

## EXTENSIONS OF REMARKS

## LOCKING UP CRIMINALS: GETTING TO THE ROOT CAUSE OF AMERICA'S CRIME EPIDEMIC

## HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. COUGHLIN. Mr. Speaker, for too long critics of Federal, State, and local law enforcement criminal justice programs have gotten away with unsubstantiated charges that incarceration is a waste of money, that it has no impact on America's epidemic of crime and drugs. Fortunately, the American people know better. Simple common sense requires that repeat offenders of violent crimes must be locked up. Society demands and deserves protection from such people. The first civil right of every American is to be free from the fear of crime. Getting repeat offenders off the street inevitably saves money, saves lives, and reduces crime and violence.

There is increasing evidence to support the success of incarceration. An excellent article in the Washington Post on October 27, 1991—An Anti-Crime Solution: Lock Up More Criminals—reviews the latest data. The article examines the varying incarceration strategies of a number of different U.S. States. The author, Eugene Methvin, finds that those States who adopted an aggressive strategy to lock up repeat offenders experienced a reduction in crime, and those who chose to let prisoners out early to save funds, ended up with more crime and more suffering for their citizens.

Of course, incarceration is only one part of our Nation's struggle against drugs and crime. Education, treatment, and rehabilitation are also important. However, we cannot get to the root causes of our crime epidemic unless we clear from our streets, neighborhoods, and communities repeat offenders and plant them in a prison for a good, long time.

The article discussed above will be placed at this point in the RECORD.

## AN ANTI-CRIME SOLUTION: LOCK UP MORE CRIMINALS

(By Eugene H. Methvin)

[Eugene Methvin, a Reader's Digest senior editor, has reported on the U.S. criminal justice system for more than 40 years. He served on the 1983-86 President's Commission on Organized Crime.]

One of America's best-kept secrets is that our huge investment in building prisons—an estimated \$30 billion in the last decade to double capacity—has produced a tremendous payoff: Americans are safer and, as the Justice Department reported last week, crime has fallen steadily.

Moreover, some pioneering research and police field testing suggest that if we again double the present federal and state prison population—to somewhere between 1 million and 1.5 million—and leave our city and county jail population at the present 400,000, we will break the back of America's 30-year crime wave.

Liberal opponents will howl, of course. They have convinced many Americans that imprisonment is a failed policy and don't want to hear otherwise. The Edna McConnell Clark Foundation bombards influential media, declaring: "Our prison population has gone up by more than 200 percent in the last 15 years with no resulting decrease in crime." The director of the American Civil Liberties Union's National Prison Project, Alvin Bronstein, writes that "no jurisdiction has ever . . . had an impact on crime rates by an expanded incarceration policy." Washington Post columnist Colman McCarthy insists that prisons don't succeed but "work-release or community-service programs, structured therapy, in-prison job training, restitution, house arrests with electric monitoring and halfway houses do."

Other pundits and experts will point out that a numerical correlation—between increased incarceration and decreased crime rates—does not prove a causation and that other demographic variables may be at least partly responsible for the trend. They are usually the same people who nonetheless find correlations between crime and joblessness, poverty and illiteracy and who argue that public money is better spent addressing these "root causes."

Despite our high prison population, punishment for crime is near an all-time low, Texas A&M University economist Morgan O. Reynolds observes. He did a 38-year comparison of serious crime and probable punishment—that is, the expected days in prison as determined by the median prison sentence for all serious crimes and weighted by probabilities of arrest, prosecution, conviction and imprisonment. He charted the two lines from 1950 to 1988. His chart shows a big horizontal "X".

Probable punishment turned sharply down in 1954, and crime soared. Thus, in 1950 we had 1.8 million serious crimes, and the average criminal risked 24 days in prison. By 1964 imprisonment risk dropped in half, to 12.1 days, and crimes had increased to 4.6 million. By 1974, the criminals risked a mere 5.5 days in prison and America had 10.3 million crimes. Finally, in 1975, punishment turned slightly up, and the crime increase slowed. In 1988, the prison risk was 8.5 days and the number of crimes was 13.9 million.

"Why is there so much crime?" asked Reynolds. "The main reason is that crime pays for millions of criminals and potential criminals. Only 17 in 100 murders result in a prison sentence. The imprisonment rate for rape is 5.1 percent, for assault 1.5 percent and for auto theft only 0.3 percent . . . Even though police make 13 million arrests each year, less than 2 percent of them result in a prison sentence."

A related analysis produces similar conclusions. During the 1960s, total prison population fell for a then-historical peak of about 219,000 in 1961 to about 195,000 in 1968. During the same decade, crimes soared from 3.4 million in 1960 to 8 million in 1970, according to the FBI's Uniform Crime Reports (UCR) based on incidents reported to police.

Only after 1972 did the prison population start upward, surpassing the 1961 peak in 1975, then soaring to 771,243 by last Jan. 1. And, wonder of wonders, crime declined sig-

nificantly—whether measured by the FBI's long-standing UCR or by the Justice Department's National Crime Survey of households conducted by its Bureau of Justice Statistics (BJS).

The distinction between the two surveys is important. The FBI's UCR, begun in 1929, includes only crimes reported to police; in 1973 Justice began its scientific BJS surveys to estimate actual victimization totals, including crimes not reported to police—which the department estimated at 62 percent in 1990 (and more than half of all violent crimes). The two sets of figures frequently produce seeming contradictions and must be interpreted carefully. For example, the latest BJS report shows that the percentage of assaults reported to police increased from 43 to 47 in 1989-90—which alone would produce an increase of almost 10 percent in the FBI's reported assaults even if there were no actual increase.

Moreover, there are differences in crimes. Half or more murders and aggravated assaults are one-in-a-lifetime crimes of passion that involve acquaintances; robbery and burglary are almost always crimes of deliberation by predators who repeat and repeat and repeat. I rely more heavily on the latter two categories than on others when measuring the effectiveness of imprisonment rates. There are other variables as well. The crack cocaine epidemic, which began in 1985, clearly has produced an increase in criminality since then—including murderous battles over turf. Rape and theft remain the most underreported crimes of all, though efforts by police and victims groups to encourage rape reporting are having some success. And much depends on what year is used as a baseline.

Given these caveats, it is not surprising that the FBI could report this weekend that the number of reported crimes in the nation in the first half of 1991 increased 2 percent over the first half of 1990, continuing an upward trend evident since the mid-1980s—while the BJS could report last weekend that actual criminal victimization (reported and unreported) decreased 3.9 percent last year, continuing a "downward trend . . . that began a decade ago." Contradictory? Not really. They are describing different groups of crimes over different periods of time.

Both surveys, in fact, show a long-term downward trend. Even without adjusting for increased population, increased reporting to police or the crack phenomenon of the late 1980s, the FBI's reported murder rate for the 1981-90 decade declined 8 percent and the burglary rate 26 percent—though the robbery rate increased 5 percent. The broader BJS survey documents an overall 9.2 percent decline in violent crimes since its first survey in 1973; robbery is down 16 percent, burglary 41 percent and rape 33 percent. In sum, the BJS found, the rate of crimes against people was 25 percent lower in 1990 than in 1973 and the rate of household crimes 26 percent lower. The number of personal or household crimes, it added, fell from 41 million in 1981 to 34 million in 1990—a decline of 7 million in a decade.

