

EXTENSIONS OF REMARKS

COLLEGE ADMISSIONS PRACTICES
DISCRIMINATE AGAINST ASIAN
AMERICANS

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. ROHRBACHER. Mr. Speaker, the January 1989 Yale Law Journal carried an article entitled "Assuring Equal Access of Asian-Americans to Highly Selective Universities" by an Asian-American woman, Grace W. Tsuang who was a graduate of Brown University and was in 1989 a student at Yale Law School. She presented information that Harvard, Brown, and Stanford Universities had a lower admit rate for Asian-American applicants suggesting an upper limit quota.

In a May 5, 1990 20/20 ABC-TV program segment on discrimination against Asian-American college applicants the new Dean of Admissions at Brown virtually admitted that in the past Brown had an upper limit quota against Asian-American applicants.

The same program interviewed Grace Tsuang and Yat Pang Au of San Jose, CA a high school student who had an outstanding academic and extra-curricular record but was not admitted to the University of California at Berkeley. He told 20/20 he felt he had been suffered racial discrimination. After the 20/20 program a cover story in the Los Angeles Times Magazine and a national AP. wire service story to and behold he was admitted 2 years after his initial application.

I commend the following excerpt from Grace Tsuang's Yale Law Journal article, the transcript of the 20/20 program and the A.P. story on Yat Pang Au to my colleagues:

[From the Yale Law Journal, January 1989]

EQUAL ACCESS OF ASIAN AMERICANS

Admissions programs at many institutions granted preferences to racial minorities in the selection process, which frequently resulted in high admit rates for minority groups compared to Caucasians. Statistics from the Brown Admissions Office reflected such patterns. Beginning with the Class of 1985, however, Asian Americans were admitted at a lower rate than Caucasians, and the disparity continued until the Class of 1987, when only 14% of Asian applicants, compared to 19% of Caucasian applicants, were accepted for admissions. Although the number of Asian applicants continued to escalate, the number of Asian candidates accepted remained fairly constant, suggesting the existence of an upper limit quota. Similar disparities in admit rates occurred at Harvard and Stanford,¹ suggesting a trend at the nation's highly selective institutions.

¹Between 1982 and 1985, "Asian-American applicants to Stanford had admission rates ranging between 66 percent and 70 percent of admission rates for whites." STANFORD UNIVERSITY, 1985-86 ANNUAL REPORT OF THE COMMITTEE ON UNDERGRADUATE ADMISSIONS AND FINANCIAL AIDS 5 (1986), reprinted in

TRANSCRIPT FROM 20/20 PROGRAM, MAY 5, 1989

Hugh Downs, co-host:

For many high school seniors, the month of May is a month of misery. They're waiting to hear if the college of their choice has a place for them next September. Well, conventional wisdom is that the best students with the best grades have the best shot at getting in, but a growing number of Asian-American students say that for them, different rules apply, that while as a group, they are excelling academically, they're also as a group, victims; victims of racism and a resentment of their scholastic success. Lynn Sherr investigated to see if they have a case.

Lynn Sherr reporting:

Brown University in Providence, Rhode Island; one of the most prestigious Ivy League colleges in the country. It is also one of the toughest to get into. But some of those who have worked hard to make it, say they are victims of their own success; they say excelling academically has created resentment, and that now they are not being treated fairly. They are a growing minority delivering a modern protest: Asian-Americans, two percent of the U.S. population, 8.6 percent of the Brown student body; the highest proportion ever, but they say that's not enough, and that discrimination by officials is reflected in the atmosphere on campus.

Kelly Kim (Student): You know, I walk around, and I hear comments like, the elevator being the Orient Express. I'm walking—I'm walking around with a bunch of my Asian friends, and I hear a crack, 'Oh, there goes the yellow peril,' you know, to me, that's very overt racism.

Sherr: Herald Chen of Butler, Pennsylvania, thinks his race may have been a strike against him from the moment he applied to college. A straight-A student who scored 1350 on his SAT's, way above average, Herald told us he was turned down by Harvard last year.

Herald Chen (Student): As I filled out the application, there was one section where you can mark a box if you're Asian or any other minority group, and I did ask myself, and I also asked my parents, 'Oh, do you think that I should mark this box?' But I was wondering, would my chances be better getting into Harvard if I wasn't an Asian student?

Sherr: This is Chinatown in the heart of downtown San Francisco, the city with the largest concentration of Asian-Americans in the continental United States. Some of the youngsters here are immigrants, some were born in the U.S.A., but they all want their share of the American dream, and for many, that means access to the prestigious campus of the University of California at Berkeley, just North of here. But in recent years, Berkeley, like a number of other universities around the country, has been accused of limiting the number of Asian-Americans it accepts as students. Now, Asian-Americans are fighting back.

Henry Der (Asian-American Task Force): They may not have in their mind, "I hate Asians, and therefore, I don't want them in," but they do take advantage of Asians, think-

The Stanford University Campus Report, Nov. 12, 1986, at 14, col. 2 [hereinafter CUAFA REPORT]

ing that we're not going to speak out. Well, we've proven them wrong.

Sherr: For the past five years, Henry Der, executive director of the Asian-American Task Force, based in San Francisco, has waged an all-out war at Berkeley. Asians now make up twenty-six percent of the Berkeley student body, and in recent years, many have turned in breathtaking academic records. But some Asian students think their achievements have made them a threat. Listen to what happened to one Berkeley senior when she ran for campus office.

Unidentified Asian Student #1: I found one of my flyers marked and defaced. And one of my issues was Asian missions, and someone actually crossed it out and said, "Go home, there's too many of you here already."

Sherr: The problem began in the early 1980's, when the number of applications from students of all races to selected universities nationwide, soared. At the same time, thanks largely to liberalized immigration laws, Asian-Americans also began to apply in far greater numbers than before, but at some of the schools, there was no rise in the number of Asians admitted. All the universities deny the existence of Asian quotas, but Grace Tsuang, a Brown graduate whose now studying law, recently published a study of admissions policies as they pertain to Asian-Americans at a number of major universities.

Grace Tsuang (Student): Over the last ten years, what we're seeing is dramatic increases. In fact, at Brown, from 1978 to 1986, there was a four hundred and thirty percent increase in the number of Asian-Americans applying, yet at the same time (and this trend is true also, for Harvard and Stanford), the number of Asian-Americans admitted remains fairly constant, even though this is an extremely highly-qualified pool applying. And so, what we are suggesting is that there is some type of upper limit ceiling on the number of Asian-Americans admitted to these highly selective universities.

Sherr: At Brown, Eric Widmar, current dean of administration, agrees, there were times when too few were admitted, but he says Asian-Americans can't expect their numbers to escalate continually.

Eric Widmar (Dean of Admission, Brown University): Ten years ago, we had relatively few Asian-American applicants to the university. We wanted to have more. We accepted, as you said, practically half, in the class of, I think, 1982. Now, we have fifteen hundred or more every year; we can't accept half of that number.

Sherr: This year, Brown anticipates up to thirteen thousand applicants. There is room for only thirteen hundred freshmen. So, like other schools experiencing the same surge of interest, Brown is looking at more than just academic qualifications to balance their campus. Among the subjective criteria: race, gender, geography, sports and leadership skills.

Widmar: What Asian-Americans have to understand, and what their parents have to understand, is that every college in this country, so far as I'm aware, has to pay attention to enrolling a variety of different kinds of people, and they reserve the right to

* 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.

describe, as long as it's not discriminatory, what those different categories of people are.

Sherr: Brown and Harvard, like other private institutions around the country, do indeed have the right to select and shape their own student bodies, as long as they're not violating any civil rights. But in California, the branches of the vast state university system have less leeway. State laws says they must find places for the top one-eighth of all California high school graduates.

UCLA and the University of California at Berkeley are the two most prestigious and highly sought after campuses in the state system; so popular, that there is room for only about one out of every seven students who sends in one of these applications. The competition has gotten so fierce, that each year Berkeley turns away two thousand students with straight-A averages. So, they have come to rely increasingly on non-academic criteria to help choose a mixed student body. But critics say those subjective criteria were adopted exactly when the Asian-American applications peaked, and that it's never been clear when or how much they count, and that, say Grace Tsuang and others, recalls a time when those ratings were used to impose quotas.

Tsuang: Personal ratings were initially adopted in the 1920's to exclude and limit the number of Jewish students admitted to highly selective universities. They have remained to be standardless, formless and contentless, so that universities can have greater play in how they shape the class.

Sherr: Yat Pang Au believes that such subjective criteria kept him out of the school of his dreams. A straight-A student from San Jose, California, he applied to Berkeley in 1987, and was rejected.

Yat Pang Au (Student): It was really disappointing to have worked so hard (I worked four hard years in high school) doing your best, and doing what you think was the right way to get into the college that you wanted to, and all of a sudden, that one—where you tear open that letter and you see, 'I regret to inform you . . . and that's it.'

Sherr: Yat Pang knew how important extra curricular activities were in the selection process, so he worked hard to qualify. He graduated first in his class and won seven scholarships. Eager to round out his resume, he also got letters in cross-country and track, ran a business, and was elected to the school supreme court: The list goes on. But Berkeley's College of Engineering and Computer Science, one of the most demanding, turned him down.

Sherr: Do you think you were discriminated against because of your race?

Yat Pang: I think that has some very—that's a very important factor to take into account.

Sherr: William Frazer, senior vice president of the University of California System, is responsible for admissions policy on all eight campuses.

Why was Yat Pang rejected from Berkeley?

William Frazer (Vice President, University of California system): As I understand it, he applied to a program which is one of the most competitive in the system: There are two hundred applications and only thirty places, and a lot of excellent were—were turned away. His scores were just not quite high enough.

Sherr: Yat Pang's parents have filed a complaint with the Justice Department, because they were not satisfied with the explanation given them. They understood that among the elite applicants, their son's dazzling academic ratings were only marginal,

but they felt his extra-curriculars would have made up the difference, yet they received no evidence from Berkeley that his outside activities were taken into account.

Der: We believe that the university had an obligation to make clear what their subjective criteria what—were, at that point in time. Instead though, they hold all their cards close to the vest. Behind closed doors, they make these decisions, and these poor students really don't know why they're being rejected.

Sherr: Some Berkeley students say the issue has increased tension and helped promote racial stereotypes.

Unidentified Asian Student #2: You get this cover of Time, that says, 'Whiz Kid Honored,' and—people think that all of sudden they're like a supernatural, you know, group-of—group of students.

Sherr: Are you?

Asian Student #2: No. I think we're really—you know, you have—you have smart Asians; you have dumb Asians, just like—just like every other racial group, right?

Unidentified Asian Student #3: People see you hanging around a lot of Asian-Americans, and they think, you know, you're banning together, and it's a conspiracy. And then, if you—if you hang around with only—if you're seen hanging around with only, you know, your non-Asian friends, then people—you're often accused of being called a banana, or somebody, you know, trying—yellow on the outside, white on the inside; all that.

Sherr: Some Asians believe that those same racial biases are held by some admissions officials, and they point to internal memos dating back to the early 80's as proof.

In this 1984 memo, a UCLA director of admissions said the campus "will endeavor to curb the decline of Caucasian students." I asked William Frazier, the university official, about the memo.

Frazier: That again, is a period in which the university is starting to face a tremendous increase in the number of ones that come here. Every campus is struggling with ways to deal with that. There were all sorts of memos written, thinking, 'How should we do this? What criteria should we use?'

Sherr: That memo went on to say there would be rising concern from Asian-Americans, as their numbers decline. It sure sounds like it was intended to be discrimination against Asian-Americans.

Frazier: I can't account for every memo written in the university. What I can account for is what goes into policy and into practice.

Sherr: Did that every go into policy?

Frazier: No. No.

Sherr: How do you feel about the intent of it?

Frazier: I'm sorry, it's not my memo, and I haven't talked to the person about the intent of it.

Sherr: You're the guy in charge of admissions and admissions policy.

Frazier: If I had to say, 'Please don't write any memos that you don't want discussed on "20/20," I'd never get any new ideas around here.

Sherr: The UCLA memo and the admissions policies, and the declining Asian admit rates, have now become the subject of federal scrutiny. The U.S. Department of Education is investigating both UCLA and Harvard. While neither school would comment pending the outcome of the investigation, an agency spokesman told us, there seems to be support for the allegations of racial quotas.

Mahlon Anderson (United States Department of Education): There appears to be a

lot of evidence out there that would indicate that perhaps that could be the case. We don't want to prejudge that. Obviously, we're taking a look at two institutions now, and we will take a look at additional institutions, if we feel that is necessary to get a complete picture.

Sherr: So, for UCLA and Harvard, the complaints are now in the hands of the federal government.

Unidentified Asian Student #4: Am I to believe that I am insignificant?

Sherr: At Brown, where an internal investigation has brought some changes, critics say they will wait to see if admissions continue to improve.

Asian Student #4: . . . because I am an American.

Sherr: But the situation at the University of California at Berkeley remains unresolved.

Frazier: I won't say we didn't make some mistakes, we're not perfect, but we're trying to do the best we can with a very complicated problem.

Der: That know that the heat is on them, and that they cannot unilaterally make decisions that will have an adverse impact on Asian applicants. It's just not fair.

Sherr: And Barbara, there is already some news. Remember Yat Pang Au, the young man we showed you in the piece. . .

Barbara Walters (Co-host): Sure.

Sherr: . . . who did not get into Berkeley? He has now been accepted on his reapplication. So, he is going to Berkeley.

Walters: OK. Well, that's good news, but what about the others? I mean, there is this problem of how do you have a mixed population in the school, when so many Asian-Americans are worthy?

Sherr: And Berkeley has admitted, in fact, that it's a problem. They've admitted that there were some policies in place that did affect Asian-American applications negatively. So, they know what's been going on. Henry Der says they're going to keep the pressure on; they're not walking away from this issue, and the Education Department has told us they may investigate more schools; so it goes on.

Walters: Well, we've seen the beginning of it; we certainly haven't heard the end of it. Sherr: Oh, no.

[From the Sacramento Bee, Nov. 13, 1989]

NEW COURSE—UC BERKELEY CHANGE AIDS ASIAN-AMERICANS

(By Tamara Henry)

WASHINGTON.—Yat-pang Au enrolled at the University of California, Berkeley, this semester after a two-year battle against a school admissions policy that he said discriminated against Asian-Americans.

His case has drawn new attention to affirmative action programs designed to help minorities enter top colleges and universities—because in some cases they have hampered rather than helped Asian-Americans, who scholastically outperform the general population.

Au graduated at the top of his high school class and received awards for 10 extra-curricular activities. But his initial application to Berkeley was rejected two years ago, his father said, because of an affirmative action policy that put a 40 percent limit on admissions based strictly on grades and test scores.

In a single year, the proportion of Asian-Americans accepted as freshmen at Berkeley dropped from 24 percent to 21 percent amid cries of racism.

"I fight this not because it's my son, but for Asian people as a whole," said Au's fa-

ther, Sik-kee Au, a businessman in San Jose, Calif. "One of the most important things in life for us is an education."

The university has since revised its admissions policy, and the younger Au enrolled there as a transfer student this semester as a junior. His younger brother Yat-hon was admitted as a freshman.

