perry was the surrogate mother who was always there.

A lifelong resident of Harlem and the fifth generation of her family to reside on 114th Street, Mrs. Perry was one of 13 children born to Ms. Eva Rutledge and the late Mr. Vincent Holder.

For many years, Ms. Perry was employed as a teacher at the Lenox Hill Hospital day care program. In 1984, she was elected to her first term as a member of the school board of Community School District 3. Her candidacy had been supported by the Sojourner Truth

Democratic Club, of which she was a founding member. At the time of her death, Ms. Perry was completing her third term and had risen to senior membership on the board.

In the early 1980's Ms. Perry played a pivotal role in the successful campaign to revitalize historic Wadleigh Junior High School on 114th Street, where she was the PTA president. Ms. Perry mobilized parents, and the political and civic leadership behind a drive that resulted in the renovation of the school building as well as upgrading of the curriculum.

This was but one of the child-driven initiatives on which Ms. Perry seemed to thrive and to which she gave herself completely. But beyond her civic contributions, she and her husband, Mr. Jonah Perry, Sr., were parents of three children.

In 1985, the Pery's were visited by a tragedy that shook all of New York. Their second son, Edmund, a promising prep high school student who had already been accepted to Stanford University, was slain by a New York City policeman under controversial circumstances. The incident sparked numerous demonstrations to protest Edmund's death, but also as an expression of support for Ms. Perry.

Despite this tragedy, she went on with her life, comforted by her remaining children, Nicol, 20, and Jonah, Jr., 24, a Cornell University graduate who plans to enter law school.

Ms. Perry's life exemplifies that of so many of Harlem's unsung heroes. All those mothers who give so much, and are so little recognized. Her life was a tribute to them.

Always caring, always sharing, always available, she overcame numerous little and large personal tragedies so that she might continue to give to others.

Ms. Veronica Perry is survived by her children, Nicol and Jonah; her husband, Jonah, Sr.; her mother, Ms. Eva Rutledge; and four sisters and three brothers.

SALUTE TO THE HAMILTON COVE
DESALINATION PLANT

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. GALLEGLY. Mr. Speaker, I rise today to salute the new Hamilton Cove desalination plant, which has begun providing freshwater to my constituents on Catalina Island. Not only is the plant the first on the West Coast that converts seawater into drinking water, it also represents an unprecedented partnership between public and private interests.

At a cost of \$3 million, the plant provides 132,000 gallons of freshwater a day, almost one-third of the island's annual water consumption. Because Catalina Island has been particularly hard hit by California's drought, this plant is especially welcome.

I am also pleased that it was built as a joint venture by a private developer, the Whitehawk Partnership, and a public utility, Southern California Edison. By building the plant, Whitehawk was able to build its Hamilton Cove development, and the residents of Catalina Island now have a crucial source of

water to help meet their needs during dry periods such as this.

In addition, the reverse osmosis technology used at Hamilton Cove may prove invaluable to mainland Californians in the future as many communities are considering building desalination plants to help meet their water needs.

Mr. Speaker, I ask my colleagues to join me in saluting the Whitehawk Partnership and Southern California Edison for working together for their community.

INTRODUCTION OF HMONG VETERANS' NATURALIZATION ACT OF 1991

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. VENTO. Mr. Speaker, today I am reintroducing legislation which would relax certain naturalization requirements for Hmong veterans who served alongside United States forces in the Vietnam war.

The Hmong Veterans' Naturalization Act of 1991 recognizes the significant sacrifice made by thousands of Hmong and other Laotian highland groups who served in special guerrilla units in the Vietnam war from 1960 to 1975. These forces were recruited and trained by the Central Intelligence Agency and bore the brunt of fighting against the North Vietnamese and Pathet Lao forces. Although they were never inducted into the U.S. Army, these units were created, controlled and funded by the Defense Department through the CIA.