Michigan, California and Texas in the 1980s have conducted revealing demonstrations of

\* 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.

contrasting "deprisonization" and "lock 'em up" policies.

Case 1. Michigan tried it both ways. In the late 1970s, legislators and voters refused to build new prisons, and the State soon was forced to deal with severe overcrowding. The governor granted emergency releases to 20,000 inmates in four years, some more than two years early. Michigan became the only state to record a prison population decrease in 1981-85, dropping from 15,157 in 1981 to 14,604 in 1984 but then jumping sharply to 17,755 in late 1985 after a Detroit Free Press series on early release of prisoners.

The violent-crime rate for Michigan reported by the FBI soared 25 percent, and public outrage mounted. Starting in 1986, a crash prison-building program doubled inmate population in five years. And, wonder of wonders, Michigan's crime rate dropped. Robbery and burglary rates fell more than 25 percent; in Detroit the decline was even more impressive—burglaries down 32 percent, robberies 37 percent. (Murders decreased at lesser rates—12 percent in the state and 4 percent in the city, an apparent anomaly probably explained by new and deadly warfare among crack cocaine gangs in Detroit, as in Washington.)

Success in Michigan wasn't cheap. The state voted \$888 million to build and expand prisons by 1992, and operating them costs additional millions each year. But there were savings too. In 1988, U.S. Sentencing Commission criminologist Mark A. Cohen calculated the cost of 10 crimes to their victims by combining direct costs such as lost property and wages with estimates of pain, suffering and fear based on known jury awards. Cohen calculated the cost of a rape at \$51,050, a robbery at \$12,594, an assault at \$12,028, a burglary at \$1,372. By this measure, the decrease in just two prominent "fear" crimes—robberies and burglaries—saved Detroiters \$113,546,000 in a single year.

Case 2. Since 1982 Californians have approved \$3.7 billion in bonds to build prisons. From 1980 to January 1991, inmate population quadrupled from 22,600 to 98,000. By the 1990s, murder, rape and burglary rates fell a whopping 24 to 37 percent from their 1980-82 peaks—which translates as an annual reduction of nearly a thousand murders, 16,000 robberies and a quarter of a million burglaries.

Case 3. Conversely, Texas learned that skimping on prisons inflates crime disastrously. Prison costs had soared because of a burgeoning inmate population, a doubling of the guard/prisoner ratio and a federal judge's order to make costly changes—some indisputably necessary, such as better medical care, but others of dubious value, such as free college courses. The yearly cost per prisoner would eventually rise from \$2,920 to \$14,000 in the '80s, but in an early effort to slow it, the legislature in 1983 adopted a turn-'em-loose-faster approach. Thus, while the imprisoned convict population grew by 2½ times, the average term served dropped from 55 percent of sentence to less than 15 percent and the number of convicts on parole increased by 21 times.

Texas A&M professor Reynolds calculated the consequences. The expected punishment for a serious crime dropped 43 percent (from 13 days to 7.4) from 1980 to 1989, though for the nation as a whole it rose by about 35 percent (from 5.5 days to 8.8) in roughly the same period. Factoring the probability of arrest, conviction and imprisonment, a potential criminal in Texas today risks little. Fewer than one out of every 100 serious crimes results in a prison term, and those

who land in prison serve an average of only 10 months. For murder an offender risks 24 months, for rape 5.3 months, for robbery 2 months and for burglary 7 days.

Result: The crime rate soared 29 percent in the 1980-89 decade, though nationally it dropped 4 percent, making Texas the second most crime-prone state. In 1980 no Texas city had ranked in the 20 worst America cities in property crimes; in 1988, 13 of the nation's worst 20 cities were in Texas.

If increased incarceration cuts crime, how many convicts should we keep locked away in this "land of the free"? When can we stop? And how much can we afford? We've spent an estimated \$30 billion to double our prison population in the past decade, and yet today our prisons crowd in perhaps 140,000 more than they should.

University of Pennsylvania criminologist Marvin Wolfgang compiled arrest records up to the 30th birthday for every male born and raised in Philadelphia in 1945 and 1958 and published a 1990 study comparing the two cohorts. In both, about 35 percent of the young men collected one arrest and most never tangled with the law again. The real hard-core predators were an astonishing small group of repeaters who were rarely punished; just 7 percent of each age group committed two-thirds of all violent crime, including three-fourths of the rapes and robberies and virtually all the murders. Moreover, this 7 percent not only had five or more arrests by age 18 but went on committing felonies and, for every arrest made, got away with about a dozen crimes.

Incredibly, only 14 percent of the first five arrests resulted in punishment; in the other 86 percent, no charges were brought. Even the 14 killers among the 1945 cohort averaged an appallingly lenient four years behind bars. Yet when punishment was tried, it worked. The few who were imprisoned committed fewer and less serious crimes afterward.

What can be done? Wolfgang's studies suggest that about 75,000 new young, persistent criminal predators are added to our population every year. They hit their peak rate of offenses at about age 16. Locking up all of them from the time of a third felony conviction until, say, age 30 would almost double our present prison population to about 1,230,000. But such long-term imprisonments may not prove necessary if punishment is applied early and consistently.

Another measure of the size of our hard-core criminal population comes from a Justice Department program begun in 1983 and based on the Philadelphia findings. Justice persuaded 20 cities to have their police, prosecutors, schools and welfare and probation workers pool information and focus on the worst offenders, generally youngsters with three or more arrests by age 18. A "serious habitual offender" (SHO) gets priority attention from probation authorities, and if he is arrested anew, investigators and prosecutors throw the book at him with escalating penalties (coupled with rehabilitation efforts) in an effort to stop the revolving door.

In all 20 cities, SHOs consistently comprised less than 2 percent of all juveniles arrested, or about 18 to 25 youngsters per 100,000 population. Thus, out of 250 million Americans, we would have a maximum of maybe 62,500 SHOs between their 14th and 18th birthdays at any one time. Putting them all behind bars until 30 after the third offense—or even permanently, as is the law in many states, though rarely enforced—would be a relatively inexpensive way to cut a huge chunk out of our still atrocious crime rates.

California's only participating city, Oxnard, began a concerted effort to get the city's active SHOs behind bars, and in 1987 violent crimes dropped 38 percent, more than double the drop in any other California city. By 1989 all 30 of Oxnard's identified active SHOs were behind bars—almost exactly the predictable total for a city of 130,000—and its citizens experienced the lowest crime of a decade. Murders declined 60 percent, robberies 41 percent and burglaries 29 percent.

Based on these social yardsticks, I'd hazard a guess that America's hard-core violent repeaters number upwards of a million. That in turn suggests that if we increase federal and state prison populations to between 1 million and 1.5 million and keep our jails (usually operated by cities and counties for misdemeanor sentences of a year or less) at the present level of about 400,000, we may see a sharp drop in our horrendous crime rates.

And what about those alternatives to imprisonment Colman McCarthy touts?

The American Institutes for Research in the Behavioral Sciences, a non-profit Washington think tank, studied 350 high-repeat Illinois delinquents and found imprisonment was significantly more effective in reducing subsequent arrests from their previous levels. Judges committed the 159 worst prospects to incarceration and sent another 191 to foster or group homes for community "treatment" programs; the latter recorded subsequent arrest reductions of 56 to 68 percent while those imprisoned registered 71 percent fewer. Moreover, those not imprisoned were free to continue committing untold crimes while in "treatment."