University officials say the new admissions policy maintains high academic standards while reflecting the state's diverse population, helping blacks, Hispanics and other low-achieving groups. It has placated the once-angry Asian-American community, but California Rep. Dana Rohrabacher, R-Long Beach, wants more.

Rohrabacher is sponsoring a resolution that would put Congress on record as opposing quotas that appear to discriminate against Asian-Americans.

"I believe that the issue here is not affirmative action but one of equal opportunity for all students," said Rohrabacher in a recent letter to the Asian Pacific Americans in Higher Education.

University officials said the proposed resolution may hamper efforts by colleges and universities to enroll more minorities.

"It would appear that Mr. Rohrabacher is using this resolution as a way to get at affirmative action, which we obviously would totally disagree with," said John Cummins, assistant chancellor for public affairs.

Most colleges and universities across the nation are seeking ways to increase minority enrollment to prepare for demographic projections that minorities collectively will become the majority by the year 2000.

The Chronicle of Higher Education said that in 1986, colleges enrolled 90,000 American Indians, 448,000 Asians, 624,000 Hispanics, 1.1 million blacks, 9.9 million whites and 344,000 foreign students. The schools also have instituted special programs to recruit and retain minorities.

UC Berkeley officials insist their new admissions policy merely reflects the state's population, while upholding high academic standards. The school receives about 22,000 applications for 4,000 spaces.

Cummins said that since 1980, the state's population has increased 500,000 a year and that between now and the year 2000, there will be an additional 6 million residents, mostly minority—Hispanic and Asian-Americans particularly.

The Asian-American population has grown a phenomenal 70 percent since 1980 and now approaches 10 percent of the state's total.

Statistics show that Asian-Americans at UC Berkeley had the highest graduation rates, nearly 95 percent in 1987, compared with 93 percent for whites. Other minorities, including blacks and Hispanics, had graduation rates in the low to mid-80s.

By 1991, UC-Berkeley will admit 50 percent of its students based on grades and test scores alone. Currently, 40 percent are in this academic category.

About 45 percent of the fall freshman admissions will be based on criteria other than academic scores alone. The other criteria will include race, disability and special talents, such as in music, drama and debating.

Patrick Hayashi, who works with admissions at the university, stressed that all applicants still fall within the top 12.5 percent of high school seniors.

The elder Au said that before the recent changes, "it was very clear" UC Berkeley "had unfair practices for admissions."

"But they are now gradually working to change that. I hope this is the beginning of opportunity," he said.

ANTONIA GARY: MINORITY BUSINESS ADVOCATE OF THE YEAR

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. LEHMAN of Florida. Mr. Speaker, I would like to congratulate Antonia Gary on her recent designation as Minority Business Advocate of the Year by the Miami/Fort Lauderdale Minority Business Development Center.

I would like to share with my colleagues an article from the Miami Times which details Antonia Gary's distinctive accomplishments. As the list of achievements will attest, she is committed to the development of minority-owned businesses and to numerous other public service activities. Antonia is definitely an asset to our community and to her family.

TONI GARY SELECTED AS YEAR'S TOP ADVOCATE FOR MINORITY ISSUES

(By Lisa Jacques)

Hard work, determination and lots of support from family and the community is a great combination to a successful career.

Just ask Antonia Gary. They are some of the attributes that led to her being selected the Minority Business Advocate of the Year by the Miami/Ft. Lauderdale Minority Business Development Center.

"I've been really lucky. Now I have to work even harder to live up to the title," said Gary.

She is the associate dean and executive director of Miami-Dade Community College's North Campus since 1989. Its primary focus is to design, develop and implement programs for entrepreneurial training.

Gary initiated, designed and developed a business library as a resource center for training course participants and the general public. She is also involved in co-ownership of businesses around Dade County.

Staying in the community college system is what Gary plans to do.

"The opportunity is very great here and it's very close-knit and the people are very dedicated," she told the Times. "They help me to have things running smooth."

Since graduating from Marymount College in New York, Gary said, she has been encouraged to do whatever she felt was necessary that fulfilled her.

"I was married at an early age and my husband, family and friends have always supported me in my endeavors and I have led a very full life . . . but my only regret," she joked, "is that I never became a flight attendant. That is something that I've always wanted to do. I always thought that flying all over the place and seeing different places for free would be great."

Her husband is former Miami city manager Howard Gary, who runs his own business.

Along with being a member of the Links, the Greater Miami Chamber of Commerce, Black-Economic Development Corporation, and other organizations, Gary is a mother of two boys, Kito, 14, and Issa, 9.

"They're just like any ordinary teenagers in the sense that they want everything, but, no matter what, they value education," she said.

Gary has been the recipient of numerous awards for activities in the development of minority businesses and as an outspoken advocate on women's issues in the past 12 years.

Being involved and aware in the community is what she says motivates her the most.

"I grew up in Richmond Heights and I am a true Miamian, and here is where things have always been good to me, and I hope it will continue," she said.

TRIBUTE TO STEVE AVERY

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. FORD. Mr. Speaker, last Wednesday night, baseball fans everywhere were treated to a very special performance by a young left-hander from my hometown, Taylor, MI. Steve Avery, a 1988 graduate of Kennedy High School, threw 8 innings of shutout baseball that, when combined with his previous outing, set a championship series record for a pitcher of 16 2/3 scoreless innings. More importantly, it helped his team, the Atlanta Braves, force a decisive seventh game at Pittsburgh's Three Rivers Stadium.

Although only 21, Avery pitched Wednesday night like a seasoned veteran. He had said in an interview earlier in the week that he was most nervous on the bench, not on the mound. It was only on the mound that Steve knew he was in complete control. To say that he had control, however, should be an understatement. In 8 innings, No. 33 allowed just 3 hits and walked only 1 while striking out 8. In the bottom of the seventh inning, his fastball was being clocked at a blinding 95 m.p.h. and was still popping like it did in the bottom of the first. The only show of nerves came, as Steve had predicted, when he was pulled in the 9th to allow Atlanta's ace closer, Alejandro Pena, to finish off the Pirates. CBS cameras caught Steve in the dugout hiding inside the hood of his poncho. Aside from one hit, however, Pena gave Steve no reason to be nervous, as he did his job to get Avery his second win of the series.

Steve's effort drew rave reviews from all quarters. None, however, were as big a complement as Pirates' manager Jim Leyland's when he said that Avery's night "was a Koufax performance," a reference to the great Dodgers hurler.

On the night, the Braves beat the Pirates again for the right to represent the National League in the 1991 World Series against the Minnesota Twins. In a jubilant Atlanta locker room, it was Steve Avery who received the series most valuable player award.

Mr. Speaker, for me, and everyone from the 15th Congressional District, this is truly a story of "local boy does good." And I would say that if this year and this National League Championship Series is any indication of the career that young Steve Avery has ahead of him, it will only be a matter of time before I can come up here and say, "Local boy gets inducted into the Hall of Fame in Cooperstown." Certainly all of Atlanta, including my colleagues from Georgia, are singing the praises of Steve Avery, but none are more proud than the people of Taylor and the 15th District of Michigan. We wish Steve all the best in what should be a very exciting World Series.

TRIBUTE TO COMMUNITY HEALTH
LAW PROJECT

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, I rise today to bring to the attention of my colleagues the event of the 15th anniversary of the community health law project, located in the city of East Orange, NJ.

Congress and the President enacted the Americans With Disabilities Act in 1990. In New Jersey, we have had a legal and advocacy service for people with disabilities since 1976, the community health law project [CHLP]. Organized at first to help people discharged from public psychiatric hospitals to return to community life, CHLP now provides expert legal and advocacy services to people with all types of disabilities and of all ages. I am pleased that this valuable initiative was begun in East Orange, part of my congressional district.

CHLP's work is to be commended. The organization has attorneys, advocates, and trained volunteers who help people meet their basic legal and social needs, and help secure health care and housing assistance. CHLP intervenes in crisis situations to prevent homelessness, to secure emergency and long-term care, to help people obtain rehabilitation and education training and to secure employment. It is a community-based, nonprofit, special legal services organization supported by government contracts, corporations, foundations and private citizens.

Long before passage of the Americans With Disabilities Act, CHLP was at work securing rights and entitlements under New Jersey's progressive laws against discrimination in employment, housing and access to public facilities and services. CHLP attorneys have brought special cases to remove barriers to health care insurance, to protect peoples' benefits while taking transitional employment training programs, to remove physical barriers to restaurants, apartments, and other public buildings.

In addition to celebrating its anniversary, the 1991 Ann Klein Advocate Awards will be presented. One of these will go to Mr. Isaac Hopkins, external affairs manager of New Jersey Bell. He is a member of the President's Committee on Employment of People with Disabilities, and is currently a member of a select committee formed to implement strategies to hire blacks who are disabled, under the auspices of the Center for the Study of Handicapped Children and Youth.

Mr. Speaker, I think it is worth noting that CHLP's work takes place before a person is hospitalized or rehospitalized, before they lose their home and become homeless, before disaster strikes. By helping people to secure education and rehabilitation services, they have given them the hope and opportunity to be productive members of society.

EXTENSIONS OF REMARKS

PEORIA TEACHER RECEIVES
PRESIDENTIAL "RED APPLE"

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. MICHEL. Mr. Speaker, Laverna Wilkie spends four afternoons each week tutoring children at a South Side school in my hometown, Peoria, IL. That, in and of itself, is no small accomplishment. Ms. Wilkie, however, is at the youthful age of 80 years, and was recognized last week by President Bush as a daily point of light for her dedication in helping and serving others.

After 34 years of teaching students, Ms. Wilkie retired and began to assist in the after school program offered through Common Place for South Side children. She has been involved in this exemplary program for nearly all of its existence of 24 years.

Mr. Speaker, the example of Ms. Wilkie serves to remind each of us that yes, one person can make a difference. I salute Ms. Wilkie for her courage and energy and thank her for being that difference which has enriched the lives of so many children.

At this point in the RECORD, I wish to insert an article which appeared in the Peoria Journal Star on Saturday, October 19, 1991: "Bush Honors Peoria Woman."

BUSH HONORS PEORIA WOMAN

(By Bill Mitchell)

An 80-year-old Peoria woman has been recognized by President Bush as a "Daily Point of Light" for her efforts in helping others.

"I'm just a humble servant," said Laverna Wilkie on Friday after receiving the honor. "I don't feel proud about it. I am shocked, I guess, and I find myself at a loss as to how to handle the publicity. It's just not my cup of tea."

She is comfortable though in talking about what she does and why.

Wilkie, who retired from teaching after 34 years, said she decided to continue working with children "to help this world become the best place it can be."

To do that, Wilkie spends four afternoons a week at Common Place helping South Side children with their homework. She has been involved with Common Place for nearly all of its 24-year existence.

"Children are my life-line, for sure," said Wilkie, who has her own ideas on the education system.

Teachers should look at children as unique individuals, she said. "When you look at a child like that instead of like 'How much information can we pour down them and box them up?' Well, that's my hope for the school system," Wilkie said.

Recognizing and cultivating a child's special talents is the most important thing a parent can do to help a children through what Wilkie terms the "maze of education."

"We need to build in (them) an appreciation of self. Ask ourselves, 'What is their special talent?'"

Wilkie brushed off her presidential recognition, insisting that what she does is just a natural thing.

"I was born a teacher. I find children wherever they are," she said.

When she sees a child come into Common Place for help, she sees two roads ahead for the child, Wilkie said.

"They can be people of the street or they can be college graduates," she said. Whether society and the child recognize the child's unique talents will determine the route, she said.

"It ought to be the task of every parent, every educator and the entire community to help every person discover what their special talent is."

WORLD MARITIME DAY 1991

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. JONES of North Carolina. Mr. Speaker, the International Maritime Organization [IMO] celebrated World Maritime Day 1991 on September 26, 1991. IMO Secretary-General William A. O'Neil chose the theme, "Shipboard Safety for Passengers and Crews," because it "is the most important subject of all" facing the IMO.

The International Maritime Organization is a United Nations technical organization with 135 members and two associate members. From its beginning in 1958, as the first international body devoted exclusively to maritime matters, maritime safety improvement and maritime pollution prevention have been the IMO's most important objectives. To achieve its goals, the IMO has promoted the adoption of over 30 conventions and protocols as well as over 600 codes and recommendations concerning maritime safety and pollution prevention. Most of this work is carried out in a number of committees and subcommittees. The Coast Guard is the United States' primary representative at these meetings.

The IMO has made great strides recently on issues pertaining to the theme of World Maritime Day 1991. With regard to passenger vessel safety, the United States, and particularly the Coast Guard, has helped make this progress possible. At the May 1991 session of the IMO's Maritime Safety Committee [MSC], the Coast Guard not only chaired a working group on passenger vessel safety, it also worked closely with the IMO Secretariat to produce a global consensus on these issues. The MSC generally agreed and prepared a draft chapter on management for safe ship operation to be added to the International Convention for the Safety of Life at Sea and a preliminary outline for an International Code for the Safe Management and Operations of Ships to complement the new chapter. The IMO hopes to complete this work in August 1992.

Mr. Speaker, ship, passenger, and crew safety is a paramount national and international concern. This year's World Maritime Day theme should focus more attention on this important matter. Secretary-General O'Neil's message marking the observance of World Maritime Day 1991 follows:

A MESSAGE FROM THE SECRETARY-GENERAL,
MR. WILLIAM A. O'NEIL

This year IMO is celebrating its 14th World Maritime Day. Each year the Organization used the Day to highlight a particularly important activity. But this year the theme is the most important subject of all—the safety

of the passengers and crews who sail on board the world's ships.

The days of the great ocean liners and the emigrant ships may have gone, for nowadays most people travelling between continents do so by plane rather than ship. Nevertheless sea travel remains popular. More and more people are now choosing to take their holidays on cruise ships which offer all the comforts of a luxury hotel, with the bonus of visiting a different port every day. The short-sea routes are dominated by ro-ro ferries. And the bulk of the world's trade is still carried in a fleet of more than 78,000 vessels.

IMO's most important task is to make sure that the people who sail on these ships, whether they are passengers or crew members, arrive at their destination safely. Over the years a great deal has been done in this regard by adopting international measures which are then implemented by national Governments. IMO's Membership now stands at a record 135 States and its most important conventions apply to more than 97 per cent of the world's ships.

This shows that IMO's work has global support and it should mean that the safety standard in the world fleet are roughly the same everywhere, but regrettably this is not the case. A glance at the annual statistics for losses at sea shows that people travelling on ships from the country with the worst record are 114 times more likely to be involved in an accident than those on board ships from the country with the best. This is unacceptable.

The responsibility for enforcing IMO standards rests with individual Governments. When they ratify a convention they undertake to ensure that its provisions are effectively applied to all ships which fly its flag. Yet the huge discrepancy between the accident rates of various fleets indicates that this is not being done.

For the last few years, IMO has been handicapped by a serious cash-flow crisis caused by the failure of many Governments to pay their contributions on time. Payments were due in January but by July only 59 states had paid in full. The other 76 were behind for this year and many of them owe money for previous years as well. This failure to meet their legal obligation is sapping the strength of the Organization and tends to divert everyone's attention and energy from the real issues of life and death of those at sea.