The consequences of Hmong's service in the Vietnam war was utterly devastating. The most conservative reports list 18,000 to 20,000 killed in combat between 1963 and 1971 with tens of thousands injured. In addition to the loss of life, the war also resulted in the loss of homeland for the Hmong. When the Communists took power after the war, the Hmong were targets for persecution and tens of thousands fled to refugee camps to save their lives.

The Hmong were known as capable fighters who made great sacrifices in the line of battle. Experts estimate that up to 40,000 served in the special guerrilla units in the peak years. These forces included men, women and children, some as young as 10 years old. The participation of the Hmong in U.S. operations in Southeast Asia—actively pursued and paid for by our Government—resulted in a severe displacement and loss of the Hmong population.

While it is obvious the Hmong served bravely and sacrificed dearly in the Vietnam war, many of those who did survive and make it to the United States are having a difficult time adjusting to life here. Many of the 100,000 Hmong refugees living in the United States are separated from their family members. Considering the importance of family to the Hmong, it is a great hardship for the Hmong to have family members scattered throughout the world with little chance for reunification. Fortunately there is something we can do to speed up the process of family reunification and ease the adjustment of Hmong into U.S. society, at no cost to the Federal Government.

The key to family reunification is citizenship. My bill would make the attainment of citizenship easier for those who served in the special guerrilla units by waiving certain naturalization requirements which are particularly difficult for Hmong people to meet. The greatest obstacle in becoming a citizen for the Hmong is passing the English test. This is due to the unique historical and linguistic circumstances of the Hmong people. The Hmong came from the highlands of Laos where there were few opportunities for formal education. More importantly, their language was an oral one. Written characters for the Hmong language have only been introduced recently, and whatever chances most Hmong may have had for learning the written language were disrupted by the war.

As a result, most Hmong came to the United States without the ability to read or write in their own language and with little or no formal education. The acquisition of English presumes prior experience with formal education and literacy skills. The Hmong have neither, and learning English is therefore extremely difficult for most Hmong, especially the middle-aged and elderly Hmong. Several studies have reported on the difficulty of English acquisition for the Hmong. Since the English test is also an insurmountable obstacle to the spouses and widows of Hmong veterans, and considering the great hardship they have endured as a result of their spouses' service, the legislation waives the English requirement for these Hmong as well.

My bill would also waive the residency and presence requirements for those who served in the Special Guerrilla Units to speed up the process of family reunification. Current law permits aliens or noncitizen nationals who served honorably during World War I, World War II, the Korean conflict, and the Vietnam war to be naturalized regardless of age, period of residence, or physical presence in the United States.

This legislation recognizes the brave service of the Hmong people and the extreme difficulty of acquiring the English language for the Hmong people. This legislation was developed by leaders of the Hmong community in Minnesota and has been endorsed by the Lao Family Community of Minnesota and the Hmong and American Veterans Alliance, a national organization made up of soldiers from both of these groups who served together in Southeast Asia.

In addition to helping reunite families separated by the passage of years and the distance of miles, the enactment of this bill would be an important component to the full integration of the Hmong into American society. Voting and other citizenship benefits would help the Hmong adjust to the radically different society they have moved to. Our refugee resettlement efforts, which I believe have had a mixed record of success, would also be helped by the passage of this legislation.

Mr. Speaker, the Hmong served the United States for 16 years. They suffered an irretrievable loss of life and homeland. I urge my colleagues support this important legislation which gives rightful recognition to a group too often forgotten in our society who served our interests when we asked them.

COMMENDING FANNIE MAE FOR CRA ASSISTANCE

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Ms. WATERS. Mr. Speaker, I rise today to bring to the attention of Members a new, innovative program created by the Federal National Mortgage Association, commonly known as Fannie Mae, to help lenders meet their Community Reinvestment Act [CRA] requirements.

I'd like to share with my colleagues Fannie Mae's newest service, FannieMaps, a new technology to help mortgage lenders nationwide identify and meet the affordable housing needs of low- and moderate-income neighborhoods in major cities.