In short, lock 'em up and you slow 'em down. Turn 'em loose and you pay an awful price.

## WOMEN MUST TAKE A STAND ON HARASSMENT AS IT HAPPENS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. BURTON of Indiana. Mr. Speaker, I am today entering into the CONGRESSIONAL RECORD an article written by Andrea Neal, a columnist for the Indianapolis Star.

Ms. Neal writes a very illuminating article on the Judge Clarence Thomas confirmation hearings and on sexual harassment.

I hope all of my colleagues will take the time to read this article as I have found it is very insightful.

[From the Indianapolis Star, Oct. 12, 1991]

### WOMEN MUST TAKE A STAND ON HARASSMENT AS IT HAPPENS

The confirmation process for Judge Clarence Thomas is no longer about Judge Thomas or his fitness for the nation's highest court.

It has become a referendum on sexual harassment.

Those who oppose Judge Thomas are self-proclaimed defenders of women and the right to be free of discrimination in the workplace. Those who support him are painted as Neanderthals unwilling to take sexual harassment seriously.

Feminists and the women of Capitol Hill are indignant. A group of female House members marched to the Senate to complain that the men on the Judiciary Committee were insensitive to charges leveled at Thomas by former aide Anita Hill.

I am indignant, too.

I am indignant that Senate Democratic staff members went fishing for dirt in a desperate attempt to block Judge Thomas' confirmation.

I am indignant at the way the media have sensationalized and the Senate politicized some very private incidents that may or may not have occurred.

And I am troubled that Hill chose to speak out about Thomas' alleged advances almost a decade later—only as he got close to a seat on the United States Supreme Court.

#### MORE EXCUSES

There are many valid excuses for Hill's delay.

If she had complained at the time, she would have been fired.

If she had spoken out immediately, her colleagues would have viewed her as a troublemaker.

If she had blown the whistle, she would have blown her own chances of getting ahead.

Frankly, I'm tired of excuses.

We offer similar excuses for why women don't report rape. We're afraid we won't be believed. We're afraid the criminal justice system won't take us seriously. We're afraid we will be treated like the accused, not the victim.

By accepting these excuses, society ends up perpetuating the very myth women are battling: that we are weak and men are strong and that we must stay silent even in the face of comments or conduct we find offensive.

It is time to quit making excuses and to speak out.

There may be casualties along the way—lost jobs, missed promotions, failed court cases. But every time a victim goes public, it will be easier for the next one.

#### TIME IS UP

It seems to me there is a natural statute of limitations for sexual harassment charges. And that is for as long as a harassing workplace situation exists and a remedy is within reach.

Women have a duty to be honest about what we consider misconduct—at the moment it occurs, not 10 years later.

If a colleague demeans me, I will tell him. If a boss harasses me, I will report him. I will not laugh at a sexist joke unless I am amused. And when I make an inappropriate or sexist remark—as I am sure I will do—I hope my co-workers will tell me, too.

In the real world, people tell dirty jokes and say things that are stupid and off-color and occasionally harassing.

Do we have to live in fear that somewhere down the line someone will remember and take us to the mat?

With Judge Thomas, the stakes are a little higher than usual. And the truth more elusive.

But if we refuse Judge Thomas, who will prove acceptable?

Must all Supreme Court justices be like David Souter, the court's most recent addition, who brought to the bench no personality, no past writings, no girl-friends, no ex-wives and few, if any, real-life experiences?

The jury is still out on who is telling the truth in the Thomas-Hill dispute.

But for our next Supreme Court justice, I hope we end up with a real human being like Judge Thomas.

### H.R. 3697, THE EMERGENCY UNEMPLOYMENT COMPENSATION REFORM ACT OF 1991

#### HON. DAN ROSTENKOWSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. ROSTENKOWSKI. Mr. Speaker, at the beginning of this recession we were assured it would be a short and shallow recession. As the months have passed, we have learned what millions of America's workers have been learning first hand—this is a longer and deeper recession than anyone imagined.

The time for debating the finer points of unemployment benefit extensions has passed. The time for partisan bickering about budget busting and financial finagling has passed. The time for Congress to pass a fiscally responsible unemployment benefit bill and for the President to sign that bill has arrived.

The President said yesterday he will sign a bill similar to S. 1722, the bill he vetoed recently, if it meets two conditions: First, it must not break the budget summit agreement of last year; second, it must be paid for.

Mr. Speaker, today I am introducing a bill that meets the President's standards and that he should sign. It does not break the budget summit agreement, and it is paid for. It is similar to the bill the Committee on Ways and Means reported last week, H.R. 3575.

This bill differs from H.R. 3575 in four ways. First, it restores the 20-week tier of benefits for high unemployment States. Second, it replaces the proposed increase in the Federal unemployment taxable wage base with a provision making estimated tax payments conform more closely to a taxpayer's actual tax liability to finance the costs of the bill. Third, it provides appropriations of \$155 million for administrative costs to make sure the benefits are paid as quickly as possible. And, fourth, it provides extended railroad insurance benefits.

Mr. Speaker, it is time to deliver on our promises. The President has agreed with us that millions of American workers are hurting and that we need to extend unemployment benefits. I urge my colleagues to support this bill, and to pass it as soon as possible. America's workers have waited far too long for their Government to act.

### NAVAL AVIATION: THE CHOICE TO SINK OR SWIM

#### HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. CUNNINGHAM. Mr. Speaker, now and for the foreseeable future, American Naval aviation is in big trouble. One particular decision by a House-Senate conference—between funding the F-14D or the proposed F/A-18E/F combat aircraft—will determine whether America's capability to project military force from the sea will spend the next two decades sinking or swimming.

First, it is instructive to review the battlefield. To even the casual follower of American na-

tional defense, it is clear that the Navy has problems. The Stealth carrier-based aircraft of the future, the A-12, succumbed to huge cost overruns and technological problems. Then, the Air Force chose its next generation of fighter aircraft for the Air Force, the F-22 Advanced Tactical Fighter—an extraordinarily capable plane, but too large for use on carrier decks. True, the Navy has embarked on designs for a stealthy, new AX carrier-based attack aircraft. But that plane is nearly a generation away, provided that the money faucet keeps running, which is by no means certain.

While the Soviet Union declines as a military power, it is more than reasonable to question the importance of Naval aviation in America's defense planning. The House-Senate conference, and the Pentagon itself, are required to prepare a defense against not only the military threats present today, but to look into a crystal ball to identify tomorrow's military threats as well. The magnificent changes of the last few years indicate that such an approach is more guesswork than science. But the lessons of Desert Storm, a type of warfare which is much more likely than the conflict between nuclear superpowers which dominated our planning during the cold war period, teach us that a fast-moving, agile national defense provides us with the best protection for the future. Such an agile defense is best suited by a navy that can strike the enemy from the air. The primary Naval air attack missions, sending small, swift aircraft to destroy important military targets behind enemy lines and to protect vital sea lanes, will remain a necessary component of the wars of tomorrow, as much as we hope they will never occur. Notwithstanding the outstanding work of the Air Force in Desert Storm, we cannot count on the next military threat coming to a region waiting with hundreds of millions of dollars' worth of airstrips ready for our use.