It should not be any surprise that several IMO Members have expressed concern at the huge differences in safety standards and the attitudes toward safety that seem to exist in different countries. This concern has deepened by the changes that are now taking place in world shipping and which are likely to continue in the years to come. Many shipowners are reducing the sizes of their crews in an effort to save money, but is enough being done to raise the standard of the crews that remain? The average age of ships today is 16 years, which is already fairly elderly in shipping terms, and old ships need more maintenance and repair than young ones. Are Governments and shipping companies doing enough to ensure that this is done?

The danger is that if the improvement in the casualty rate that marked the 1980s is halted in the 1990s many lives will be lost. In 1989, 3.7 million people took their vacation on a cruise liner; by the end of the century this figure is expected to grow to 10 million a year. Yet in recent years there have been a number of accidents to passenger ships which have resulted in the deaths of hundreds of people. Will 10 million people really

want to go to sea if they think there is a serious risk of a fire on board or of the ship sinking and that those responsible for safety are not doing anything to improve the situation?

The stability of roll-on/roll-off passenger ships continues to give cause for concern, as does the continuing loss of bulk carriers, many of which have vanished without a trace in the past year. If nothing is done to stop these casualties the public will lose faith in shipping and some countries will become impatient with the ability of the shipping industry to introduce improvements on an international basis, through IMO. This could lead to a proliferation of regional or national standards and would be the end of any real attempt to raise safety standards internationally.

Standards might improve in some countries—but overall there would almost certainly be a serious reduction in safety levels, an increase in the casualty rate and more accidents involving heavy loss of life.

IMO is taking positive steps to prevent this from happening by becoming more proactive rather than reactive in improving international safety legislation. Emphasis is being placed on the fact that no single unit in the safety chain can act alone but, instead, all must work in concert to achieve the common objective. Shipbuilders, classification societies, shipowners, ship managers, charterers, insurers, seafarers' unions, government administration and IMO must all do their part to bring about safer shipping and regain the confidence of the public—without always trying to put the blame on others for any failures.

For its part, IMO will continue to assist and encourage all parties in this endeavor and will provide leadership in the never ending quest for improvements to safety of life at sea.

TRIBUTE TO SOL ROSENSWEIG: "SENIOR OF THE QUARTER"

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. LEHMAN of Florida. Mr. Speaker, I am proud to recognize today one of the most active members of our North Miami Beach community, Sol Rosensweig, who was named "Senior of the Quarter" by the City of North Miami Beach Recreation Department.

Sol Rosensweig is a doer. He has worked on North Miami Beach's innovative food distribution project and is also an active member of the Senior Advisory Board, the United Democratic Club, the Humana Senior Association, American Association of Retired People, and the International Ladies' Garment Worker Union.

Mr. Rosensweig is truly an unsung hero who is working hard to make a difference in our community without expecting honors and recognition for his contribution. The City of North Miami Beach is a better place to live because of his endeavors.

I would like to share with my colleagues an article which provides more information on Mr. Rosensweig's accomplishments.

SENIOR NEWS NMB TODAY

The McDonald Senior Center salutes Sol Rosensweig, "Man with a Purpose," as our Senior of the Quarter.

At this time, we are proud indeed, to recognize a good and loyal friend, Sol Rosensweig.

Sol is a quiet, unassuming, gentle man, who keeps within himself. He is an active member of the Senior Advisory Board, assists at the monthly food distributions, monthly pro shows, and any other project that involves our seniors. More? Yes, Sol is involved with ILGWU, the United Democratic Club, Humana Senior Association, and AARP.

Yes, this wonderful man will go on to help others, with the support of his dear wife, daughter and two grandkids. Thanks Sol Rosensweig for allowing us to count on you as a friend.

COLLEGE ADMISSIONS PRACTICES DISCRIMINATE AGAINST ASIAN- AMERICANS

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. ROHRBACHER. Mr. Speaker, in October 1990 the U.S. Department of Education Office for Civil Rights [OCR] found the graduate mathematics department of the University of California at Los Angeles [UCLA] discriminated against Asian-American applicants to that program in violation of title VI of the Civil Rights Act of 1964. Today a year later, to the best of my knowledge, this violation has not been corrected to the satisfaction of OCR.

OCR also found that eight other graduate programs at UCLA had so little information about their admissions policies and practices that OCR could not determine if discrimination had occurred. These eight programs were put on a monitoring system by OCR.

This finding against the UCLA graduate math program was part of a larger compliance review being conducted by OCR. This review started almost 4 years ago in early 1988. OCR's investigation of the undergraduate admissions and the special admit program are still ongoing.

Mr. Speaker, I and 50 of our colleagues have sponsored House Concurrent Resolution 102 which would put Congress on record against college admissions practices that through racial quotas or other policies discriminate against Asian-Americans.

I commend to the attention of my colleagues the following October 2, 1990, Los Angeles Times news story "Anti-Asian Bias Found in UCLA Program" and the Washington Post report "Bias Against Asians Found In Admissions to UCLA" and the text of House Concurrent Resolution 102.

I urge my colleagues who are not already cosponsors to add their names as sponsors.

ANTI-ASIAN BIAS FOUND IN UCLA PROGRAM

(By Larry Gordon)

UCLA's graduate department of mathematics discriminated against Asian applicants in 1987 and 1988 in violation of federal civil rights law, the U.S. Department of Education announced Monday after a 30-month investigation. The government said 75 other UCLA graduate departments showed no anti-Asian bias in admissions and that an additional eight programs kept inconclusive records.

UCLA Chancellor Charles E. Young denounced the conclusions about the mathematics department, saying they were the result of faulty reasoning and political pressure. The university plans to appeal the findings within the Department of Education and, if need be, take the matter to court, he said.

The government is asking that UCLA change its admissions policies in graduate mathematics programs and offer admission to five Asian-American applicants allegedly denied entrance because of bias. The government could deny UCLA all federal grants, not just in mathematics studies, if the matter is not settled to Washington's liking.

U.S. Secretary of Education Lauro F. Cavazos said in a prepared statement that he was encouraged by much of what the probe by his department's Office of Civil Rights had found at UCLA. He added, "Although only one program was found to discriminate, that is one program too many."

The study determined that there was a disparity between the rates at which whites, particularly white women, and at least equally qualified Asian-American applicants were admitted to the graduate mathematics department and concluded that the disparity "appeared to be race related." About a third of the mathematics students at UCLA are Asian, either American citizens or foreigners, campus officials said.

The five rejected applicants allegedly discriminated against do not know that they are the object of such controversy and have not been contacted by federal authorities, said Michael Williams, assistant secretary for civil rights in the Department of Education. He said he did not know the identities of the five and would not name them if he did.

The issue of alleged entrance bias against Asians in the UC system has prompted several inconclusive state investigations over the past five years. The controversy had begun to die down because of significant increases in the ranks of Asian-American students at prestigious campuses such as UCLA and UC Berkeley this year and last. Asian students now comprise 36% of UCLA's freshman class.

Asian-American activist said Monday's announcement is expected to renew suspicions.

A similar federal investigation into undergraduate admissions at UCLA could be concluded later this year, Williams said. The results of a probe of Harvard University's undergraduate entrance policies may be announced later this week, he said.

At a press conference on campus Monday, Chancellor Young contended that federal investigators relied too heavily on numerical measures, such as grades and test scores, and did not take into account how much UCLA considers the reputation of applicant's undergraduate schools and the strength of personal recommendations. Some Asians who are U.S. residents but not citizens were denied admission because certain government-funded fellowships require the recipients to be citizens, Young said. He added that federal officials did not properly consider that different disciplines within mathematics, such as statistics and applied mathematics, make separate judgments on applicants.

Young alleged that investigators were under pressure from U.S. Department of Education officials to announce the results by Monday and to make sure UCLA received some criticism.

"We believe the study and the results are in error. We believe there is no basis for the findings they have reached," he stated.

Asked for a response to Young's charge about political pressure, Williams said, "I take a great deal of, I have to admit, offense at that. It challenges my own integrity." Williams said he had placed an Oct. 1 deadline for the study's release because the matter had dragged on for so long.

UCLA's insistence that it will appeal disappointed some Asian-American activists, who said energies might be better spent on a campus study of the issues.

"We are hoping that UCLA will conduct a more in-depth review to come up with more systematic admissions guidelines," said Stewart Kwoh, executive director of the Asian Pacific American Legal Center in Los Angeles and president of the Asian alumni group at UCLA.

BIAS AGAINST ASIANS FOUND IN ADMISSIONS TO UCLA

(By Jay Mathews)

LOS ANGELES.—In the first federal finding of discrimination against Asian Americans in higher education, the Department of Education said today that the University of California at Los Angeles (UCLA) has given illegal preference to whites over Asians in admissions to its graduate mathematics department.

Rep. Dana Rohrabacher (R-Calif.), who has pressed for accelerated federal action on several Asian-American discrimination complaints, said the finding "marks a turning point in efforts to stop discrimination against Asian-American students by colleges and universities."

UCLA Chancellor Charles E. Young said the university would appeal the finding to an administrative law judge because "we firmly believe that racially neutral criteria were used to make these decisions." But he acknowledged "the Asian community's legitimate concerns about illegal discrimination," and noted that 75 other UCLA departments were cleared of discrimination and eight were asked for better records after the Education Department's investigations proved inconclusive.

Kathryn Imahara, staff attorney for the Los Angeles-based Asian Pacific American Legal Center, said complaints about discrimination in college admissions often brought remarks like "Aren't there enough of you in there already?" Racist things like that." She said, "It's nice to know that we're not being paranoid."

The Education Department said in a statement that its Office of Civil Rights found during a 30-month investigation "a statistical disparity in the rates of admission to the mathematics department on the basis of race, an inconsistency in how Asian and white applicants who received the same evaluation ratings were treated, and insufficient evidence to show a nondiscriminatory basis for this pattern."

Assistant Secretary for Civil Rights Michael Williams, who was praised by Rohrabacher for accelerating the investigation after his appointment in July, said UCLA will be required to ensure equal future treatment in mathematics admissions and offer admission to five Asian-American applicants the department decided were unfairly rejected.

Williams said the department's investigations, which are proceeding at the University of California at Berkeley and at Harvard University, are "extremely complex and complicated," and he declined to predict when they would be complete. Rohrabacher has asked the Senate Appropriations Committee to set aside \$500,000 to complete the investigations by Dec. 31.

Asian-Americans, benefiting from cultural and family emphasis on hard work and academic achievement, are admitted to many major universities in numbers far higher than their proportion of the general population. Some Asian-Americans have suggested that universities use unwritten quotas, similar to those used against Jewish applicants before World War II, to keep their numbers from growing even larger.

Young criticized federal investigators for "completely dismissing" the even larger number of foreign-born Asians at the university in calculating compliance with anti-discrimination rules.

A UCLA spokesman said the ethnic origin of the school's estimated 23,000 foreign and American undergraduates in the fall of 1989 was 49.3 percent non-Hispanic white, 25.7 percent Asian, 16 percent Hispanic and 7.1 percent black. The 11,500 or so graduate students were 63 percent non-Hispanic white, 21.9 percent Asian, 7.9 percent Hispanic and 4.9 percent black.

Under Title VI of the 1964 Civil Rights Act, recipients of federal funds such as UCLA are prohibited from discriminating on the basis of race, color or national origin.

H. CON. RES. 102

Whereas racial discrimination is indefensible, improper, and immoral;

Whereas it has been reported that many institutions of higher education have instituted admissions quotas designed to limit the admission of Asian-Americans;

Whereas these restrictive quotas are similar to those instituted in the 1920's to limit the admission of Jewish students;

Whereas statistics show that Asian-American students face greater obstacles in their attempts to attend institutions of higher education than students of other races;

Whereas the Office of Civil Rights of the Department of Education is conducting compliance reviews at Harvard University and the University of California at Los Angeles to determine whether the schools in violation of title VI (relating to nondiscrimination in Federally assisted programs) of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-6); and

Whereas the Chancellor of the University of California at Berkeley apologized to Asian-Americans for an admission process for the school which had a negative impact on the admission of Asian-Americans: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) institutions of higher education should review their admissions policies and, if necessary, revise them to ensure that applicants are not illegally excluded from admission because of their race in violation of Regents of the University of California v. Bakke, 438 U.S. 265 (1978);

(2) the Attorney General should investigate allegations of illegal racial discrimination in the admissions policies of institutions of higher education and pursue legal action against those schools which have violated title IV or VI (relating to desegregation of public education and nondiscrimination in Federally assisted programs respectively), or both, of the Civil Rights Act of 1964 (42 U.S.C. 2000c-2000c-8 and 42 U.S.C. 2000d-2000d-6 respectively); and

(3) the Secretary of Education should conclude, as soon as possible, the compliance reviews on admissions policies of certain institutions of higher education being conducted by the Department of Education and should,

in addition, initiate additional reviews of the admissions policies of schools alleged to have illegally discriminated on the basis of race.

TRIBUTE TO JAMES W.
ARCHIBALD

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. FORD of Michigan. Mr. Speaker, I would like to take this opportunity to honor one of my good friends, James W. Archibald, upon his retirement as the postmaster of Dearborn. Jim is retiring after nearly 40 years of distinguished service to the U.S. Postal Service.

Jim's career with the Postal Service began in December 1951 when he signed on as temporary help during the busy Christmas season. He worked his way up through the ranks from mail carrier to his first supervisory position as foreman of mails and delivery in 1966. From there it was only a matter of time before his appointment as postmaster in Dearborn in 1974.

His career was temporarily interrupted from 1956 to 1958 when he served in the Army.

Jim was an active member of the National Association of Postal Supervisors [NAPS] on the local and State level. He was one of the original founders of local NAPS branch 268 and served as its president. He was elected to serve in the Michigan State Chapter of NAPS as first vice president and second vice president.

Once he was appointed postmaster, Jim joined the National Association of Postmasters and the National League of Postmasters.

Jim has made a tremendous contribution to his community. Among other things, Jim served on the Dearborn Heights District 7 School Board and was the president of the Annapolis Booster Club. He continues to be an active member of the Masonic lodge.

Mr. Speaker, I am honored to have this opportunity to recognize Jim Archibald for his years of service to his country and community. I want to extend my best wishes for a happy and healthy retirement. I do not know anyone who deserves it more.

SCREENING OF "TRUE COLORS"

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to take this opportunity to encourage my colleagues to attend the screening of "True Colors" tomorrow, October 22. "True Colors" takes a look at the everyday instances of racial discrimination that permeate our society. I want to commend Congressman JOHN LEWIS and Congressman CHUCK SCHUMER for bringing this documentary to the attention of the Members of Congress.

For the RECORD, I would like to submit the following articles that illustrate the frustration

of young African-American men as they strive to survive in our democratic society. The first is a letter to the editor from David Lockett of South Orange, NJ, that appeared on August 23, 1991, in the Star-Ledger, New Jersey's daily newspaper. The second is an article that appeared in the Washington Post on October 17, 1991. This article, entitled "Presumed Dangerous," examines the stereotypes confronting African-American male teenagers.