FannieMaps uses the most recent census and U.S. Department of housing and Urban Development data to depict lower-income and minority neighborhoods in large metropolitan areas in all 50 States where housing affordability needs may be unmet. This allows mortgage lenders to easily identify and customize affordable mortgage programs to meet the special needs of low- and moderate-income neighborhoods in their lending areas.

The service uses census tracts to identify neighborhoods where the median income is less than 80 percent of the income level of the metropolitan statistical area [MSA]. The service also identifies concentrations of minority households within MSA's. FannieMaps provides three levels of color-coded maps, ranging from entire cities to individuals ZIP code areas, along with data on the income, race, and age of residents.

The service provides lenders with precise mapping and demographic data which can assist them in mounting special marketing efforts to increase the availability of affordable housing in the areas and the neighborhoods they serve.

Beginning in November, FannieMaps will be provided to Fannie Mae lenders through the company's electronic communications network, known as MORNET. Lenders will be able to view and print hard copies of the FannieMaps and accompanying demographic reports they select. The maps and data are free; lenders pay only for the computer time to transmit the material.

FannieMaps will enhance the efforts of commercial banks, savings and loans, and the mortgage banking subsidiaries of these lenders to meet their Community Reinvestment Act [CRA] requirements. Hopefully, this will lead to better CRA compliance and an expansion of CRA-type lending. Whatever we can do to encourage such lending is welcome, and Fannie Mae deserves credit for its efforts.

Mr. Speaker, I commend Fannie Mae for creating FannieMaps. I urge the Nation's mortgage lenders to avail themselves of this useful service.

ITALIAN-AMERICAN HERITAGE
AND CULTURE MONTH

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. ENGEL. Mr. Speaker, I rise today to thank my colleagues for joining me for the third year in a row in passing House Joint Resolution 260, legislation which will designate this month of October as "Italian-American Heritage and Culture Month."

During the past 3 years, the month of October has become a time of great celebration for the Italian-American community. Hundreds of activities have already been planned on both the local and national levels in recognition and celebration of the achievements of Italian-Americans.

As you know, some 25 million citizens make up the Italian-American community, representing one of the largest ethnic groups in the United States. There are thousands of Italian-American organizations and clubs throughout the United States who greatly contribute to the prosperity and progress of our Nation on a yearly basis, not to mention the individual Italian-Americans who have contributed to the United States in all aspects of life including art, science, civil service, military service, athletics, education, and politics.

"Italian-American Heritage and Culture Month" gives the American people the opportunity to highlight the many contributions and achievements of Italians and Italian-Americans throughout history. Most celebrated, of course, is this year's quincennial celebration of Christopher Columbus' recorded discovery of the Americas. Also to be remembered are the contributions made by Enrico Fermi, one of the early pioneers of nuclear physics, and William Paca, an original signer of the Declaration of Independence.

In addition, Philip Mazzei, an Italian patriot and immigrant, is credited with coining the Declaration of Independence phrase "All men are created equal." During the American Revolution, he devoted much of his time and energy to the preservation of both religious and political freedom in America.

Finally, "Italian-American Heritage and Culture Month" gives us the opportunity to reflect upon the many common values and ideals shared between the American and Italian people. The importance of individuality, the protection of basic human rights and freedoms, and the advancement of mankind, are but a few of shared beliefs that bond our two nations together.

Mr. Speaker, we are giving a great honor to one of the largest ethnic communities in this country by passing this resolution and I am thankful for the many contributions that they have made to our society. I look forward to continuing this tradition in the many years ahead.

EXTENSIONS OF REMARKS

THE CULTURAL FESTIVAL OF
INDIA

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. GEPHARDT. Mr. Speaker, I had the honor of attending the Cultural Festival of India, which was held in Edison, NJ, from July 12 to August 11.

The thousands of Americans of Indian descent that attended the festival are representative of the large, active, productive Indo-American community which has contributed greatly to the economic, scientific, and educational advancement of America.

The festival also underlines the important cultural contributions of this community which has maintained strong ties with India through the generations.

During my visit I met Americans of Indian descent from across the country, many of whom had traveled from as far away as Missouri and Florida. They had brought their children to the festival to foster an understanding of the rich cultural traditions of India.