In this environment, the House-Senate conference will decide the short- to medium-term future of Naval aviation. And in no instance is the choice more clear than between the F-14D and the F/A-18E/F. As a former fighter pilot myself, and as a Congressman responsible for wise stewardship of taxpayer dollars, it is my firm belief that the House-Senate conference committee should choose the upgraded F-14D.

Both of these aircraft are thoroughbreds with impeccable bloodlines, with the F-14 and F-18 having served well in training and combat missions for years. But there are important distinctions, especially between the more advanced versions which are under consideration now, the F-14D and the F/A-18E/F. Because the Navy has not procured a pure attack aircraft since the venerable A-6, a design now nearly 40 years old, and any AX attack plane is nearly a generation away, the F-14D and F/A-18E/F have been proposed to fulfill not just air combat requirements, but attack missions as well, until the AX is built.

In head-to-head comparison with the F/A-18E/F, the F-14D is faster and more maneuverable, with the ability to carry more advanced radars and a larger quantity of ordinance than the proposed F/A-18E/F, at a lower cost to the taxpayers. Furthermore, the F-14D has been fully tested and can go into production tomorrow, whereas the F/A-18E/F

requires major untested modifications not found in the current F/A-18. The F/A-18E/F paper airplane will require from \$6 to \$8 billion in time-consuming research and development before the first aircraft is delivered—money which would be better spent building and upgrading F-14D's.

Frankly, the debate in the House-Senate conference will mean little to Navy pilots, except to the extent that these proceedings will provide them with highly capable aircraft. Many of the characteristics of both the F-14D and the F/A-18E/F are highly technical, ranging from engine specifications to classified targeting electronics and so forth, so I will not review them in detail. But in my 300 combat missions over Vietnam, I learned that military effectiveness and the chances that I would survive depended not only on my own skill and training, but also on the speed and capabilities of my aircraft. Combat pilots since World War I have shared these values, the greatest of which is the truism speed is life—it is tactical advantage, and less time spent as a target over enemy airspace.

The pilots who live by the capabilities of these aircraft have much to say, and should carry a great deal of weight in the House-Senate conference debate. Once again, the choice is clear. The Navy's premier high-performance aircraft pilots—America's Top Guns—side strongly with the F-14D. Sixty Top Gun pilots signed a highly detailed letter on the issue, which has been widely distributed throughout the Pentagon. Allow me to pull out a few quotes:

The F-14D Super Tomcat is more capable than the proposed F/A-18E/F, is here now, and should be utilized to its full potential.

Surely the cost of research and development for the F/A-18E/F will far exceed that needed for upgrades to the F-14D that are already available.

It is irrational to wait for the introduction of an aircraft which could be 50 percent more expensive and possess less capabilities than the F-14D.

There is no question that, given the choice, the people who risk their lives in combat aircraft much prefer the F-14D over the F/A-18E/F. The F-14D is quicker, with greater range, and clearer eyes to see the enemy before the enemy sees us.

Now, while many nations enter a brave, new, and unsure world, and while pressures at home to reduce defense spending are greater than at any time since the Second World War, the House-Senate conference committee holds the reins of the Navy at a most critical juncture. The facts have been presented, and the process nears its end. Without the F-14D, America's ability to strike an enemy from the sea will undoubtedly be compromised; with it, the Naval aviation component of our national defense will remain an important deterrent to the Saddam Husseins of the future, whomever they may be.

May the conference, Congress, and the Pentagon choose well, and choose the F-14D.

## EXTENSIONS OF REMARKS

### GATOR INDUSTRIES HONORED AS ONE OF TOP 10 HISPANIC BUSINESSES

#### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, it is my great pleasure to recognize Gator Industries, which was recently selected as 1 of the 10 most important Hispanic businesses in Dade County by the Greater Miami Chamber of Commerce and the Hispanic Heritage Council.

Along with the other businesses, Gator Industries was presented with this award at the Omni International Hotel at a luncheon honoring these distinguished firms. The businesses were selected from a list of the 100 most important Hispanic firms in the United States, which was published in Hispanic Business magazine.

Greater Miami Chamber of Commerce President-elect Carlos Arboleya said that these firms were selected for their efforts on behalf of the Hispanic community and for their contribution to the economic development of Dade County.

Accepting the award for Gator Industries was Guillermo Miranda, Jr., who said that he represented his company's 950 employees.

I would like to take this opportunity to thank Gator Industries for the contribution it has made to the economy of South Florida, providing economic opportunity, economic development, and employment for the people of the Miami area.

### POPULAR MYTHS OF CORPORATE JAPAN

#### HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. BURTON of Indiana. Mr. Speaker, one of the biggest problems we face in dealing with the Japanese in the area of trade and investment is the unfair practices being employed by many, if not all, of the major Japanese corporations.

I am today inserting into the CONGRESSIONAL RECORD for the perusal of all my colleagues a copy of an article written by T. Boone Pickens who has some indepth knowledge of what it is like to deal with a major Japanese corporation.

I hope all my colleagues will take the time to read this article as I feel it is very illuminating.

OK, Toyota, OK, Koito. I give. After more than two years as the largest shareholder in Koito Manufacturing, it became clear to me that you will never grant my request for representation on Koito's board.

Yes, I was fed up with Toyota's stonewalling and moved on to other things. But I have moved on with a sense of accomplishment for exposing once and for all the link between Japan's closed corporate system and the "success" of Japan's economy.

As an oil man, I've drilled my share of dry holes, but I've always prided myself in knowing when to plug them. I decided to sell

November 1, 1991

Boone Co.'s 26 percent stake in Koito back to its former owner. I did not realize a profit, but there is an eminently valuable moral to my story. One that if not heeded by all Americans, promises to profoundly alter the very foundation of our economic system.

I will continue to fight the battle on other fronts. But the fight for a two-way economic street with Japan will ultimately have to be waged and won by our policy-makers. That will only happen when we accept the fact that Japan's economic success is the result of a rigged system. Then we must negotiate with the Japanese accordingly.

What I have learned as the largest shareholder of Koito is that most of the popular wisdom about the source of Japan Inc.'s incredible success over the past decades is pure myth. Japan Inc. is not smarter, more agile and more efficient than America—it is simply based on business principles that America spurned almost a century ago when we outlawed trusts, monopolies and cartels. We never said those principles did not work—the question was, work for whom and at a cost to whom?

Sure, I know why the Japanese prize their system of corporate cartels. Cartels are more efficient and give executives more control over everything from suppliers to the market. On the downside, though, cartels ultimately limit consumer choices and increase prices. Simply put, they are a beautiful way to get rich while squeezing out competitors and exploiting consumers. Unfortunately, since the competitors have to be squeezed out first, the consumers are the last to know, and by then it is too late. Anyone who reads the business section even once a week should know that is exactly what the Japanese are doing in America.

In Japan, these cartels even have a special name. They call them "keiretsu." Keiretsu are intricately interlocking webs of share-ownership and corporate board memberships that give a handful of Japanese corporations at the top of the pyramids virtual feudal control over vast networks of suppliers and workers.