[From the New Jersey Star-Ledger, Aug. 23, 1991]

COP SEARCH CALLED AN ORWELLIAN ACT

DEAR EDITOR: Perhaps George Orwell's epic novel "1984" was prophetic after all, but should have been titled "1991." In a country where some of our forefathers have dedicated and sacrificed their lives for the civil rights of generations to come, we are still missing the point.

On July 6, I went to New York to see Arnold Schwarzenegger's new movie, "Terminator II: Judgment Day," and realized the primary theme was: "No fate except the one we make." Especially in a democracy, we must stand up and take an active role in positively shaping the future.

The message stayed with me, but I did not expect to have to act on it before the evening ended. Upon returning to Penn Station in Newark, via NJ Transit, I used the stairway on the train platform which leads directly to Market Street—a stairway I use almost every day. I was the first person from my train to reach that stairway, and as I neared the bottom, I saw two police officers. One looked at me and said to his partner, "Oh yeah, here comes one."

When I reached the bottom, I saw several people chained in handcuffs. Next thing I knew, I was confronted with: "Where are you coming from?" "Where are you going?" When I asked what they were looking for, one said "We're looking for you!" and "If I find any drugs on you, I'm gonna bust your . . . head in!"

During the ensuing moments, the officer frisked me, checked my pockets, and ordered me to open my pants, supposedly looking for drugs, but more seemingly examining me for a hernia. No reasons of probable cause were given, just that I was clear to go.

I felt the need to express my opinion, because while feeling like my privacy and civil rights had just been violated, there was no probable cause other than that I chose this particular stairwell, because it leads directly to the street and was the quickest route to my bus stop.

If I had been in another car on the train and decided to use a different stairway I would not have been checked.

I understand, support and sympathize with the need to stop drug trafficking, but was this really an efficient means of solving the drug problem? Let's face it, the main sources of the area's drug problem do not take the 9:34 from New York to Newark on a Saturday night. These cops would be much more effective if they channeled their efforts into directly attacking the source of the problem.

Do the police think I look like a drug user? I am a black man, about 5-10 and 180 pounds. I went to a top prep school in New Jersey, a top university and graduated from the nation's top journalism school.

If the police think there is a real problem with the transportation of illegal narcotics from New York to Newark via NJ Transit trains, they should be checking all people at every exit. They should also be checking all people when they exit the PATH train and

stop motorists returning to New Jersey via the Lincoln and Holland tunnels and the George Washington Bridge.

Do we really want this to happen? Where does it end? Where do we draw the line on invasion of privacy?

Citizens cannot always object outright to such injustices when confronted by the police. Let's not forget what happened to Rodney King in Los Angeles earlier this year. Besides, even if they had found drugs on me, and I was willing to cooperate, would that alone be sufficient reason for one of our law "enforcers" to bash my head in?

I realize that we are not winning this essential war against drugs. It is a battle that I firmly believe must be supported. But when are we taking it too far? Where does it stop? Do we wait until the law allows for the "protectors" and "enforcers" of the law to randomly storm and ransack our homes? There must be a point where we draw the line.

But just as I am sure that New York's homeless problem will not be solved in time for Thanksgiving, I know the officer with whom I nearly, albeit unwillingly, became intimate with on the evening in question, will not be punished. He will not be penalized for violating my civil rights.

While I have no police record, I'm the first to admit I am far from perfect. But throughout my almost 25 years of life, I have always believed that I, as well as others, must do whatever it takes to uphold what is right. How else can we end the random violence and crime throughout the country but to support those who "uphold" the law.

It is important to realize that the ends don't always justify the means. The law in this country says a person, regardless of race, beliefs, economic status, or the route chosen to catch a bus, is innocent until proven guilty. The police are civil servants and it is their responsibility to protect the civil rights of the people.

If the police are continually allowed to stray from this whenever they desire, then it is not far fetched to envision the United States of America, the universal symbol of "freedom," becoming a police state.

No fate but the one we make,

DAVID L. LOCKETT,
South Orange.

[From the Washington Post, Oct. 17, 1991]

PRESUMED DANGEROUS—AREA'S YOUNG BLACK MEN CONFRONT NEW STEREOTYPES BORN OF DRUG CRISIS

(By Marcia Slacum Greene)

They say women clutch their purses and sometimes cross the street as they approach. When they gather in a group, residents in some neighborhoods call the police. Taking advantage of the fear they sense, some have used a glance to force men twice their size and age to back away.

They are young, black, male—and suspect. "I think [adults] all see us as a bunch of hoodlums," said 16-year-old Harry Mayo. "You can sense it from the way they act toward you. You can tell they don't trust you or they're afraid."

Black men say they always have been subject to suspicion, but the city's drug war and attendant violence have added a tough new dimension to the problem. Although the violence still involves a minority of their peers, teenagers say fearful adults are unable to distinguish a drive-by shooter from a valiant editor, and often try to protect themselves by wrongly assuming all young black men are potentially dangerous.

Interviews with two dozen black teenagers during a two-week period reveal a group

acutely aware of the fear and hostility their mere presence can engender. Some of them have been in trouble, most have not. All contended they encounter demeaning slights almost daily; slights that make them feel like outcasts.

"I ask for the time and they just ignore me," 15-year-old Banneker High school student Dennis Green said, referring to adults.

"I can smile and say hi, and they act like I'm not there . . . If you're black and a young male, that's the first count against you. The second count is that everything is negative."

Psychologists say that although violence is inexcusable, there is a recognizable vicious cycle: Feeling scorned and rejected, some youths then fulfill the worst of people's expectations.

Some of the young men interviewed said they shoulder the burden of suspicion and try to allay the fears of strangers. Others lash out. They talk about gaining a sense of power by playing games—some innocent, some chilling—to intimidate nervous adults.

Most of the young men said that to some degree, they understand adults' reactions.

"I really don't blame them" for being wary, Green said. "I do blame them for not trying to reach out and show that they understand what we are going through as young men."

INNOCENT LOOKS PROVOKE FEAR

Demond Taylor, 17, is one of several who said women in particular will stand rather than sit next to him on the Metro. Taylor, who said he used to sell drugs but stopped more than a year ago, is 5 feet 11 inches tall and weighs 265 pounds. But he is often teased about his baby face and says he doesn't understand why he should appear frightening.

Describing a recent incident near Union Station, he said he and his friends had not even noticed a couple until they "grabbed each others' hands" and covered.

"They had a look that said, 'Please don't bother us,'" Taylor said. "They didn't have any bags or anything. They acted like we were going to grab one of them."

Green, an active church member who works in his father's maintenance business, clenched his teeth as he described being aggressively questioned by security personnel as he stood in the lobby of the Shiloh Baptist Church's Family Life Center. Green was certain that his polo shirt, baggy designer jeans and expensive sneakers caused the guard to see him as a young hustler.

Mayo's examples are typical: A man and woman in the ground-floor elevator of a downtown office building had punched the seventh-floor button by the time he and several of his friends got on. The couple, without a word to each other, both got off on the next floor.

Mayo, a Roosevelt High School senior who plays three sports, said he observed a woman in Georgetown crossing the street when he and his friends were less than a block away. When Mayo and his friends also crossed the street to enter a store, she was a stone's throw from them. She turned and went in the opposite direction.

Mayo, who wants to become a pharmacist or an accountant, said adults almost always scatter if he and his friends talk loudly in argumentative tones. He said that if they ever got close enough, they would hear young men defending their favorite professional athletes.

"I ignore stuff like that," Mayo said. "What would it prove to say anything?"

"It happens so often I don't feel anything," said Green, describing similar encounters.

"They suppress it," responded Frederick B. Phillips, a clinical psychologist and director of the District's Progressive Life Center, a private firm.

"I think they become numb emotionally, but underneath they are like time bombs."

Even the young men who claim not to be bothered disprove their words by their actions.

Imani Scope, a 15-year-old academic scholarship student at Potomac School in McLean, said he fights what he sees as a stereotype.

"I feel like I have to prove I'm not a dead-beat or a shiftless or lazy person . . . I try to catch myself if I'm being loud on the bus or someplace else."

Mike, 16, lashes out, representing the most extreme response of those interviewed. Mike is a juvenile offender on probation for robbery. Probation officials allowed him to be interviewed with the understanding that his last name would not be used.

Mike said people who stereotype young black males "can go to hell." He describes how empowered he feels when he deliberately intimidates adults.

'PLAYING CHICKEN' WITH THE IMAGE

At a gas station, Mike strolled toward a pump as his eyes targeted a man who would get there ahead of him. He slipped on his in-you-face look, locked eyes with the stranger and reached for the pump first. The stranger flinched, apologized and backed away.

"The grown-up figures, 'They're killing each other, so they wouldn't waste no time killing me,'" Mike said. "If you look at them hard, they back off. It makes you feel superior. It makes you feel bold."

Mike said he and others have, for fun, put their hands under baggy shirts to make it appear they have guns. Mike said he once did that to a woman and told her to freeze. He said she paused briefly and then ran away "like she was going to be shot."

To walk into a store is to find suspicious stares, many of the young men said. Some said they have reacted by splitting up to see who the clerks will follow, or by pretending to snatch something from a shelf and then laughing at a clerk when they reveal an empty hand.

Psychologist A.J. Franklin, director of clinical psychology at City College of New York, characterizes such games as "playing chicken with the stereotype."

"It's a way of coping," he said. "There is enough collective awareness about the stigma * * * that at some point the kids will assume the threatening posture to get a rush from the reaction. They are saying, 'Let's see how far we can push the image without getting in trouble.'"

But Scope, who studies three hours a night and hopes to become a lawyer, does not play the games.

Instead, he said, he tries not to notice the women who tighten their grips on their purses when he walks by, and tries to ignore clerks who follow him around in record stores.

He blames the media for making it appear that the majority of his peers are involved in illegal activities, and he shoulders responsibility for trying to change what he said is an entrenched image.

"I'm one of the few black males in my school," said Scope, who volunteers to help needy children and the homeless. "I have to be the person who gives them an example of black male who can be smart and excel."

"If I can change one person's mind, then that person can tell someone else that they know a black male who is positive, and then

that person can tell another. It's like planting a seed."

Some youths combine the reaction of Mike and Scope, illustrating their confusion about how to deal with the stereotype.

Mayo recounted a shopping trip to Wheaton Plaza with a 17-year-old friend. Mayo's friend was browsing for a gift for a girl when a clerk began following the two young men and asking if he could help.

"He went to check [the price] on a couple of things and then he said, 'If ya'll aren't going to buy anything, would you please leave the store.' He told us it was a female store, and to see young black males walking around the store raised his concern. My friend called him a racist bigot and a white bitch."

Yet before leaving the store, Mayo said, his friend bought something just to show the clerk he had not entered the store to steal.

Many of the young men said the stereotype is difficult to change because adults can point to a rational basis for their fears.

Mike said there are times when adults should fear teenagers.

"Some of us are plain old ruthless," Mike said. "They be mad at white people. They be mad at where they live. They be mad because their families are on welfare. They be mad because they are forced to sell drugs to get money. People be asking why we selling drugs. Why don't they ask why we ain't got a job?"

Mike said he once sold drugs, but is now turning his life around with the help of several adults. Asked if his past actions contributed to the image that his peers now have, he said he should not be blamed.

"I could see it if I was selling drugs," he said. "I haven't sold drugs since last November."

A DEEP NEED TO BE ACCEPTED

Psychologists and sociologists said a complex web of racism, poverty and other social problems contributes to a higher than average incidence of violence among young black males.

Last year in the District, police made 5,250 juvenile arrests, including 4,355 arrests of black males. The numbers include individuals repeatedly arrested; the charges include everything from petty vandalism to murder. Sixty-seven of the arrests were for murder; 462 for aggravated assault.

Though the numbers are high, they represent a fraction of the 25,931 black males ages 10 to 19 in the city.

Moreover, many argue that at least some of the violence is a reaction to the barrage of suspicion.

Adam L. Oliphant, a father of three who runs a corner store at 15th and D streets NE, said he has seen what happens to youngsters shunned by adults who fear the "unpredictable potential" for violence.

"Many of these kids have a deep, burning need to be accepted and nurtured," said Oliphant, who lectures on the problems facing black males.

"When they don't get it, they build something in its place—a mean, hard shell. Then they say, 'I'm mean and tough, and I'll kick the world's behind.'"

The young men interviewed said that not only are they all judged by the actions of a minority of their peers, but they also become the easiest targets for the violence of that minority.

Martyn "Moochie" Norris, 18, a senior at Cardozo High School, said he deliberately tries to look different than other black teenagers by wearing such combinations as dreadlocks encircled by colorful headbands,

socks worn above his knees or shoelaces tied around his elbows and wrists. The intent, Norris said, is to avoid mistaken identity when someone comes gunning for one of his peers.

"I wear odd stuff and nobody gets me mixed up," said Norris, who spends his free time playing basketball and is hoping for a college scholarship.

But Norris's dress-for-survival look can prompt neighbors, store owners and strangers to eye him with suspicion. They incorrectly assume that he is involved in drugs, he said.

All the youths agreed that they are most likely to get suspicious looks when they travel in groups, especially if they wear expensive clothes they consider fashionable.

They are convinced that adults, particularly those with children, examine them from sneakers to headbands, calculate a cost for the clothes and conclude the youngsters are dealing drugs.

"I don't think I should be seen as a thug because I'm able to wear something new or if my mother gives me something as a gift," Scope said. "It's a fashion statement."

Damien Oliphant, 15, agreed. In fact, he said, adults have negative reactions no matter what he wears.

When he is "comfortable" in his T-shirts, baggy shorts and sometimes a gold chain, many adults flash "that annoyed look." But when he's dressed for school, where he must wear a coat and tie, he faces another set of problems.

"Whites smile more and say hello," he said. "But if you walk by three or four [adult men] in the neighborhood, they'll say, 'Don't be coming around here looking like that. Don't forget where you come from.' Or they'll say, 'The white man is not going to let you be one of them.'"

Oliphant, a student at the Landon School in Bethesda, is one of the few who admitted being troubled by the reactions of adults.

"It is a big pressure," he said. "At this age, we have enough to worry about besides people thinking we are drug dealers. Like the 23 books I have to read in nine months, girls and dodging bullets."

It is incumbent on all of us to take a serious look at racial discrimination, as it is perceived and practiced in our Nation, and take personal, as well as political and institutional actions to alleviate the problem. Mr. Speaker, we have Workforce 2000, we have Healthy People 2000, we have America 2000—it's time that we make the eradication of racial discrimination another goal for the year 2000 and begin working on it today.

MEDICAID MORATORIUM AMENDMENTS OF 1991

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. WAXMAN. Mr. Speaker, on September 12, the health care financing administration issued a regulation that will prohibit States from using revenues from taxes on hospitals and other health care providers to help pay for their Medicaid programs. The regulation is scheduled to go into effect on January 1, 1992—just 2½ months from now. It will cost the States billions in Federal Medicaid matching funds, throwing many State budgets into

chaos and leading to widespread program cutbacks that fall heavily on poor women and children.

In a recent letter to Secretary Sullivan, Chairman DINGELL, Chairman PANETTA, Chairman BENTSEN, Chairman SASSER, Chairman RIEGLE, and I urged that the administration withdraw this regulation. We told the Secretary that the rule "violates congressional intent, as expressed in the Omnibus Budget Reconciliation Act [OBRA] of 1990. With one narrow exception, section 4701 of that act gave States the flexibility to use provider-specific taxes toward their share of Medicaid costs."