I commend the organizers, the volunteers, and the Indo-American community for this special celebration of their cultural heritage.

MARLOW INDUSTRIES RECEIVES
BALDRIGE QUALITY AWARD

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. JOHNSON of Texas. Mr. Speaker, I am proud to announce that Marlow Industries of Dallas, TX, has been named a recipient of the Malcolm Baldrige National Quality Award. The Baldrige Award is the Nation's highest award given for excellence in management. This honor was bestowed on only three companies in America this year.

As a member of the Small Business Committee, I am especially proud that Marlow Industries won in the small business category. This Dallas manufacturer of thermoelectric cooling equipment, generators, and controllers began with five employees in the early 1970's. It now employs 160 people and is a recognized industry leader in a growing and competitive market.

Raymond Marlow, president of Marlow Industries, was fundamental in the establishment of the Texas Quality Consortium. This small business organization enables its members to share resources and ideas about quality assurance. Raymond Marlow's definition of quality is "continuous improvement through customer satisfaction and employee empowerment." Marlow Industries is a showcase for the Texas spirit of excellence through teamwork.

I salute Raymond Marlow and his team at Marlow Industries for their hard work and dedication to quality. They are truly a source of inspiration for all of America's businesses, large and small.

TRIBUTE TO GEORGE LEWIS
RUSSELL, SR.

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. DYMALLY. Mr. Speaker, I rise to pay tribute to a man that many considered to be a Capitol Hill institution. For 17 years George Lewis Russell, Sr. graced these hallowed halls, with a dignity and sense of dedication that made him a friend to all that were fortunate enough to be touched by him.

In his position as the Assistant Chief Clerk to Reporters, the man we affectionately referred to as George literally had a front row seat as we conducted the Nation's business. Yes, Mr. Speaker, when my friends on the other side of the aisle were in the well giving speeches, that moment was shared by George who sat directly behind whoever was speaking.

Mr. Speaker, aside from his duties here in the House of Representatives, George was a dedicated family man, active in his community, his church, and the affairs of his college, North Carolina A&T State University.

Mr. Speaker, George Russell always went the extra mile to help individuals seeking employment and was always encouraging to members and staff.

Unfortunately, there will not be any statues or buildings here on the Hill named after George Russell. However, we can all rest assured that this noble man will never be forgotten on Capitol Hill or in his community.

SUPPORT FOR H.R. 917

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mrs. LLOYD. Mr. Speaker, the Social Security "Notch" issue has been the cause of a great deal of concern since the early 1980s. Although it has been the subject of hearings by the Subcommittee on Social Security, the measure has not been voted on by the Ways and Means Committee.

I have had and am continuing to receive many letters from constituents who feel that Congress' failure to act jeopardizes their financial condition. I am appalled when I hear that America's elderly population believe that we here in the Congress are unwilling to take corrective action. Those individuals born during the notch years are conscientious people who worked hard all of their lives and their concerns deserve to be heard not pushed aside. They are tired of being shortchanged on their Social Security checks. We have waited far too long to correct this situation and it is costing America's older population in lost benefits.

Mr. Speaker, H.R. 917 is a bipartisan effort that will restore fairness without jeopardizing the Social Security trust fund. In light of the overwhelming support for the bill, I believe it is time we resolve this matter. Let's act on the bill.

RECOGNITION OF THE FAIRLAWN
CREDIT UNION OF PAWTUCKET, RI

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize the Fairlawn Credit Union of Pawtucket, RI.

Federally insured credit unions are unique financial institutions. Created to improve the quality of life through the principles of self help and cooperation, federally insured credit unions are passports to personal and financial opportunity and are, thus, worthy of recognition.

Federally insured credit unions are individual, independent cooperatives founded by people seeking economic advancement, and are passports to opportunity for people seeking a way to improve the condition of their lives and those of their families.

Federally insured credit unions call for the pooling of personal resources and leadership abilities for the good of the cooperative, encourage a regular habit of savings so those in need may borrow and foster the desire to repay loans so members may have access to credit when it is required.