It's clear Japan Inc. is not just transplanting factories in America but also its keiretsu system. It's just a matter of time before American consumers feel the keiretsu wrath just as the Japanese have.

In a report due to be released in May, the Mid-America Project identifies 61 companies in Toyota's American keiretsu and 60 companies in Nissan's American keiretsu. Data on more than 1,200 other Japanese companies operating in Mid-America continues to be collected and analyzed by researchers and evidence of other keiretsu activity is apparent.

The success of keiretsu is its ability to lock Americans out of Japanese markets while eliminating competitors in the United States. According to Commerce Undersecretary for International Trade Michael Farren, Japan has exported more than \$11 billion in auto parts to the United States during the past two years, while allowing only \$640 million worth of American parts into Japan. This figure alone accounts for 11 percent of our total trade deficit with Japan.

I'll remain an outspoken critic of Japan's keiretsu system. I've submitted testimony in the U.S. Federal Trade Commission investigation of whether Japan is violating our antitrust laws by exporting its keiretsu system to the United States.

I've urged Congress to continue pursuing Internal Revenue Service reports that Japan is dodging up to \$34 billion in U.S. taxes each year by underreporting the earnings of

keiretsu-member companies. Congress is also considering trade reciprocity legislation to close U.S. markets until Japan allows us access to its markets.

Boone Co. encouraged U.S. Structural Impediment Initiative negotiators to focus on keiretsu, resulting in Japan's pledge to make keiretsu "more transparent" by requiring disclosure of keiretsu ties. Now U.S. negotiators must make them honor their pledge.

We helped start the Mid-America Project that, with the support of unions representing 35,000 workers in a six-state region, is helping communities better understand the economic impact of keiretsu on Main Street.

We also led the call for Japan's government to pressure corporate Japan to increase the dividends paid to small shareholders and encouraged other shareholder rights.

Based on my experience in Japan, American policy-makers first will have to acknowledge that the Japanese government may be powerless in the face of keiretsus. All government officials we approached said Toyota is a power unto itself.

The United States should resolve that our antitrust laws are not only essential to our free enterprise system, but that they will be enforced wherever American commerce is at work. That means stopping cartels from selling products in our markets and halting the keiretsu invasion of our economy.

From a trade negotiating standpoint, we should sit down with the Japanese, show them a copy of the free trade agreement with Canada, and tell them we have six months to negotiate something similar or we start erecting trade barriers to match theirs. Investment reciprocity restrictions would be the first place to start. They can't invest here until we can do the same there. That should get their attention. Renaming Japan as an unfair trader under Super 301 is another place we can start.

But most importantly, the moral to my story is that we should stop blaming ourselves, see Japan's keiretsus for the unfair cartels that they are, and then threaten their very existence before it's too late.

## AMERICA SAYS NO TO MARIJUANA USE

### HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. COUGHLIN. Mr. Speaker, the war against drugs is a difficult fight. There is much we have yet to accomplish. However, there are times when it is appropriate to examine the progress we have made to date, as we continue to work toward total victory. I am pleased to report that in our effort to reduce domestic demand for illicit narcotics, indications are that we are headed in the right direction.

Numerous drug consumption surveys have indicated that use of all types of deadly drugs is on the decline. Equally important, people's attitude toward narcotics have also changed. Where once drug consumption was viewed by many as a harmless pleasure, it is now recognized as a dangerous and risky activity that jeopardizes one's health, as well as one's career.

There are many reasons for this change in behavior. They include strong law enforcement programs on the Federal, State, and local

level, as well as widespread education campaigns, especially the creative advertising initiatives of the Partnership for a Drug-Free America. Strong leadership from President Bush, and drug czars Bill Bennett and Bob Martinez, have ensured that initiatives to combat drugs gained the attention and resources they required to have a positive impact.

An excellent illustration of the progress we have made can be found in a front page story in the New York Times of October 29, 1991. The story discusses how and why Americans are now rejecting marijuana consumption. I strongly recommend that my colleagues review this article and I am inserting it at this point in the RECORD.

[From the New York Times, Oct. 29, 1991]

#### COSTLY AND SCARCE, MARIJUANA IS A HIGH MORE ARE REJECTING

(By Joseph B. Treaster)

Not long ago, hosts at some Upper East Side dinner parties would set out little silver bowls of home-rolled marijuana cigarettes along with the after-dinner drinks. Rock concerts unfolded under canopies of marijuana smoke, and the drug's syrupy aroma drifted across schoolyards and campuses, construction sites and corporate offices, public parks and private patios.

But as quietly and gradually as the widening of a waistline, America's infatuation with the herb of many names—grass, pot, dope, weed, ganja, sess, sens, smoke, skunk and, quaintly, in the long ago, Mary Jane—has been fading.

In New York and throughout the country, lighting up is no longer hip, not in high school, not at college, not at most social events and, with the advent of widespread random drug testing, certainly not on the job.

#### 'IT'S NOT COOL ANYMORE'

The great marijuana cloud has grown wispy as rebellion and the quest for nirvana have yielded to conformity and the struggle for survival, as health concerns and a vague fear of getting into trouble have risen above the desire to get giddy.

Part of the shift, undoubtedly, has also been because of relentless police pressure that has transformed an abundant drug once available for \$20 or \$30 an ounce into a scarce commodity selling in some quarters of New York for \$800 an ounce, more than twice the price of gold.

"It's not cool anymore," said a high school senior in Manhattan, capturing the mood of the 90's with the language of the 60's.

Although the glory days of the Beatles are generally remembered as the peak of the marijuana craze, the popularity of the drug gathered momentum through the 70's and stayed relatively strong until the late 80's.

Advocates insist that marijuana—the mildest and by far the most widely tried illegal drug in America—is no more harmful than alcohol, not even the latest strains, which are 10 times more potent than the grass of the flower children. Still, it has been as much a target of the national antidrug campaign as cocaine, heroin, LSD and barbiturates, and many people have clearly taken the warnings and prohibitions to heart.

No conclusive medical evidence on the long-term effects of marijuana has been developed. But Federal officials contend it is a steppingstone to other drugs. Many addicts do report that marijuana was their first drug. But legions of former smokers say they never went on to anything stronger. "Most of us," said one professional woman in her

mid-40's, "just dropped out of drugs and called it a day."

Ultimately, it seems, marijuana just does not fit the personal visions of growing numbers of New Yorkers and other Americans. Nor do most other drugs, including cocaine, alcohol and nicotine, all of which are being increasingly rejected.

Some of those most militantly opposed to marijuana and other drugs are schoolchildren who for several years now have been attending antidrug classes and watching antidrug messages on television. One junior high student in Queens said she had no interest in experimenting with marijuana. "It just doesn't seem like it would be fun or anything," she said. "We've heard so much about it, that it's horrible and stuff."

## PRESIDENT BUSH'S HISTORIC REMARKS AT THE MIDDLE EAST PEACE CONFERENCE

### HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. BROOMFIELD. Mr. Speaker, when historians of the future write about the recent convening of the Middle East Peace Conference in Madrid, they will rank it among the United States greatest diplomatic accomplishments.

In working to bring about the new world order marked by justice and respect for human rights, President Bush has accepted a challenge past administrations have shied away from—that of trying to resolve the long-standing Middle East problem. Although the road ahead is long, hopefully all parties to the dispute will negotiate in good faith so that the talks will bring progress. Both Israelis and Arabs would benefit from a new order of political stability and increased economic development in the Middle East.