The majority leader, Mr. GEPHARDT, has also called for the withdrawal of the regulation, as have congressional delegations from Texas, Oklahoma, California, and other States.

Unfortunately, the administration seems determined to press forward and try to implement this illegal and, in their own words, "disruptive" regulation. Although I fully expect the courts to strike this regulation down, it is possible that they may not have enough time to intervene before these regulations go into effect on January 1. That's why I am today joining with Chairman DINGELL, Mr. GEPHARDT, Mr. ROSTENKOWSKI, 12 of my colleagues on the Subcommittee on Health and the Environment, and 18 other Members in introducing the Medicaid Moratorium Amendments of 1991.

BACKGROUND

Medicaid is a Federal-State, means-tested entitlement program that buys basic medical services and long-term care for certain categories of poor people. The Federal Government shares in the cost of the program, matching between 50 and 80 percent of the cost of covered services, depending on the State. In States with relatively high per capita incomes, like California, the Federal matching rate is 50 percent. In States with relatively low per capita incomes, like Alabama and Arkansas, the Federal matching rate is higher.

In order to receive Federal matching payments, States must first spend money to pay for covered services delivered by qualified providers to eligible individuals. These expenditures are then matched by the Federal Government at the applicable rate. What the September 12 regulation attempts to do is to deny States the ability to use certain revenues—from voluntary contributions, from provider-specific taxes, and from intergovernmental transfers—to pay for covered services and draw down Federal Medicaid matching funds.

Voluntary contributions are donations by private entities, including providers, to the State. Under current law, States may use funds donated by providers or others as the State share for purposes of receiving Federal Medicaid matching funds. Under a moratorium first enacted in 1988 and subsequently extended until December 31, 1991, the administration is prohibited from repealing the regulations it issued in 1985 which authorize the use of these voluntary contributions. Under the September 12 regulation, use of donated funds to draw down Federal matching funds would be prohibited effective January 1, 1992.

Provider-specific taxes are taxes, assessments, fees, or other payments that hospitals, physicians, nursing facilities, or other health-

care providers are required to make to the State. The use of provider-specific taxes are clarified in OBRA 1990. The statute allows States to use revenues from taxes applied solely to hospitals or other providers as the State share for purposes of claiming Federal matching payments, with one narrow exception. Under this exception, Federal Medicaid matching funds are not available for those costs attributable to provider-specific taxes in cases where States reimburse hospitals and other institutional providers on a cost basis. The September 12 regulation illegally expands this exception into a broad prohibition of the use of most, if not all, revenues from provider-specific taxes.

Intergovernmental transfers are public funds that are raised through taxes by counties or other levels of government and transferred to the State. The term is also applied to funds transferred to the State Medicaid agency from other State agencies, such as those responsible for maternal and child health or developmental disabilities. Many States have used such funds for many years as their State share for purposes of receiving Federal Medicaid matching funds. The September 12 regulation would repeal the current regulatory authority under which intergovernmental transfers are now recognized for purposes of Medicaid, and it appears to prohibit the use of many of these funds by treating them as voluntary contributions.

THE HEARINGS

The Subcommittee on Health and the Environment has already held two hearings on this regulation to try to get a clear understanding on exactly what impact it will have on the States.

At our first hearing, on September 30, we learned that if this regulation goes into effect on January 1 as scheduled, many States that now rely on provider taxes or intergovernmental transfers to help finance their Medicaid programs will be forced to make drastic cutbacks in eligibility, benefits, or reimbursement.

The Governor of Kentucky, Wallace Wilkinson, testified that if his State loses the ability to use revenues from provider taxes, over 16,000 pregnant women and infants will lose coverage for pre- and postnatal care. The head of the Alabama Medicaid Agency testified that if her State is no longer able to use provider tax revenues, 10,000 nursing home residents will lose their eligibility for Medicaid, and the State's infant mortality rate will increase as pregnant women and infants lose access to physicians and other providers who drop out of the program because of reimbursement cuts.

We also learned that the September 12 regulation is extremely ambiguous and exceedingly broad, jeopardizing not just provider-specific taxes but also the well-established use of funds transferred from other levels of government, or other State agencies, to the State Medicaid agency.

The Governor of Oklahoma, David Walters, testified that crucial ambiguities in the regulation relating to intergovernmental transfers threaten over 16 percent of his State's Medicaid budget. The director of the California Department of Health Services testified that the regulation could jeopardize an intergovernmental transfer program signed into law by

Governor Wilson just this past July. Under this program, county funds will be transferred to the State Medicaid agency and used to shore up funding to public and private hospitals that serve large numbers of Medicaid patients. Without these funds, Governor Wilson's chief health officer concluded, "the survival of California's safety net providers will be in jeopardy."

At our second hearing, on October 16, the subcommittee heard from Dr. Gail Wilensky, the Administrator of HCFA and the author of the regulations. Dr. Wilensky testified that "we are acutely aware that our rulemaking is disruptive and controversial." She also acknowledged that the regulation had "several deficiencies." Despite these problems, she testified that HCFA would not withdraw the regulation. Instead, she intends to issue a "clarification" of the regulation before the end of this month to correct the "deficiencies." She also expressed a willingness "to discuss legislative alternatives to our rule." However, she did not offer any concrete proposal.

The subcommittee members tried very hard to get Dr. Wilensky to explain exactly how the September 12 rule would affect the 22 States that now rely on revenues from provider taxes—Alabama, Arkansas, Florida, Illinois, Indiana, Kentucky, Maine, Maryland, Minnesota, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New York, Ohio, South Carolina, Tennessee, Texas, Vermont, Washington, and Wisconsin—or the numerous States that rely on intergovernmental transfers—including California, Oklahoma, New York, and Texas. For each State, the subcommittee asked: First, whether it would be able to continue its current practices after January 1; second, if it could not, how much in Federal Medicaid matching funds it would lose; and third, what the State could do to restructure its provider tax or intergovernmental transfer arrangements to make them acceptable to HCFA. Dr. Wilensky was unable to give a definitive answer for any State, indicating that we should await the clarification.

So where does that leave the States? More than 1 month after the issuance of the regulation, and just 10 weeks before they are scheduled to go into effect, the author of the regulations can still not explain exactly what they would mean for any of the States that currently have such programs in effect. On January 1, most States will be right in the middle of their current fiscal years. Yet they still don't know if this rule invalidates their provider tax or intergovernmental transfer policies or how much in Federal matching payments they stand to lose. They still don't know what changes they would need to make to bring themselves into compliance, and they won't know for at least another 2 weeks.

This is no way to run a railroad, much less a health-care program that buys basic medical services and long-term care for 28 million low-income mothers, children, disabled, and elderly. And it is certainly ironic behavior from an administration that prides itself on its commitment to Federalism and a collegial partnership with the States.

This regulation—and its destructive impact on States and program beneficiaries—was never intended by the Congress and is plainly illegal. While I fully expect that the courts will

strike it down, it is possible they may not act before January 1. Since the administration is clearly not willing to withdraw the regulations, the Congress will have to intervene if fiscal and programmatic chaos are to be avoided.

THE LEGISLATION

The Medicaid Moratorium Amendments of 1991 has three elements.

First, the bill would prevent HCFA from implementing the September 12 regulation by extending from December 31, 1991, to September 30, 1992, the current moratorium on the issuance of any regulation changing the treatment of voluntary contributions or provider-specific taxes. The bill also gives States until December 31, 1992, to transition off of a reliance on voluntary contributions, so long as they do not spend more using voluntary contributions than they did during fiscal year 1991.

Second, the bill would impose a permanent moratorium, effective on enactment, on the issuance of any regulation that changes the current regulation that authorizes the use of intergovernmental transfers as a source of the State share of Medicaid spending.

Third, the bill would require the Secretary to submit to the congressional committees of jurisdiction by no later than February 3, 1992—the date that the President's fiscal year 1993 budget is due—a report describing any regulation the Secretary intends to issue limiting the use of provider-specific taxes; the types of provider-specific taxes that would be permissible under such a regulation; and any legislation that the Secretary believes is appropriate.

This legislation would not make any change in the current law treatment of provider-specific taxes as reflected in section 4701 of OBRA 1990. It does, however, provide an additional 9 months for the courts to strike down the September 14 regulation as not in conformity with this statutory language.

COST

According to the Congressional Budget Office, this legislation would not result in any increase in Federal Medicaid outlays in fiscal year 1992, 1993, 1994, or 1995.

CONCLUSION

It is difficult to overstate the importance of this issue for the poor, for the States, and for the Nation's safety net hospitals and clinics.

If the September 12 regulation is allowed to go into effect on January 1, the Bush administration will have achieved by regulation what the Reagan administration failed to do by legislation: cripple the ability of States to pay for basic medical care and long-term care for the poor.

The consequences will be felt not only by those States who currently rely on voluntary contributions or provider-specific taxes or intergovernmental transfers, but also by those who might want to turn to these revenue sources in the future.

The consequences are fairly straightforward. To plug the hole that will result from the loss of Federal Medicaid matching funds as of January, the States can either raise revenues from some other source—income, sales, or property taxes—take money from other State government functions—education, corrections, transportation—or cut Medicaid eligibility, benefits, or reimbursement.

As Dr. Wilensky, the author of the regulations, noted in a letter to me dated October 16:

I know that many States, for the most part, have been using the increased Federal funding to support legitimate and often necessary expansions to their Medicaid programs.

Under the September 12 regulation, these "legitimate and often necessary" expansions will have to be refinanced or dropped. It's a safe bet that in most States, in this economic climate, they'll be dropped. This will undercut this Nation's efforts to reduce infant mortality, to assure that school-aged children are immunized and ready to learn, to enable working poor families to transition off of welfare into employment, to increase the quality of care for nursing home residents, to protect the spouses of nursing home residents against impoverishment, and to improve access to home and community-based services for the frail elderly and the disabled.

I urge my colleagues to support this bill.

TRIBUTE TO THE BETHLEHEM
LIONS CLUB, BETHLEHEM, PA,
ON ITS 69TH ANNIVERSARY

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. RITTER. Mr. Speaker, I rise today to pay tribute to the Bethlehem Lions Club of Bethlehem, PA, on the occasion of its 69th anniversary of service to its members and to our great Lehigh Valley community.

The Bethlehem Lions Club was chartered on November 9, 1922, under the observation of Lions Club International Organizer Frederick Amigo. Forty-eight Bethlehem residents gathered as charter members to elect Adams Dodson as the club's first president. Others elected at that time included Edwin H. Young as first vice president, William J. Fink as second vice president, W.D. Seyfried as third vice president, Truman H. Fatzinger as secretary and Ralph Hunsicker as treasurer. Records of that meeting also show that William E. Reichard was named the club's first tail twister and Howard C. Rader became the first lion tamer.

From that start the Bethlehem Lions Club has grown in size and stature—in large part because of its commitment to public service and support of worthy causes. A major beneficiary of its members' efforts over its history has been the Northampton County Branch of the Pennsylvania Association of the Blind. The Bethlehem Club, under the leadership of the late Walter Ruthhart, organized the branch in May 1928, calling upon the resources of the other Lions Clubs in Northampton County to form an agency to assist the visually impaired. Bethlehem Lions since that time have given their time, talents, and money to help the association and agencies such as the Northeast Eye Bank, Beacon Lodge, and Pennsylvania Eye Research in their vital efforts.

But the commitment of the Lions to helping the less fortunate is not limited to assistance for the blind. Over the Bethlehem Lions Club's

history, members have helped such organizations as the Boy and Girl Scouts, the Salvation Army, Historic Bethlehem, Little League, YMCA, YWCA, and many others. The club has invited outstanding high school students to its weekly meetings throughout the school year and provided both scholarships to needy students and substantial support to the junior achievement program. And dedicated members such as Dr. Edwin Frey and Tommy Hess have become well known in our community through their work with other charitable organizations.

Perhaps because of this shining example of service to one's fellow man, the Bethlehem Club has been a leader in Lionism in the Lehigh Valley. It has sponsored Lions Clubs in Hellertown, Nazareth, Easton, Lehigh, Pen Argyl, Northwest Bethlehem, and my home community of Coopersburg, as well as the Bethlehem Lioness Club and the nonprofit Bethlehem Lions Charities organization.

Mr. Speaker, the Bethlehem Lions Club embodies the ideal and the power of free citizens volunteering to make a difference in their community—and the wonderful fellowship and friendliness its members have shown me and so many others over the years has demonstrated how enjoyable volunteering can be. Please join me in congratulating President Lion Carl Alborelli, Secretary Lion Charles Morgan, and the other members of the Bethlehem Lions Club on its 69th anniversary, and wish them many more years of service and fellowship in the future.

A SYMBOL OF HOPE

HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. SOLARZ. Mr. Speaker, a few days ago, the Burmese democratic leader Aung San Suu Kyi was awarded the Nobel Peace Prize in recognition of her struggle against the forces of repression in her country.

I first met Aung San Suu Kyi in 1988, in the midst of the political turmoil that had engulfed her country. At the time, and in the years that have followed, I have been deeply impressed by her dignity, wisdom, and courage. Her willingness to lay her life on the line for democracy and to take whatever risks were necessary to carry out her campaign for non-violent change in Burma has not only served as an inspiration to the Burmese people, but has captured the imagination of the entire global community.

Unhappily, and despite the efforts of this courageous woman, the military regime in Burma continues to reject the democratic aspirations of the Burmese people. Aung San Suu Kyi remains under house arrest and thousands of opposition figures reportedly remain behind bars, all for the simple crime of wanting to bring political freedom and individual liberties to their country.

They should know, however, that they and their cause have not been forgotten. And as one manifestation of our continuing interest in and concern for the heroic struggle for freedom in Burma, I ask that the attached essay

by Aung San Suu Kyi, recently published in the Washington Post, be reprinted in the RECORD.

[From the Washington Post, Oct. 15, 1991]

CORRUPTED BY FEAR

(By Aung San Suu Kyi)

(Aung San Suu Kyi, leader of the democratic opposition to Burma's military government, was named yesterday as winner of the 1991 Nobel Peace Prize. She has been under house arrest and incommunicado since July 1989. The following is from an unpublished essay.)

It is not power that corrupts but fear. Fear of losing power corrupts those who wield it, and fear of the scourge of power corrupts those who are subject to it. . . .

The effort necessary to remain uncorrupted in an environment where fear is an integral part of everyday existence is not immediately apparent to those fortunate enough to live in states governed by the rule of law. Just laws do not merely prevent corruption by meting out impartial punishment to offenders. They also help to create a society in which people can fulfill the basic requirements necessary for the preservation of human dignity without recourse to corrupt practices. Where there are no such laws, the burden of upholding the principles of justice and common decency falls on the ordinary people. It is the cumulative effect of their sustained effort and steady endurance which will change a nation where reason and conscience are warped by fear into one where legal rules exist to promote man's desire for harmony and justice while restraining the less desirable, destructive traits in his nature.

In an age when immense technological advances have created lethal weapons which could be, and are, used by the powerful and the unprincipled to dominate the weak and the helpless, there is a compelling need for a closer relationship between politics and ethics at both the national and international levels. . . .