Federally insured credit unions create opportunity in 79 nations around the world, so that 34,000 credit unions can serve the financial needs of 77 million members, associated through local, State, regional and international organizations sharing the same commitment to serving their members.

Federally insured credit unions are working to make financial democracy possible for the people of Poland, Hungary, Eastern Europe, and the rest of the world.

It is my pleasure to recognize Fairlawn Credit on International Credit Union Day, October 17, 1991, for its continuing interest in the welfare and development of credit union members, for the safety and security provided to the members' personal investment in the credit union, and for the many contributions made to the larger community.

SAINT JOSEPH'S CHAPIN STREET
HEALTH CENTER OF SOUTH
BEND FIFTH ANNIVERSARY, AND
PRESIDENT'S POINT OF LIGHT

HON. TIMOTHY J. ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. ROEMER. Mr. Speaker, it is with great pleasure that I join today in honoring the St. Joseph's Chapin Street Health Center in South Bend, IN. Today is a day set aside to celebrate the fifth anniversary of the founding of this facility, which has brought the best of public service together with the worst of our health care needs.

In 1986, sister Maura Brannick began the clinic known as St. Joseph's Health Center. This facility provides health care to members of our community who would in all likelihood go without otherwise. Sister Maura has orga-

nized a group of physicians who give selflessly of their time and energy in a volunteer capacity. Over 50 doctors work at the center each month, and twice as many more kindly accept the clinic's referrals. Add to this a network of nurses and other concerned professionals and laypeople who give their time and expertise, and you have a model example of what a community health care facility can be.

Mr. Speaker, at a time in our country when people in poverty receive their primary health care in hospital emergency rooms, it is gratifying to know that Sister Maura, her colleagues, and folks like them around the Nation are waging a war against disease and ill health in the neighborhoods that need it most.

So much is St. Joseph's Chapin Street a shining example of the best and brightest of community concern, that today, President Bush declared this place and its people the 584th Daily Point of Light for the Nation.

Mr. Speaker, St. Joseph's is not just a place for people who are sick or hurt. It practices, on a daily basis, preventive care, and particularly cares for our youth. It's antidrug and other programs focus on the character and integrity of our youth, helping them realize their self-worth and giving them the building blocks they need to create self-reliant and successful futures.

St. Joseph's caters to the whole community, though, and sponsors soup kitchens and other homeless people's programs, keeps our senior citizens healthy and involved, and continues to work with the disabled.

Mr. Speaker, the President is right on target in picking St. Joseph's Chapin Street Health Center as deserving of honor and our deep respect. They have not only provided a service to a needy and deserving part of the third district community, but have earned the admiration and respect of all of us. I am proud to know Sister Maura and her colleagues, and am doubly proud to represent such a fine facility and group of people.

CONGRESSMAN KILDEE WELCOMES
VFW COMMANDER IN CHIEF ROBERT
E. WALLACE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. KILDEE. Mr. Speaker, I rise today to welcome the commander in chief of the Veterans of Foreign Wars, Robert E. Wallace, to the Seventh Congressional District. Throughout his career, Commander in Chief Wallace has demonstrated a lasting and enduring commitment to his Nation and his community.

As a veteran of the United States Marine Corps, Robert served in Vietnam from 1967 to 1968 as a lance corporal. He was twice wounded at the Battle of Hue and was later wounded near Khe Sanh. The latter wound resulted in the total loss of hearing in his right ear and his evacuation from the battle zone.

After his honorable discharge from the Marine Corps in 1969, Robert Wallace began a career in the banking industry, while simultaneously pursuing his college education. After 7 years of long hours and hard work, Robert

earned both a bachelor of science in management from Rutgers University and a masters degree in business administration from Fairleigh Dickinson University.