Yesterday, Arabs and Israelis sat at the same table and talked with each other. I salute the President for accomplishing what many of us, only a few years ago, thought was impossible. Although success in the talks is not guaranteed, George Bush's vision of a future Middle East that is at peace with itself may someday become a reality.

I commend the following excerpts from President Bush's opening remarks at the Middle East Peace Conference to my colleagues in the Congress.

[From the Washington Post, Oct. 30, 1991]

#### "PEACE IS POSSIBLE" IN THE MIDEAST

MADRID.—Here are excerpts from President Bush's opening remarks at the Middle East Peace Conference.

We come to Madrid on a mission of hope to begin work on a just, lasting and comprehensive settlement to the conflict in the Middle East. We come here to seek peace for a part of the world that in the long memory of man has known far too much hatred, anguish and war. I can think of no endeavor more worthy or more necessary.

Our objective must be clear and straightforward. It is not simply to end the state of war in the Middle East and replace it with a state of nonbelligerency. This is not enough. This would not last.

Rather, we seek peace. Real peace. And by real peace, I mean treaties, security, diplo-

matic relations, economic relations, trade, investment, cultural exchange, even tourism. What we seek is a Middle East where vast resources are no longer devoted to armaments; a Middle East where young people no longer have to dedicate and all too often give their lives to combat; a Middle East no longer victimized by fear and terror; a Middle East where normal men and women lead normal lives \* \* \*.

I expect that some will say that what I'm suggesting is impossible. But think back. Who, back in 1945, would have thought that France and Germany, bitter rivals for nearly a century, would become allies in the aftermath of World War II? And who, two years ago, would have predicted that the Berlin Wall would come down? And who, in the early 1960s, would have believed that the Cold War would come to a peaceful end, replaced by cooperation, exemplified by the fact that the United States and the Soviet Union are here today, not as rivals but as partners, as Prime Minister Gonzalez pointed out?

No, peace in the Middle East need not be a dream. Peace is possible.

The Egyptian-Israeli peace treaty is striking proof that former adversaries can make and sustain peace. And moreover, parties in the Middle East have respected agreements, not only in the Sinai, but on the Golan Heights as well. The fact that we are all gathered here today for the first time attests to a new potential for peace \* \* \*.

Peace will only come as the result of direct negotiations, compromise, give-and-take \* \* \*. We come here to Madrid as realists. We don't expect peace to be negotiated in a day or a week or a month or even a year. It will take time. Indeed, it should take time—time for parties so long at war to learn to talk to one another, to listen to one another, time to heal old wounds and build trust. In this quest, time need not be the enemy of progress.

What we envision is a process of direct negotiations proceeding along two tracks, one between Israel and the Palestinians. Negotiations are to be conducted on the basis of U.N. Security Council Resolutions 242 and 338. The real work will not happen here in the plenary sessions but in direct, bilateral negotiations \* \* \*.

For Israel and the Palestinians, a framework already exists for diplomacy. Negotiations will be conducted in phases, beginning with talks on interim self-government arrangements. We aim to reach agreement within one year; and once agreed, interim self-government arrangements will last for five years. Beginning the third year, negotiations will commence on permanent status.

No one can say with any precision what the end result will be. In our view, something must be developed, something acceptable to Israel, the Palestinians and Jordan, that gives the Palestinian people meaningful control over their own lives and fate and provides for the acceptance and security of Israel.

We can all appreciate that both Israelis and Palestinians are worried about compromise, worried about compromising even the smallest point, for fear it becomes a precedent for what really matters. But no one should avoid compromise on interim arrangements for a simple reason. Nothing agreed to now will prejudice permanent status negotiations. To the contrary, these subsequent negotiations will be determined on their own merits.

Peace cannot depend upon promises alone. Real peace, lasting peace, must be based

upon security for all states and peoples, including Israel. For too long, the Israeli people have lived in fear, surrounded by an unaccepting Arab world. And now is the ideal moment for the Arab world to demonstrate that attitudes have changed, that the Arab world is willing to live in peace with Israel and make allowances for Israel's reasonable security needs.

We know that peace must also be based on fairness. In the absence of fairness, there will be no legitimacy, no stability. And this applies above all to the Palestinian people, many of whom have known turmoil and frustration above all else.

Israel now has an opportunity to demonstrate that it is willing to enter into a new relationship with its Palestinian neighbors, one predicated upon mutual respect and cooperation. Throughout the Middle East, we seek a stable and enduring settlement. We've not defined what this means. Indeed, I make these points with no map showing where the final borders are to be drawn. And nevertheless, we believe that territorial compromise is essential for peace \* \* \*.

Success will escape us if we focus solely upon what is being given up. We must fix our vision on what real peace would bring. Peace, after all, means not just avoiding war and the cost of preparing for it. The Middle East is blessed with great resources—physical, financial, and, yes, above all, human. And new opportunities are within reach if we only have the vision to embrace them \* \* \*.

I want to say something about the role of the United States of America. We played an active role in making this conference possible, and both the Secretary of State Jim Baker and I will play an active role in helping the process succeed.

Toward this end, we've provided written assurances to Israel, to Syria, to Jordan, Lebanon, and the Palestinians, and, in the spirit of openness and honesty, we will brief all parties on the assurances that we have provided to the other. We're prepared to extend guarantees, provide technology and support, if that is what peace requires. And we will call upon our friends and allies in Europe and in Asia to join with us in providing resources so that peace and prosperity go hand in hand \* \* \*.

We have seen too many generations of children whose haunted eyes show only fear, too many funerals for their brothers and sisters, the mothers and fathers who've died too soon; too much hatred, too little love. And if we cannot summon the courage to lay down the past for ourselves, let us resolve to do it for the children.

#### SWEENEY THIRD-GRADERS

### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. RICHARDSON. Mr. Speaker, during the August recess I spent an hour one afternoon reading to and conversing with a class of third-graders at an elementary school in my district. My visit was arranged by Partners in Education, a local organization which has been extremely successful in involving all segments of the adult world in the day-to-day workings of the community's public schools.

The class I visited with is designated for bilingual education, and I was asked to read in both English and Spanish. After the story, we

discussed the importance of reading and of proficiency in several languages, particularly in a multicultural State like New Mexico.

The children impressed me as bright, enthusiastic, and inquisitive. They asked about the duties of my office and whether I was rich and famous. Recently I received an envelope containing illustrated letters from each member of the class, thanking me for the visit. I would like to share a few of those with my colleagues:

DEAR CONGRESSMAN RICHARDSON: Thank you for reading to us. I really like the story. I really have been reading and I know it'll help me when I'm older. When I am older I'm going to be a teacher. I want to teach third grade.

Sincerely,

KRYSTAL PEREA.

DEAR CONGRESSMAN RICHARDSON: Thank you for coming and reading us a story. The story was very nice. I like the story Juan Camison. I saw you on T.V. I like you. You are very nice.

ERICA MONTOYA.

DEAR CONGRESSMAN RICHARDSON: The story was neat. The name was called Juan Camison. I saw you on TV. I got your autograph. Thank you for your spare time. I want to be a Congressman like you.