[A]s long as there are governments whose authority is founded on coercion rather than on the mandate of the people, and interest groups which place short-term profits above long-term peace and prosperity, concerted international action to protect and promote human rights will remain at best a partially realized struggle. There will continue to be arenas of struggle where victims of oppression have to draw on their own inner resources to defend their inalienable rights as members of the human family.

The quintessential revolution is that of the spirit, born of an intellectual conviction of the need for change in those mental attitudes and values which shape the course of a nation's development. A revolution which aims merely at changing official policies and institutions with a view to an improvement in material conditions has little chance of genuine success. Without a revolution of the spirit, the forces which had produced the inequities of the old order would continue to be operative, posing a constant threat to the process of reform and regeneration. It is not enough merely to call for freedom, democracy and human rights. There has to be a united determination to persevere in the struggle, to make sacrifices in the name of enduring truths, to resist the corrupting influences of desire, ill-will, ignorance and fear.

Saints, it has been said, are the sinners who go on trying. So free men are the opposed who go on trying and who in the process make themselves fit to bear the respon-

sibilities and to uphold the disciplines which will maintain a free society. Among the basic freedoms to which men aspire that their lives might be full and uncramped, freedom from fear stands out as both a means and an end. A people who would build a nation in which strong, democratic institutions are firmly established as a guarantee against state-induced power must first learn to liberate their own minds from apathy and fear. . . .

Fearlessness may be a gift but perhaps more precious is the courage acquired through endeavor, courage that comes from cultivating the habit of refusing to let fear dictate one's actions, courage that could be described as "grace under pressure"—grace which is renewed repeatedly in the face of harsh, unremitting pressure.

Within a system which denies the existence of basic human rights, fear tends to be the order of the day. Fear of imprisonment, fear of torture, fear of death, fear of losing friends, family, property or means of livelihood, fear of poverty, fear of isolation, fear of failure. A most insidious form of fear is that which masquerades as common sense or even wisdom, condemning as foolish, reckless, insignificant or futile the small daily acts of courage which help to preserve man's self-respect and inherent human dignity. It is not easy for a people conditioned by fear under the iron rule of the principle that might is right to free themselves from the enervating miasma of fear. Yet even under the most crushing state machinery courage rises up again and again, for fear is not the natural state of civilized man.

The wellspring of courage and endurance in the face of unbridled power is generally a firm belief in the sanctity of ethical principles combined with a historical sense that despite all setbacks the condition of man is set on an ultimate course for both spiritual and material advancement. It is his capacity for self-improvement and self-redemption which most distinguishes man from the mere brute. At the root of human responsibility is the concept of perfection, the urge to achieve it, the intelligence to find a path towards it, and the will to follow that path if not the end at least the distance needed to rise above individual limitations and environmental impediments. It is man's vision of a world fit for rational, civilized humanity which leads him to dare and to suffer to build societies free from want and fear. Concepts such as truth, justice and compassion cannot be dismissed as trite when these are often the only bulwarks which stand against ruthless power.

COLLEGE ADMISSIONS PRACTICES DISCRIMINATE AGAINST ASIAN AMERICANS

HON. DANA ROHRBACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. ROHRBACHER. Mr. Speaker, on February 26, 1989, the Los Angeles Times revealed that the University of California-Berkeley Law School had been using racially categorized waiting lists. In October of that year this information came to my attention and I met with Dean Jesse Choper of the Law School. He stated that the Berkeley Law School reserves 23 to 25 percent of the entering places for members of certain races. He

said the school had been doing this for about 10 years. Applicants of other races could apply for only the remaining 73 to 75 percent of the entering class.

By letter I asked the Office for Civil Rights of the Department of Education to look into this matter. After several further inquiries I was informed on April 4, 1990, almost 6 months after my request, that OCR would initiate an investigation of this apparent racial quota system at the Berkeley Law School. The investigation is still continuing today.

To say this delay is frustrating is an understatement.

If any of my colleagues doubt there is quota discrimination occurring in university admissions I urge them to read the following Los Angeles Times article describing the racially categorized waiting lists and my exchange of correspondence with the civil rights officials at the Department of Education.

This situation and the department's response to it are exactly why my resolution House Concurrent Resolution 102 is needed.

I urge the Committee on Education and Labor that will soon begin markup on the Higher Education Act reauthorization bill to add my sense of the Congress resolution against college admissions quotas to that bill.

[From the Los Angeles Times, Feb. 26, 1989]
LAW SCHOOLS WEIGH VALUE OF WAITING LISTS FOR MINORITIES

(By Larry Gordon)

In reply to her application for admission to UC Berkeley's law school, an Asian-American woman last spring received what she called a "weird" letter.

She was disappointed but not surprised, considering the fierce competition, to learn that she had not been accepted right away and had been put on a waiting list. What did disturb her, she recalled, was being told in the letter that she was on "the Asian waiting list."

"You'd think the law school would have been more careful about saying that," said the woman, who asked not to be identified because she never made it into the school and plans to reapply this year.

Her letter was not unique. UC Berkeley's law school, known as Boalt Haal, has kept separate formal waiting lists for Asians, blacks, Latinos and American Indians for at least 12 years and has notified applicants about being on such a list. Boalt officials say the practice is an unusually candid yet legal attempt to help minorities gain seats in the incoming class; it does not signify a racial quota system, they insist.

Now, however, the law school may get rid of those lists.

"The separate waiting list issue is something we are re-examining, not because it's been brought to our attention by any irate candidate but because we like to re-examine our policies every so often," said Edward Tom, who became Boalt's director of admissions and financial aid last year.

Recent allegations of bias against Asians at UC Berkeley's undergraduate divisions also make this a good time to consider changing the waiting list policy at the law school, Tom said in response to an inquiry from The Times. He conceded that the waiting list letters might be easily misconstrued.

Boalt Prof. John Coons, who is chairman of the Admissions Committee, said he was not aware of the waiting list letters until a few days ago but said he expects the practice will be dropped this year for "cosmetic" reasons.

The letters, Coons said, "are perhaps cosmetically upsetting to some people, and probably we were imprudent to use that particular practice."

Prof. Coons and others suggested that there may be an element of hypocrisy in the complaints from minorities about the letters, because minority applicants who disclose their race do so voluntarily in hopes of being given special consideration. "It sounds like their gripe is that they didn't get in," said another Boalt professor who asked not to be identified.

Some experts on affirmative action law say the Boalt lists may violate the 1978 Bakke decision by the U.S. Supreme Court. That controversial ruling forbade specific racial quotas for admission at the UC Davis medical school but stated that race could be one of several considerations in admissions. As a result, the school enrolled Allan Bakke, a white student who had previously been rejected in favor of what he claimed were less qualified blacks.

PERFECTLY SENSIBLE

Coons insisted that the use of separate lists at Boalt does not violate the Bakke ruling. Nor would a decision to do away with the lists signify a retreat from affirmative action, he said. The waiting lists are "perfectly sensible" and are consistent with Boalt's goal of having minorities make up about 25% of a class, he said.

According to Admissions Director Tom, Boalt's current first-year class of 258 students includes 16 Asians, 19 blacks, 23 Latinos and three Native Americans.

In interviews, several legal educators across the country said they never heard of publicly acknowledged waiting lists separated by race, although they said that it is common practice to give qualified ethnic minorities an extra boost in admissions. They stressed that no quotas are kept, although most schools aim for such "goals" of minority representation because the legal profession is so overwhelmingly white.

IMPORTANT FACTOR

Betsy Levin, executive director of the Assn. of American Law Schools, said "most law schools look at what they can contribute to the legal education of the whole student body as well as to society." At the University of Colorado's law school, where she used to be dean, the admissions office treated ethnicity "as certainly an important factor but not the only one," according to Levin.

At Stanford University's law school, Admissions Director Dora Hjertberg said one waiting list is kept for all promising candidates who could not be accommodated in the first round. She said the school has an informal method of ensuring diversity. If, for example, a woman candidate who was accepted decides to attend another school, Stanford would probably seek to replace her with another woman; the same probably would be true in the case of black applicants, she said.

Boalt's previous admissions director, Beth O'Neil, is now executive director of the Law School Admission Council, a national organization. She said she believes that other schools keep similar racial lists. "They may not be doing it in as public a way and may not be telling you that they are doing it," O'Neil said.

Without such lists, she said, it would be difficult to achieve ethnic diversity just by ranking waiting-list candidates by test scores and undergraduate grades. (Blacks and Latinos, as a group, tend to score lower than whites on law school admissions tests.)

According to O'Neil, Boalt never received a complaint about the letters in the 12 years she was an administrator there.

But even if the separate waiting lists are legal and well-intentioned, they make some people uneasy, according to Henry Der, executive director of Chinese for Affirmative Action, an organization that has been active in investigating claims of anti-Asian bias in the UC system. "What it does is cause a lot of resentment and suspicion," Der said. "People wonder if it becomes an upper ceiling against us."

QUOTA MENTALITY

John H. Bunzel, a senior research fellow at Stanford University's Hoover Institution who writes about affirmative action from a conservative viewpoint, agreed. "This comes awfully close to smacking of a quota mentality, and calling it a goal doesn't diminish it. Why not call it a quota?" said Bunzel, who was a member of the U.S. Civil Rights Commission in the Ronald Reagan Administration.

The Times was given a copy of one of the letters by Los Angeles attorney Richard M. Mosk, who is acquainted with the applicant who received it. Mosk is the son of state Supreme Court Justice Stanley Mosk, who wrote the 1976 California ruling ordering Bakke's admission to medical school—which the federal court upheld. Richard Mosk said he has not discussed the Boalt practice with his father.

Because of its distinguished reputation and relatively low tuition, Boalt always draws far more applicants than it can accept. About 15 percent of the 5,300 applicants last year were offered admission and about 40 percent of those accepted enrolled. Candidates on waiting list hope that somebody accepted in the first round will decide to attend another school. The number of candidates from the waiting list who eventually get admitted at Boalt varies from year to year according to Tom.

Whites are not told that they are on an ethnic list, just that they are on a list for either California residents or out-of-staters; because it is a state school, Boalt must not have more than a quarter of its class from outside California, he said.

HOUSE OF REPRESENTATIVES,

October 13, 1989.

Dr. WILLIAM L. SMITH,
Acting Assistant Secretary for Civil Rights, Department of Education, Washington, DC.

DEAR DR. SMITH: This will follow up our meeting with James Turner of the Civil Rights Division of the Department of Justice.

I am pleased to learn that several Asian admission college discrimination complaints have now been formally referred. Even though these cases are approximately 2 years old I hope you will vigorously investigate them rather than close them as not having been filed in a timely manner.

As we discussed, I am concerned about the University of California at Berkeley Law School's use of racial waiting lists. I request that your office, in conjunction with the Civil Rights Division of the Department of Justice, provide for me the following information:

- (1) For how many years has the law school used race specific waiting lists?
- (2) What is the justification (formal document) that requires these lists?
- (3) Other than Asian lists, how many more race specific waiting lists do they have?
- (4) Is there a Jewish waiting list?
- (5) For each year that such a list existed, how many people were placed on a race specific list?

(6) Does the use of race specific waiting lists signify that the admissions process was also race specific?

I appreciate your willingness to include and address these questions in the on-site investigation your office is conducting in connection with a complaint against the undergraduate admissions policy at UC-Berkeley.

In connection with your compliance review at UCLA, I am concerned about the slowness and delay you are experiencing. I urge that an expert in Title VI law from your main office closely supervise all further meetings or on-site investigations in connection with the UCLA compliance review.

Sincerely,

DANA ROHRBACHER,
Member of Congress.

U.S. DEPARTMENT OF EDUCATION,
OFFICE FOR CIVIL RIGHTS,

April 4, 1990.

HON. DANA ROHRBACHER,
House of Representatives, Washington, DC.

DEAR MR. ROHRBACHER: This is in response to your letter to me, dated March 14, 1990, concerning an inquiry by the Office for Civil Rights (OCR) into the use of race-specific waiting lists by the University of California at Berkeley School of Law (Boalt Hall), in its admission process. You have asked for responses to questions that you posed in an earlier letter to me concerning Boalt Hall.

The Seattle Regional Office of OCR recently completed a report on its inquiry into the use of race-specific waiting lists by Boalt Hall. OCR headquarters has received and is reviewing this report. Based on this report, OCR is able to provide responses to questions that you have raised.

1. For how many years has the law school used race-specific waiting lists?

The oldest racially separate waiting list of which Boalt Hall has a record is dated June 4, 1980. Such lists have been used for each year through 1988. Although there are no records of waiting lists from the 1970s, Boalt Hall used a two-track admissions process from 1971 through 1978—one for minorities and one for minorities. In 1989, Boalt Hall did not use race-specific waiting lists; it used a unitary waiting list. However, the waiting list indicated the race or ethnicity of students who were to receive special consideration.

2. What is the justification (formal document) that requires these lists?

There is no formal document that requires these lists. Boalt Hall officials stated that these lists were used to facilitate the selection of applicants consistent with target ranges under the school's self-initiated affirmative action plan.

3. Other than Asian lists, how many more race-specific waiting lists do they have?

In 1988, the last year for which race-specific waiting lists were used, there were separate waiting lists for persons who were American Indian, Black, Chicano, Chinese, Korean, Latino, and Filipino/Vietnamese. On the unitary waiting list used for 1989, race and ethnicity was identified for students who were members of the following racial/ethnic groups: Chinese, Latino, Filipino, American Indian, Black, Chicano, Polynesian, Korean, Asian, Japanese/Korean, and Vietnamese.

4. Is there a Jewish waiting list?

There is no Jewish waiting list.

5. For each year that such a list existed, how many people were placed on a race-specific list?

OCR gathered comprehensive data for all waiting lists used for 1987 and 1988, the last

two years for which race-specific waiting lists were used. OCR's review of the lists reflects the following:

1987 waiting lists:	Students
Asian subgroups	16
Black	40
Chicano/Latino	9
Chinese/Korean	20
1988 waiting lists:	
American Indian	8
Black	44
Chicano	20
Chinese	9
Korean	5
Latino	7
Filipino/Vietnamese	6
1 Vietnamese, Thai, and Polynesian.	

6. Does the use of race-specific waiting lists signify that the admissions process was also race-specific?

Race and ethnicity are considered at several points during the admissions process. Boalt Hall sets a target range of 23-27 percent minority enrollment. This goal is broken down as follows: 8-10 percent Black; 8-10 percent Chicano, 5-7 percent Asian-American (excluding Japanese), and 1 percent Native American. Included within the Chicano goal are certain Latino groups.

Criteria for admission to Boalt Hall include grade point average, Law School Admissions Test, graduate studies, outside activities, work experience, and ethnic background. According to Boalt Hall, consideration of ethnic background means that "[a]n applicant's racial or cultural minority background may be considered a 'plus' if he or she is a member of a group which has not had a fair opportunity to develop its potential for academic achievement and which lacks adequate representation in the legal profession." Boalt Hall, Admissions Criteria (Jan. 1987).

Based upon a review of the information which has been collected by OCR's Seattle Regional Office. Such a review will be scheduled as soon as possible. I also have shared the information collected by the regional office with the Department of Justice.