Along with his outstanding achievements in business and education, Commander in Chief Wallace was spared no effort in promoting the welfare and dignity of our Nation's veterans. His involvement in veterans affairs began while he was still a soldier in the jungles of Vietnam where he joined the Veterans of Foreign Wars [VFW]. After his discharge from the service, Robert served on the New Jersey Jobs for Veterans Task Force in 1972. In 1979 he received the VFW Young Veteran of the Year Award from the Department of New Jersey and the national organization of the VFW.

From 1980 to 1981 Robert Wallace served as the commander of the Department of New Jersey. He was the first Vietnam veteran and the youngest veteran to serve in this position. In 1981 Robert was appointed chairman of the New Jersey Veterans Day Committee and began serving his first term on the Veterans Service Council. He was also appointed to the New Jersey Jobs Training Coordinating Council. His outstanding service in these positions led to his appointment by Gov. Thomas H. Kean as New Jersey's first deputy commissioner on veterans affairs.

While serving in that position from 1988 to 1990, Wallace also became VFW junior vice commander in chief in 1989. Most recently, Robert was elected commander in chief at the 92d national convention in New Orleans in August.

A member of VFW Post 1851, Robert and his wife, Diane, have one daughter.

Mr. Speaker, it is an honor for me to rise today and recognize the outstanding lifetime achievements of this great American. Never has our Nation had a greater need for the kind of selfless commitment to the protection of human dignity that is exemplified by the life of Veterans of Foreign Wars commander in chief, Robert Wallace. He and the veterans he represents have placed their lives on the line to protect the freedom that too many of us take for granted. Moreover, they continue to sacrifice their time to improve the quality of life in communities across the Nation. We owe them a debt of gratitude that can never be repaid.

THE REPUBLIC OF CHINA ON
TAIWAN'S NATIONAL DAY

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. PRICE. Mr. Speaker, I rise today to pay tribute to the people of the Republic of China on Taiwan as they celebrate National Day.

I had the opportunity to visit Taiwan 2 years ago, along with Representatives MARLENEE and HASTERT. This trip greatly increased my understanding of the nation's early struggles, its present successes, and its hopes for the future. I was particularly struck by Taiwan's impressive economic progress. In the last 40 years, Taiwan has turned from an impoverished country with few resources into a major player in the world economy.

Since that time, equally impressive political developments have been taking place in Taiwan. On December 2, 1989, the first island-wide elections were held since martial law was officially lifted in 1987. President Lee subsequently convened a National Affairs Conference and put forth an ambitious agenda for political reform. Over the next few years, the Republic will hold an election for a new national assembly and new parliamentary bodies, will implement further constitutional reforms, and finally, will hold a direct election of the Republic's President.

I trust these trends will continue. Taiwan's economic and political success are particularly important to me and to the large Chinese community in my district. Taiwan is also vital to the economic future of my State; it has become a major market for agricultural, electronic, and other products from North Carolina.

Mr. Speaker, on the Republic of China's 80th National Day, I join my colleagues in extending to President Lee Teng-hui and the citizens of Taiwan our hearty congratulations and in expressing our high hopes for continuing friendship and cooperation in the years to come.

TRIBUTE TO JIMMY T. ANDERSON

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. DARDEN. Mr. Speaker, today I would like to honor the memory of a longtime friend of mine, Mr. James T. Anderson of Marietta, GA, who died October 6 at age 88.

Mr. Anderson, or "Jimmy T." as he was affectionately known to one and all, contributed greatly to the betterment of Marietta and Cobb County throughout his long, productive lifetime.

A member of one of Cobb County's finest pioneer families, he and his wife, the late Jennie Tate Anderson, were quick to welcome newcomers moving into their booming community. I well remember when I, as a young man just arriving in an area not always hospitable to strangers, was made especially welcome and introduced around by Mr. Jimmy T.

Throughout his life he was active in civic affairs, a kind and generous man who will always be remembered with respect and affection for his unselfish contributions to our community.

Born in Marietta on March 12, 1903, he attended Marietta High School and graduated from the Eastman-Gaines School of Business in Poughkeepsie, NY.

After working for the Trust Company of Georgia for a short period, he opened a Chevrolet dealership, which he operated for 60 years before retiring in 1987.