JAMES CATANACH.

DEAR CONGRESSMAN RICHARDSON: Thank you for coming to read to us I really like when you came to read I like the story you read to us it was really fun and I want to learn Spanish when I grow up. We are learning Spanish every day I'm getting better at Spanish.

Your my friend.

VICTORIA CROSS.

DEAR CONGRESSMAN RICHARDSON: You are a nice man. I wish you will come to our school again. I wish you will come to Santa Fe again. I like you very much. The end.

Your friend,

MICHAEL ROMERO.

Mr. Speaker, I recommend to my colleagues that they become acquainted with their pre-voting-age constituents. Both they and their letters are delightful.

#### MARGARET DAUGHERTY LEWIS

### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mrs. SCHROEDER. Mr. Speaker, how to provide the best health services for a variety of Americans is a question on everyone's mind. For the record, I would like to introduce to you Margaret Daugherty Lewis, one health care worker who is providing accessible and necessary health care for many Americans.

Margaret Daugherty Lewis hails from my hometown of Denver. She runs the National Association of Home Health Agencies, representing over 5,500 home health organizations. She has devoted her life to championing visiting nurse agencies and home health services. She has created programs that combine clinical and public health nursing. And, she has provided our community with well-trained

nurses equipped to service the medical, social, and mental needs of the community.

Margaret Daugherty Lewis will be inducted into the Health Care Hall of Fame on November 6. Her efforts toward providing comprehensive health care for Coloradans is much appreciated throughout the State and should serve as a model for us all.

#### TRIBUTE TO H. TOWNSEND HADER

### HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. SKELTON. Mr. Speaker, an outstanding Missourian and long time friend of mine, Judge H. Townsend Hader, of Lexington, MO, died October 28. Judge Hader was an associate circuit judge in Lafayette County. Judge Hader, who was affectionately known as "Chick," opened a law firm in Lexington in 1939 and was a member of the Aull, Hader & Sherman firm, also in Lexington, from 1965 to 1975. He was appointed a magistrate judge in 1975 and retired as an associate Lafayette County circuit judge in 1981. He was Lafayette County prosecuting attorney in 1949 and 1950 and Lexington city attorney from 1950 to 1956.

He was a member of the American Kansas City Metropolitan and Lafayette County bar associations and the Missouri Bar. He was a 1936 graduate of the University of Missouri-Columbia, where he was an outstanding member of the Missouri football team. He attended the MU and University of Wisconsin law schools. He received a law degree from Washburn University in 1938. He was a member of Kappa Sigma, the MU Alumni Association, the Kansas City Club, the Friends of Art and the Forty Years Ago Column Club.

He was president of the Lyons Foundation in Lexington. He was a member of the Lexington Masonic Lodge, Ararat Shrine, the Elks Lodge and the American Turners. He was an Eagle Scout, a charter member of Troop 2 of the Boy Scouts in Higginsville, MO, and a warrior in the Tribe of Mic-O-Say.

He was a member of Christ Episcopal Church, Lexington, and its vestry, and he was a lay reader at the church. He was an Army veteran of World War II and a member of the American Legion and the Veterans of Foreign Wars. He was born in Higginsville, MO, and moved to Lexington in 1939.

Judge Hader will be remembered for being an outstanding lawyer, as well as a compassionate, loyal friend. I know the Members of this body join me in extending sympathy to his wife, Jane.

#### BARTON DRUG TESTING AMENDMENT FOR MEMBERS OF CONGRESS

### HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. TORRICELLI. Mr. Speaker, today I would like to enter into the CONGRESSIONAL

RECORD the text of a letter written by Representative PETER DEFazio about the successful passage of an amendment to the dire emergency supplemental bill that requires a drug testing program for Members of Congress.

While I do not feel that drug testing for Members of Congress is necessarily a bad idea or that Mr. Barton's actions were a cynical exercise to embarrass his colleagues, I agree with the spirit and intent of this correspondence.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
October 30, 1991.

Representative JOE BARTON,  
Washington, DC.

DEAR JOE: You must feel a great sense of accomplishment with the passage of your amendment to the "Dire Emergency Supplemental" requiring the expenditure of \$50,000 for the possible mandatory random drug testing of Members of Congress. There are some who say this was a cynical exercise on your part in an attempt to embarrass or intimidate your colleagues and demean the institution. Knowing that you are an honorable Member of Congress, I will not attribute such base motivations to you. In that spirit, I would like to offer to you and those who supported your amendment suggestions to improve your program.

Are you aware that alcohol is the most abused drug in America? That leaves an awful big loophole in your "emergency" legislation. Your amendment will not address alcohol abuse unless it is implemented on a no prior warning, 24-hour per day basis—perhaps linked to a "no knock" or "good faith exception" bill.

Alternatively, an enhanced testing regime would get at the alcohol question. How about a million dollars or two for a voting card breathalyzer interlock system similar to that used on auto ignition systems?

I'd urge you to look at two additional tests in the same spirit that you proposed this test. First and foremost, you should recommend lie detector tests. Now I know that your administration found them unseemly when proposed for Justice Thomas, but don't let that stop you.

Finally and most importantly, I would recommend you lead the way by taking an I.Q. test.

Your Colleague,

PETER DEFazio.

#### INTRODUCTION OF THE STATEWIDE SUBSTANCE ABUSE ASSESSMENT AMENDMENTS ACT

### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. RANGEL. Mr. Speaker, today, I am introducing the Statewide Substance Abuse Assessment Amendments Act, a bill to improve the management and accountability of publicly funded substance abuse treatment programs supported under the Federal Alcohol, Drug Abuse and Mental Health Services [ADMS] block grant.

The ADMS block grant is the primary vehicle for Federal funding to States for substance abuse treatment. From 1986 to 1991, Federal spending on substance abuse programs under

the block grant increased four-fold, from approximately \$240 million to nearly \$960 million. As Federal spending for substance abuse treatment has grown rapidly in recent years, so have concerns about accountability.

At my request, the General Accounting Office [GAO] conducted a review of the ADMS block grant. Specifically, I wanted to know if Congress has the information it needs to determine whether the investment Congress is making in substance abuse treatment is being used for effective programs and services.

The GAO recently completed its study of the block grant. On October 17, 1991, at a hearing of the Select Committee on Narcotics Abuse and Control, which I chair, GAO presented its findings and recommendations.

Unfortunately, the results of GAO's study are not encouraging. Despite increases in Federal spending for drug treatment, GAO concluded that little information is available on the nature of State drug abuse treatment activities or on the quality and appropriateness of services. What information does exist is often not comparable from State to State because the data collected are not uniform. GAO also found that the Department of Health and Human Services [HHS] provides minimal oversight of State activities because of a departmental policy of deference to a State's interpretation of block grants requirements unless HHS finds that the State's interpretation is clearly erroneous. HHS adheres to this policy even though Congress, in 1988, repealed the provision of the block grant statute that had prohibited HHS from either prescribing the manner in which states should comply with the block's grant's requirements or establishing reporting requirements.