Please let me know if you have any questions or if I can be of any further assistance.

Sincerely,

WILLIAM L. SMITH,
Acting Assistant Secretary
for Civil Rights.

U.S. PROBING CHARGE OF BOALT HALL
QUOTAS—ACCUSATION ON LIMITING ASIAN-
AMERICANS

(By Diane Curtis)

The U.S. Department of Education is investigating complaints that racial quotas are being used to limit the number of Asian Americans Accepted to Boalt Hall School of Law.

Jack McGrath, spokesman for the department's Office of Civil Rights, said yesterday that the law school will join the University of California at Berkeley and UCLA as targets of civil rights investigations.

The probe of admissions policies at Boalt, which is located on the UC Berkeley campus, was prompted by a request from Representative Dana Rohrabacher, R-Long Beach, to review reports that Boalt uses waiting lists that are categorized by race.

According to a preliminary response to a list of questions submitted by the congressman, the department reported that between 1980 and 1988 the school grouped waiting lists according to race. The 1989 admissions waiting list did not include the grouping but did note each applicant's race.

"When you have a waiting list based solely on race, that's what the students are being

judged on," Rohrabacher said. "Judging people solely on the basis of race is illegal in this country."

DEAN DENIES RACIAL QUOTAS

Boalt Hall Dean Jesse Choper confirmed that the school uses waiting lists categorized by race, but he denied that they were used to establish racial quotas.

"We use our admissions process on the waiting list in part to achieve a diverse student body, and that requires some consciousness of race and ethnicity," he said.

The waiting lists, which included categories for American Indians, black, Chicanos, Chinese Koreans, Latinos and Filipino/Vietnamese, were used to meet the school's ranges for affirmative action goals.

The students are not judged solely on race, school officials noted. Criteria for admissions include grade-point average, score on the Law School Admissions Test, graduate studies, outside activities and work experience.

"According to Boalt Hall," the department wrote, "consideration of ethnic background means that 'an applicant's racial or cultural minority background may be considered a plus if he or she is a member of a group which has not had a fair opportunity to develop its potential for academic achievement and which lacks adequate representation in the legal profession.'"

COMPLAINTS FROM TWO SIDES

Choper said it was ironic that Boalt was being investigated for giving preference to underrepresented racial minorities a day after students staged a massive demonstration outside his office to object to what they say are weak affirmative action hiring and enrollment practices.

The Education Department also is investigating undergraduate admissions practices at UC Berkeley and undergraduate and graduate admissions practices at UCLA.

The investigation at Berkeley was prompted by charges from a Chinese American scientist that Berkeley discriminates against whites by admitting less qualified blacks and Hispanics.

Arthur Hu, a Sausalito computer expert, has said that the only way to prove discrimination against Asians is to prove discrimination against whites.

However, in a column in last month's Asian Week newspaper, Hu said that by increasing the proportion of students who are admitted by academic standards alone and by discontinuing automatic admission of all UC-eligible black and Hispanic applicants, "they've quietly fixed everything that I can legally complain about."

McGrath said the investigations into possible discrimination against Asian Americans at UCLA and at Harvard University "are nearing completion at this time."

CONGRESSMAN KILDEE SALUTES
ANTONIO OTERO

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues to join me in honoring Antonio Otero who was recently named "Hispanic Engineer of the Year" by the Hispanic Engineer National Achievement Awards Conference [HENAAC]. As director of manufactur-

ing, engineering, and quality at Buick City Assembly Center in my hometown of Flint, MI, Tony played an integral role in converting the 50-year-old plant into a world-class, state-of-the-art facility.

For his hard work and tremendous achievements, Tony richly deserves the national recognition he received at HENAAC's awards ceremony on October 12 in Los Angeles. In addition to his outstanding accomplishments as an engineer, Tony also serves as an exemplary role model for all youth across the Nation. This past week, the Mobil Corp. recognized Tony for encouraging young people to pursue a never-ending quest for quality. Mr. Speaker, I would like to submit Mobil's tribute to Tony that appeared in newspapers across the country. Only with tremendous people like Tony will our Nation continue to nurture the talent and attitude among our youth that is absolutely vital for lasting success in an increasingly competitive world economy:

ROLE MODELS

Suppose you're a white, male child. And suppose you live in a society where all the doctors are women. And all the business leaders are Asian. And all the important politicians are black. Would you dream of being a doctor or a business leader or a politician when you grow up? Probably not.

When it comes to grooming young minds for career success, strong role models are important—almost as important as good education and employment opportunities. And the better those role models mirror their audiences, the better they work.

Antonio Otero is about as good a role model as they come. A 1959 Cuban immigrant to the U.S., Otero received his bachelor's degree in mechanical engineering at age 28 and a Master of Business Administration degree a year later. He began his career at General Motors. A quarter-century later, he's still there.

Today, Otero is director of Manufacturing, Engineering and Quality at GM's Buick City Assembly Center. He was instrumental in fashioning this world-class facility from a group of 50-year-old plants. He converted the center's paint process, which improved environmental quality while it also produced slicker-looking vehicles. And he has been recognized for his ingenuity in marrying quality production to quality design.

The Hispanic Engineer National Achievement Awards Conference (HENAAC) has named Otero 1991 Hispanic Engineer of the Year. He is one of 18 top engineers from business, government and academia who were honored by HENAAC in Los Angeles on October 12 during Hispanic Heritage Month. The awards ceremony closed HENAAC's third annual forum, dedicated to "Success through Education" for young Hispanic men and women. More than 2,000 students, professional engineers, educators and employers attended to learn, advise, network, recruit—and meet role models.

Indeed, HENAAC recognized Otero not only as an exemplary engineer, but also as an exemplary role model. He makes no secret of wanting to see more Hispanics succeed at General Motors. To that end, he works actively with New Mexico State University to identify young Hispanic engineers and to offer them practical work experience through GM's summer internship programs. And he shares with these and other students his personal real-world insights. On quality, for example:

"Quality is not like running a race where, if you win, you receive your award and go

home. If you produce quality products, it does not stop there. Others will imitate you, so you have to keep running. That is a big challenge. In a way, it is a never-ending race."

His message is as true for careers as it is for cars.

Mobil has been a corporate sponsor of HENAAC since its inception, in part because HENAAC is about role models like Otero. They motivate talented young people very much like themselves to shoot for the top, in engineering and other fields, and to work for employers who'll see to it that they grow.

Besides Mobil, many other companies support HENAAC (and vice versa), and there's always room for more. For additional information about HENAAC, write to the organizers: Career Communications Group, Inc., 729 East Pratt Street, Suite 504, Baltimore, MD 21202.

"Success through Education: The Third Annual Hispanic Engineer National Achievement Awards" will be televised in November in 49 U.S. cities. Contact Career Communications Group for local dates, times and stations.

THE IMMIGRATION POLICY OF THE REPUBLIC OF CHINA ON TAIWAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. RANGEL. Mr. Speaker, I would like to address a subject that has caused me some concern. On my recent trip to Taiwan, I met with a number of their high ranking officials, including President Li Teng-Hui and Premier Hao Po-Ts'un. During the course of our meetings, I raised the question that has been of great concern to many Members of Congress and the citizens of the United States concerning a so-called blacklist of people who have been refused visas for admission into the Republic of China on Taiwan. I was told categorically that a blacklist did not exist, and that I would get a more detailed, written response to my query. Following is the response I have received from the Taiwan Government. I am forwarding the same to Chairman SOLARZ of the Foreign Affairs Subcommittee on Asian and Pacific Affairs. I would like to include this piece into the RECORD:

THE IMMIGRATION POLICY OF THE REPUBLIC OF CHINA ON TAIWAN

We have always welcomed overseas Chinese to return home. Under the principle of facilitating entry procedures to the ROC, we have provided all types of assistance to various overseas Chinese without discrimination, except those very few who believe in secession, who deny our sovereignty, who are violence-prone, and who attempt to subvert the government. These exceptions are made in full consideration of our overall national security and social stability. After we have accumulated enough evidence to indicate that those people would create clear and present danger to our national security and social stability, we can legally restrict their entry. This measure is necessary. All other countries in the world, including the United States, have similarly denied entry to terrorists and smugglers on the basis of safeguarding their own national security and interests.

A very small number of overseas dissidents, after having been denied entry to Taiwan, have been given to emotional outbursts, charging that we have a "blacklist" to restrict people's freedom of travel, which infringes upon their right to return to their native land. These charges are all false and need to be clarified. According to 1990 figures, only 13 out of all the cases of overseas Chinese applying for admission to Taiwan were rejected on the ground and with the proof that these applicants might use violence to subvert the government after entry. These 13 rejections cannot negate the fact that we guarantee the freedom of free entry and exit for two to three million people each year.

TURNING DOWN A HELPING HAND

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. CRANE. Mr. Speaker, in recent years there has been a great deal of public pressure for society to assist the homeless in their attempt to reenter society. Despite all the good intentions of the public and private initiatives intended to accomplish this purpose there continues to be a group who seem perpetually caught in their homeless condition. In his article on the homeless which appeared in the September 30, 1991 issue of Newsweek, L. Christopher Awalt suggests that the reason why there are such people who fail to escape their homelessness lies not with a lack of programs, but with the people themselves, who for various reasons choose a vagrant lifestyle. I submit Mr. Awalt's article on this issue to my colleagues who are concerned about the homeless and the inability of society to keep some of these people off the street:

BROTHER, DON'T SPARE A DIME

(By L. Christopher Awalt)

Homeless people are everywhere—on the street, in public buildings, on the evening news and at the corner parking lot. You can hardly step out of your house these days without meeting some haggard character who asks you for a cigarette or begs for "a little change." The homeless are not just constant symbols of wasted lives and failed social programs—they have become a danger to public safety.

What's the root of the homeless problem? Everyone seems to have a scapegoat: advocates of the homeless blame government policy; politicians blame the legal system; the courts blame the bureaucratic infrastructure; the Democrats blame the Republicans; the Republicans, the Democrats. The public blames the economy, drugs, the "poverty cycle" and "the breakdown of society." With all this finger-pointing, the group most responsible for the homeless being the way they are receives the least blame. That group is the homeless themselves.

How can I say this? For the past two years I have worked with the homeless, volunteering at the Salvation Army and at a soup kitchen in Austin, Texas. I have led a weekly chapel service, served food, listened, counseled, given time and money and shared in their struggles. I have seen their response to troubles, and though I'd rather report otherwise, many of them seem to have chosen the lifestyles they lead. They are unwilling to do

the things necessary to overcome their circumstances. They must bear the greater part of the blame for their manifold troubles.

Let me qualify what I just said. Not everyone who finds himself out of a job and in the street is there because he wants to be. Some are victims of tragic circumstances. I met many dignified, capable people during my time working with Austin's homeless: the single father struggling to earn his high-school equivalency and to be a role model for his children; the woman who fled a good job in another city to escape an abusive husband; the well-educated young man who had his world turned upside down by divorce and a layoff. These people deserve every effort to help them back on their feet.

But they're not the real problem. They are usually off the streets and resuming normal lives within a period of weeks or months. Even while "down on their luck," they are responsible citizens, working in the shelters and applying for jobs. They are homeless, true, but only temporarily, because they are eager to reorganize their lives.

For every person temporarily homeless, though, there are many who are chronically so. Whether because of mental illness, alcoholism, poor education, drug addiction or simple laziness, these homeless are content to remain as they are. In many cases they choose the streets. They enjoy the freedom and consider begging a minor inconvenience. They know they can always get a job for a day or two for food, cigarettes and alcohol. The sophisticated among them have learned to use the system for what it's worth and figure that a trip through the welfare line is less trouble than a steady job. In a society that has mastered dodging responsibility, these homeless prefer a life of no responsibility at all.

Waste of time: One person I worked with is a good example. He is an older man who has been on the streets for about 10 years. The story of his decline from respectability to alcoholism sounded believable and I wanted to help. After buying him toiletries and giving him clothes, I drove him one night to a Veterans Administration hospital, an hour and a half away, and put him into a detoxification program. I wrote him monthly to check on his progress and attempted to line up a job for him when he got out. Four months into his program, he was thinking and speaking clearly and talking about plans he wanted to make. At five months, he expressed concern over the life he was about to lead. During the sixth month, I called and was told that he had checked himself out and returned home. A month later I found him drunk again, back on the streets.

Was "society" to blame for this man? Hardly. It has provided free medical care, counseling and honest effort. Was it the fault of the economy? No. This man never gave the economy a chance to solve his problems. The only person who can be blamed for his failure to get off the streets is the man himself. To argue otherwise is a waste of time and compassion.

Those who disagree will claim that my experience is merely anecdotal and that one does not a policy make. Please don't take my word for it. The next time you see someone advertising that he'll work for food, take him up on it. Offer him a hard day's work for an honest wage, and see if he accepts. If he does, tell him you'll pay weekly, so that he will have to work for an entire week before he sees any money. If he still accepts, offer a permanent job, with taxes withheld and the whole shebang. If he accepts again, hire him. You'll have a fine employee and society

will have one less homeless person. My guess is that you won't find many takers. The truly homeless won't stay around past the second question.

So what are the solutions? I will not pretend to give ultimate answers. But whatever policy we decide upon must include some notion of self-reliance and individual responsibility. Simply giving over our parks, our airports and our streets to those who cannot and will not take care of themselves is nothing but a retreat from the problem and allows the public property that we designate for their "use" to fall into disarray. Education, drug and alcohol rehabilitation, treatment for the mentally ill and job training programs are all worthwhile projects, but without requiring some effort and accountability on the part of the homeless for whom these programs are implemented, all these efforts do is break the taxpayer. Unless the homeless are willing to help themselves, there is nothing anyone else can do. Not you. Not me. Not the government. Not anyone.

REMEMBERING TENNESSEE ERNIE FORD

HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. MINETA. Mr. Speaker, the United States lost a great entertainer last Thursday with the passing of Tennessee Ernie Ford.

Ford's country and western ballads, as well as his religious recordings, leave America a rich cultural legacy.

But what many people do not know, Mr. Speaker, is that Tennessee Ernie Ford also had a proud record of service in our Armed Forces.

During the Second World War, Ford was a bombardier in the Army Air Corps, flying B-29 missions in Italy.

The Air Force Association chapter in Sunnyvale, CA named itself in Ford's honor, and I am a proud member of that association.

Mr. Speaker, the funeral for Tennessee Ernie Ford will be held today in Palo Alto, where he had been living with his wife, Beverly, at the time of his death.

Tennessee Ernie Ford will be missed by everyone who knew him, and by everyone whose life he touched with his music, and with his service to this Nation.

I ask my colleagues to join with me in extending our sympathies to his wife and family.

IN HONOR OF JAMES LAWRENCE CLARK

HON. BOB McEWEN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. McEWEN. Mr. Speaker, I rise today to honor James Lawrence Clark, who at 92 is one of the most decorated surviving American veterans of the "Great War," World War I. A native of Adams County, OH, he is still living an active life in Portsmouth, OH, in the Hillview Retirement Center.

Just 11 days after the United States entered World War I on the side of the allied powers

by declaring war on Germany, Clark traveled to Cincinnati to enlist in the Marines. Although this was his first travel outside of Adams County, he was soon on his way to Parris Island for basic training, and finally Europe.