He served on the Atlanta Metropolitan Foundation for 27 years, was a member of the Kennesaw College board of trustees for 22

years, served as an elder in the First Presbyterian Church of Marietta and was chairman of the James T. Anderson Boys Club board of trustees.

The Cobb Civic Center's fine arts theater was named for Mrs. Anderson, who was an outstanding person and community leader in her own right.

It was my privilege to have been close to this progressive couple and their fine family. I have been good friends with their children, and my son and daughter are friends of their grandchildren.

The Anderson family includes three sons, James Thomas Anderson III and William Tate Anderson of Marietta, and Randall Montgomery Anderson of Alexandria, VA; a daughter, Virginia Kent Anderson-Leslie of Decatur; and six grandchildren, Mary Kent Anderson, Byron Thomas Anderson, Randall Montgomery Anderson, Jr., Katherine Tate Anderson, Virginia Campbell Leslie and Katherine Elizabeth Leslie.

Our sympathies are with them, but we find comfort in the knowledge that Mr. Jimmy T. died peacefully in his sleep after living an exemplary life.

COMMEMORATING COLUMBUS DAY

HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. PICKLE. Mr. Speaker, "In fourteen hundred ninety-two Columbus sailed the ocean blue"—this is one fact on which all of us still agree—that some 500 years ago, the Italian navigator Christopher Columbus set sail with the *Nina*, the *Pinta* and the *Santa Maria* on a quest for the Orient.

Though scholars differ on whether Columbus was the first nonnative to land in the Americas, there is no doubt that his voyage forever linked the Eastern and Western Hemispheres.

This October 12, America will celebrate Columbus Day as we always have. But next year, in 1992, the world will commemorate the quincentenary of Columbus' historic voyage. It is of great national significance to the United States. Literally, we were born on this date.

In honor of the upcoming anniversary, PBS aired an outstanding program this week, called "Columbus and the Age of Discovery." I urge my colleagues who did not see the program to try and get a copy—it is outstanding.

This Columbus Day I urge all Americans to take a moment to celebrate the spirit of Columbus and his many accomplishments.

REPUBLIC OF CHINA ON TAIWAN
CELEBRATES 80TH BIRTHDAY

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. ARMEY. Mr. Speaker, I join my friends and colleagues today in sending my best wishes to President Lee Teng-hui and Premier Hau Pei-ts'un on the 80th anniversary of the Republic of China, the 10th day of October, 1991.

The Republic of China is an important ally of the United States. Its people share our beliefs in democracy, free enterprise, and human rights. With those beliefs, they have achieved one of the highest standards of living in the world today and are among our most valued trading partners. As the volume of trade between our nations increases, I have no doubt that we will continue to enjoy fine trade relations.

May the leaders and people on Taiwan have continuing political freedom and economic growth.

NEW MEXICO MILITARY INSTITUTE
CENTENNIAL CELEBRATION

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 10, 1991

Mr. RICHARDSON. Mr. Speaker, my colleagues will be pleased to learn that an outstanding educational institute in New Mexico is celebrating its 100th anniversary this fall. New Mexico Military Institute, located in Roswell, NM, and known as "the West Point of the West," was founded in September of 1891.

NMMI has grown from a one classroom building with 38 students and a faculty of five to a \$100 million campus with a well-disciplined corps of cadets nearly 1,000 strong, taught by an outstanding faculty of 70 and cared for by a dedicated staff of more than 100.

NMMI is a State-supported, coeducational 4-year high school and 2-year junior college, operated in a military setting. This outstanding facility attracts a select group of students from more than 40 States and a dozen countries.

A group of 100 distinguished alumni have undertaken a centennial celebration fundraising campaign with a goal of raising \$8 million. The money will be used for scholarship endowment, cadet activities, academic program enhancement, and campus enhancement.

I urge my colleagues to join me in congratulating New Mexico Military Institute on its first century of excellence and wishing this fine institution our best wishes as it begins its second century of public service.