James Clark served in France from June 14, 1917, until February 22, 1919, including extensive combat action during the German Marine offensive and the Battle of Belleau Woods. It was during the Battle of Belleau Woods that Clark was wounded in action, which led to his spending 6 weeks in an Army hospital in Paris and 5 months in a hospital in Vichy. It was during this battle that the U.S. Marines earned the name "Teufelhunde" from the German soldiers, which means "Devildogs."

Mr. Speaker, James Lawrence Clark, a humble man, does not readily discuss the honors and commendations that he earned for his service in France, but the list is a long one. He was awarded the Distinguished Service Cross for gallantry in action, the Navy Cross, the Croix de Guerre, the Purple Heart, the Good Conduct Medal, the Victory medal, the Silver Star, and a citation from Maj. Gen. Omar Bundy for his bravery during the Battle of Belleau Woods.

Returning from Europe following his recuperation from his combat wounds, Clark got a job in Columbus, OH, and worked his way through Ohio State University. Graduating from the university's college of agriculture in 1923, became a highschool teacher and dedicated 27 years of service to Ohio public schools. This included 4 years as principal at Johnsville, in Morrow County, 8 years as superintendent at Coalton, in Jackson County, and 8 years as the executive head of the Rio Grande schools. After leaving school administration, he spent 15 years as an examiner with the State auditor, covering school and other public accounts in southeastern Ohio.

Mr. Speaker, along with his wartime service and his dedication to the educational achievements of young people in Ohio, James Clark has been active in the Methodist Church, a life-long Mason, and, of course, a proud member of the American Legion. I rise today with my colleagues in the House to honor this living "Teufelhunde" and decorated veteran of the "Great War" and wish him Godspeed in the days ahead.

THE UNIVERSITY OF CALIFORNIA, DAVIS WINS ITS 20TH CONSECUTIVE CONFERENCE TITLE IN FOOTBALL

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. FAZIO. Mr. Speaker, I rise today to recognize and honor the University of California, Davis for winning its 20th consecutive conference title in football. This year, the UC Davis campus commemorated this truly remarkable milestone in collegiate athletics at a celebration well-attended by Aggie football players representing all 20 of the conference title teams.

When UC Davis won its 15th consecutive football title in 1985, it snapped the NCCA

record held by the Bud Wilkerson-coached Oklahoma Sooners from 1946-59. The UC Davis conference title streak began in 1971 when Jim Sochor—a former quarterback at rival California State University, San Francisco—coached the Aggies to the Far Western Conference championship. Even with a name change of the conference to the Northern Athletic Conference in 1982, the Sochor-coached football teams continued to dominate on the field with a pro-style passing offense developed by Sochor and his staff from many years of study and Sochor's annual visits to National Football League training camps. The UC Davis football team has often competed against teams with bigger and stronger players, but this has not prevented the team from winning conference titles and reaching the Division II playoffs on several occasions.

The work of Sochor and his all-volunteer staff of assistant coaches paid tremendous dividends in 1982 as the Aggie football squad reached the National Collegiate Athletic Association Division II championship game. The Aggies were led by record-breaking quarterback Ken O'Brien who would later be drafted by the New York Jets in the first round of the NFL draft and continues to hold the team's starting quarterback position. A number of other players have gone on to career in the NFL including Mike Wise, Mike Moroski, Bo Eason, and Rolf Benirschke.

While Sochor handed over the reins of the Aggie football program 2 years ago in order to assume the athletic director's position at UC Davis, his replacement, longtime assistant Bob Foster, has continued the winning tradition so well established by Sochor. This month, the Aggies begin their quest for a 21st consecutive football conference title.

It would be difficult to find one reason which the Aggies continue to garner football conference titles, but the nonscholarship nature of the UC Davis athletic program may hold some clues. Prospective football players come to UC Davis to be students first and athletes second. Only when they meet the academic standards required of all students are they allowed to compete in football. Aggie football players have continually used the strong motivation and scholarship they display in the classroom to compete on the field. This has led to a current 50-game NCAC winning streak and a 105-3 league mark since UC Davis's 20-year unbeaten conference title record began in 1971.

I am honored to have the opportunity to recognize the UC Davis football program for its distinguished conference title record. I join my colleagues today in wishing the players continued success in the classroom and on the field.

FRANK CIMINO ELECTED SENIOR VICE-COMMISSIONER OF DISTRICT TWO CHAPTER OF DISABLED VETERANS OF AMERICA

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. KANJORSKI. Mr. Speaker, today I am honored to recognize an esteemed individual,

Frank Cimino, for his longstanding service to our community, State, and Nation. I would also like to congratulate Frank for recently being elected senior vice commander of the district 2 chapter of the Disabled American Veterans [DAV].

Frank Cimino's involvement with the DAV is impressive. He is presently an organizer and adjutant with chapter 129, where he has served as chapter commander. Frank also serves as a member of the executive committee of the Pennsylvania DAV.

In addition to his outstanding contributions to the DAV, Frank has displayed his leadership skills and dedication through the Veterans of Foreign Wars. He was a past district 12 commander, and now serves as adjutant and deputy chief of staff of the Department of Pennsylvania VFW. He is also a former national deputy chief of staff.

During World War II, he won several important medals, serving as both a runner during blackouts, and as a block warden. He served his country with honor in the Korean war, where he won the Soldier's Medal, the highest noncombat award given by the Army.

Frank Cimino's career in public service is also long and distinguished. In 1966, Frank was appointed borough director of civil defense by Governor Scranton, and he was later appointed to the State council of civil defense by Governor Shapp. Since the late 1960's, he has served many vital leadership roles in the Mount Carmel community, including auditor, councilman, and mayor. He also has served the State in several capacities. Clearly, Frank Cimino is an experienced and dedicated leader.

In addition, Frank devotes much time to his community on a more personal level. His long-time association with both the Boy Scout and Girl Scout organizations, as well as his former position as president of the Big Brother's Booster Association are testimony to his continued dedication to the youth of our community.

Frank has played an active role in other organizations, such as the American Red Cross, the American Cancer Society, Senior Citizens, and the Holy Name Society, just to name a few. It is no wonder that Frank was designated as Pennsylvania's "Service Man of the Year" in 1984, as well as winning the Northumberland County Medical Society's Benjamin Rush Award for human services in 1984. Certainly, no one was more deserving of these prestigious awards.

To say Frank Cimino is simply a public servant is a gross understatement. He has repeatedly displayed the qualities of leadership humility, and unselfishness during a lifetime of community achievement. I am heartened to know that Frank will continue to serve his community for many more years to come.

TRIBUTE TO FELIX S. MIKA

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Mr. Felix S. Mika. It is with

deep regret that I pay tribute to this man who passed away on October 15, 1991.

Mr. Speaker, this man was an example for us all. He was committed to his city as Youngstown's law director from 1954 to 1960. In this position, he fought against high utility bills for the city. He also served the State of Ohio as assistant attorney general from 1960 to 1963. Previous to this, he served his country in the Army Air Forces in World War II.

Mr. Mika also found time to be husband and father. Additionally, Mr. Mika served his community as a loyal Democrat as a member of the Mahoning County Democratic Central and Executive Committee.

Mr. Speaker, it is with my deepest sympathy that I offer my condolences to the family and friends of Mr. Felix S. Mika.

A TRIBUTE TO MYRON M. SLOAN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. ACKERMAN. Mr. Speaker, Myron M. Sloan is retiring after 22 years of dedicated service as the United Federation of Teachers District 25 Representative. I rise to pay tribute to a man who has faithfully worked in the New York City school system for 34 years, 31 as a member of the United Federation of Teachers executive board.

Mike has been active in the union since 1958, holding positions as delegate, chapter leader, executive board member and district representative. He was also a member of the Strike Network as a district chairman in 1960. During these early and challenging years, Mike was integral in building the United Federation of Teachers—the early labor disputes, the fight for collective bargaining and the first contract. It is now the largest local union in America.

In the early days of his career, Mike diligently and effectively taught and helped disadvantaged youngsters in east Harlem, bringing a satisfaction which I know has been among the most rewarding of his life. Yet teaching in a less disadvantaged district has also proved gratifying, where he has worked to motivate underachieving students and to encourage overachieving ones. His contribution to the community, however, would not be possible without the efforts of the union he helped build. With Mike's work, the United Federation of Teachers will continue to grow and prosper, and thus be in a position to improve education for the children and support its members.

Mike Sloan's efforts have already been recognized with the Eli Trachtenberg Award and the Albert Lee Smallheiser Award from the United Federation of Teachers, and the Jewish Teachers' Community Chest Award for educational leadership. I ask my colleagues to join me in saluting Myke Sloan for his tremendous service to the educational community.

DEFENSE AND TAX CUTS

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 21, 1991

Mr. GRADISON. Mr. Speaker, over the weekend the chairman of the Senate Finance Committee suggested that we make additional cuts in the defense budget to finance a \$72 billion tax cut. The Senator is promising more than we can, or should, deliver.

I believe it is going to be extremely difficult to come up with the 25-percent real cuts in Defense already incorporated into the 1990 Budget Agreement. Even if additional defense cuts are made, using any defense savings for anything other than deficit reduction is a violation of the budget agreement.

CBO's recent 10-year budget forecast shows that even if we stick to the budget agreement, we will be facing a significant budget deficit problem for the next decade.

If we're really interested in growth, we should focus on cutting the deficit. Reducing the deficit is the best way to encourage sustainable, long-term economic growth, and the best way to do that is to stick to the budget agreement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 22, 1991, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

OCTOBER 23

9:00 a.m.

Foreign Relations

Terrorism, Narcotics and International Operations Subcommittee

To continue hearings to examine allegations of drug trafficking and money laundering activities in the United States by the Bank of Credit and Commerce International (BCCI), focusing on narcotics and foreign policy implications.

SH-216

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans' Affairs to re-

view the Report of the Commission on the Future Structure of Veterans Health Care.

334 Cannon Building

9:30 a.m.

Agriculture, Nutrition, and Forestry

Business meeting, to consider pending calendar business.

SR-332

Governmental Affairs

To resume hearings to examine the employment and promotion opportunities in the Federal Government for women and minorities.

SD-342

10:00 a.m.

Banking, Housing, and Urban Affairs

Consumer and Regulatory Affairs Subcommittee

To hold hearings on restructuring the Resolution Trust Corporation (RTC), including a proposal by the Administration.

SD-538

Labor and Human Resources

To hold hearings to review the educational policies and practices of the fifty school teachers and principals named as America's best in 1991.

SD-430

2:00 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on miscellaneous energy and water development bills, including S. 1618, S. 724, S. 1370, S. 1806, S. 1812, and titles XII, XXI, XXII, XXVI, and XXVIII of H.R. 429.

SD-366

Foreign Relations

To hold hearings on the START treaty and to examine the future of nuclear arms control.

SD-419

Labor and Human Resources

Employment and Productivity Subcommittee

To hold hearings to examine issues relating to women in the workplace, focusing on discrimination practices that prevent women from advancing in their positions (referred to as "the glass ceiling").

SD-430

3:30 p.m.

Foreign Relations

To hold hearings to examine issues relating to Iraq's recent experience and possible directions for the future.

SD-419

OCTOBER 24

8:45 a.m.

Office of Technology Assessment

Board meeting, to consider pending business.

EF-100, Capitol

9:00 a.m.

Commerce, Science, and Transportation

To hold hearings on the nomination of Mary L. Azcuenaga, of the District of Columbia, to be a Federal Trade Commissioner.

SR-253

Foreign Relations

Terrorism, Narcotics and International Operations Subcommittee

To continue hearings to examine allegations of drug trafficking and money laundering activities in the United States by the Bank of Credit and Commerce International (BCCI), focusing

on narcotics and foreign policy implications.

SH-216

9:30 a.m.

Governmental Affairs

To hold hearings to examine the regulatory Federal agency review role of the President's Council on Competitiveness.

SD-342

10:00 a.m.

Banking, Housing, and Urban Affairs

To hold hearings on issues relating to funding of the Resolution Trust Corporation (RTC).

SD-538

Labor and Human Resources

Education, Arts, and Humanities Subcommittee

Business meeting, to mark up S. 1150, to authorize funds for programs of the Higher Education Act, and S. 1275, to authorize funds for the Office of Educational Research and Improvement, Department of Education.

SD-430

2:00 p.m.

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings on S. 144, to authorize funds to protect the natural and cultural resources of the Grand Canyon and Glen Canyon, and to continue hearings on H.R. 429, to authorize funds for the construction of the Buffalo Bill Dam and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming, focusing on titles XVI, XV, XVIII, and XXV.

SD-366

Labor and Human Resources

Aging Subcommittee

To hold hearings to review the failure and success of current mammography practice and to examine the need for stronger federal quality standards.

SD-430

3:00 p.m.

Foreign Relations

To hold a closed briefing on the Administration's plan for military assistance to Jordan.

SD-415

OCTOBER 25

9:30 a.m.

Veterans' Affairs

To hold hearings on the nominations of Allen B. Clark, Jr., of Texas, to be Director of the National Cemetery System, James A. Endicott, Jr., of Texas, to be General Counsel, Sylvia Chavez Long, of New Mexico, to be Assistant Secretary for Congressional Affairs, and Jo Ann K. Webb, of Virginia, to be Assistant Secretary for Policy and Planning, all of the Department of Veterans Affairs.

SR-418

10:00 a.m.

Foreign Relations

To hold hearings on the nominations of Curtis W. Kamman, of the District of Columbia, to be Ambassador to the Republic of Chile, Michael G. Kozak, of Virginia, to be Ambassador to the Republic of El Salvador, and Robert S. Pastorino, of California, to be Ambassador to the Dominican Republic.

SD-419

Foreign Relations
 Terrorism, Narcotics and International Operations Subcommittee
 To continue hearings to examine allegations of drug trafficking and money laundering activities in the United States by the Bank of Credit and Commerce International (BCCI), focusing on narcotics and foreign policy implications.

SH-216

OCTOBER 29

9:30 a.m.
 Labor and Human Resources
 To hold hearings on S. 1622, to revise the Occupational Safety and Health Act of 1970 to improve the provisions of such Act with respect to the health and safety of employees.

SD-430

Select on Indian Affairs
 To hold joint hearings with the House Committee on the Interior on H.R. 1476, to provide for the divestiture of certain properties of the San Carlos Indian Irrigation Project in the State of Arizona.

SR-485

10:00 a.m.
 Commerce, Science, and Transportation Merchant Marine Subcommittee
 To hold hearings to review Federal ship-chartering practices.

SR-253

2:30 p.m.
 Agriculture, Nutrition, and Forestry Agricultural Research and General Legislation Subcommittee
 To hold hearings on reducing foreign material limits in official soybean standards.

SR-332

OCTOBER 30

10:00 a.m.
 Environment and Public Works
 To hold hearings on the nominations of E. Gail de Planque, of New Jersey, to be a Member of the Nuclear Regulatory Commission, and Herbert Holmes Tate, of New Jersey, to be an Assistant Administrator of the Environmental Protection Agency for Enforcement and Compliance Monitoring.

SD-406