GAO also found that the Office of Treatment Improvement [OTA], which administers the block grants, is taking important steps to help States access their needs and improve the delivery of treatment services that are effective in reducing drug abuse. OTA's program is designed to provide for uniform data collection, technical assistance including the establishment of treatment program guidelines or performance standards called treatment improvement protocols, and monitoring of state activities. GAO concluded, however, that OTA's efforts to improve treatment services and increase State accountability for ASMS funds will be difficult to achieve because State participation is voluntary. Consistency with HHS policy to grant State wide discretion in meeting block grant requirements, implementation of OTA's program will be left to the States. GAO recommended that HHS exercise the authority granted by Congress to establish reported requirements for the States that will provide the information needed to determine if block grant funds are being used for effective programs and services.

In addition to GAO, the Select Committee heard testimony from Dr. Beny Primm, the head of OTA, and Arther Webb, director of the State of New York Division of Substance Abuse Services. Neither witness took issue with GAO's report, which was supportive of OTA's statewide systems development plan [SSDP], OTA's program to improve the accountability and effectiveness of treatment programs. OTA acknowledged that States currently lack the capabilities and resources to

conduct needs assessments and that without current data on the incidence and prevalence of drug abuse and treatment availability, States cannot target ADMS fund to areas of greatest need as required by the block grant. While supporting OTI's SSDP initiative and GAO's call for enhanced State reporting requirements to realize the full potential of OTI's program, Arthur Webb made clear that current economic conditions make it impossible for States to implement new Federal mandates without the dollars to carry them out.

The bill I am introducing today addresses the concerns raised in the GAO's report and the testimony at our hearing. It establishes as a requirement of the block grant that States conduct annual, statewide assessments of the extent of substance abuse and the capacity and utilization of treatment services in the State. Each State would be required to use the data collected in the assessments to target block grant funds to the areas of greatest need for substance abuse treatment within the State. The requirement for the assessments would be phased in over a 3-year period, and by fiscal year 1995, the conduct of annual statewide assessment would be a condition for a State's receipt of its block grant payments. The types of assessments required would include: incidence and prevalence studies of substance abuse among the general population of a State; incidence and prevalence studies of specified subpopulations which are intended to provide a clearer picture of substance abuse among groups frequently overlooked in general surveys such as pregnant women, criminal justice populations including youth in the juvenile justice system, and heroin addicts; and treatment capacity and utilization studies.

To assure that States have adequate resources to conduct these mandated needs assessments, the bill requires the Secretary of Health and Human Services to provide grants or contracts to States each year for these data collection activities. Funds for these grants and contracts would be reserved from amounts already set aside under the block grant for various services research, technical assistance and data collection efforts. The bill reserves \$13 million for these statewide assessments for fiscal year 1992, \$26 million for 1993, \$39 million for 1994 and not less than \$39 million for each subsequent fiscal year. These amounts are consistent with estimates by OTI of what these assessments will cost under its SSDP program.

In addition, the bill requires the secretary to provide technical assistance to the States to help States develop the expertise they need to conduct these needs assessments and utilize the data effectively. The costs of providing this technical assistance would be met out of funds reserved by the bill for the conduct of statewide assessments.

The bill also requires the Secretary to develop uniform criteria for these new statewide assessments. These criteria must be developed after consultation with the States and appropriate national organizations. This requirement is intended to ensure the collection of comparable data to permit analyses of substance abuse needs and services at the sub-State, State and national levels. It is also intended to ensure that implementation of the

statewide needs assessment requirement is a collaborative effort. States are expected to comply with reasonable requests for data. At the same time, OTI is expected to work cooperatively with the States and other Federal agencies involved in substance abuse data collection to assure a coordinated effort that meets State and local requirements as well as Federal needs for accurate, timely data without imposing undue burdens on the States.

The administration has called for States to prepare statewide treatment plans as a way of establishing greater accountability for State's use of substance abuse funds under the block grant. The needs assessments my bill would require provide the basic foundation a State must have before it can build an effective treatment plan. These assessments would establish the data collection and reporting requirements GAO says are needed so that State and Federal administrators and the Congress will have the information to determine if block grant funds are being used effectively to reduce substance abuse.

The GAO did not propose legislation to Congress because it concluded that Congress had already granted HHS sufficient authority to establish the reporting requirements GAO recommends. To date, however, HHS has failed to exercise the authority Congress has provided. My bill will require HHS to establish the data collection and reporting requirements GAO recommends to assure that block grant funds are targeted to areas of greatest need, as required by law, and are used for effective programs and services. These reporting requirements are also needed to successfully implement OTI's SSDP initiative for improving the accountability of block grant funds. In addition, my bill assures the availability of funds for this effort from funds now set aside in the block grant for data collection, services research and technical assistance. Much of these funds are currently being allocated for projects that are not directly related to management of the block grant and that could be funded under other authorities. It is time to make sure that these funds are used first to provide the information that we as policymakers need in order to know that our investment in substance abuse treatment is being used effectively.

I urge my colleagues to support this measure. The text of the bill follows:

H.R. 3696

To amend the Public Health Service Act to provide for assessments in each State of the incidence and prevalence of substance abuse and of the extent to which the availability, from public and nonprofit private providers, or treatment for such abuse is insufficient to meet the need for such treatment, and for other purposes.

H.R. 3696

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Statewide Substance Abuse Assessment Amendments Act".

#### SEC. 2. ESTABLISHMENT, IN PROGRAM OF BLOCK GRANTS REGARDING SUBSTANCE ABUSE, OR REQUIREMENT FOR STATEWIDE ASSESSMENT OF EXTENT OF SUBSTANCE ABUSE AND CAPACITY FOR TREATMENT.

(a) ALLOCATION OF APPROPRIATION.—Section 1911 of the Public Health Service Act (42 U.S.C. 300x) is amended—

(1) in subsection (b), by striking "For the purpose" and all that follows through "1923," and inserting the following: "For the purpose of carrying out section 509D, section 1916B, and sections 1921 through 1923,"; and

(2) by adding at the end the following new subsection:

"(c) For the purpose of carrying out section 1916B, the Secretary shall obligate, from the amounts reserved under subsection (b) for the fiscal year involved, \$13,000,000 for fiscal year 1992, \$26,000,000 for fiscal year 1993, \$39,000,000 for fiscal year 1994, and not less than \$39,000,000 for each subsequent fiscal year."

(b) STATEWIDE ASSESSMENT.—Subpart 1 of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.) is amended by inserting after section 1916A the following new section

#### STATEWIDE ASSESSMENT OF EXTENT OF SUBSTANCE ABUSE AND CAPACITY FOR TREATMENT

"SEC. 1916B. (a) For fiscal year 1995 and subsequent fiscal years, the Secretary may not make payments under section 1914 to a State for a fiscal year unless the State agrees to complete, by the end of the fiscal year, whichever of the following assessments the Secretary determines is appropriate for the State for the fiscal year:

"(1) An assessment of the incidence and prevalence in the State of substance abuse among the general population.

"(2) An assessment of the incidence and prevalence in the State of such abuse among subpopulations specified by the Secretary.

"(3) An assessment of the extent to which the number of individuals in the State seeking treatment for such abuse from public and nonprofit private entities in the State exceeds the number of individuals to whom the entities have the capacity to provide treatment.

"(b)(1) For fiscal year 1992 and subsequent fiscal years, the Secretary shall, from amounts available pursuant to section 1911(c), provide grants or contracts to States for the conduct of assessments described in subsection (a). Subject to the extent of the amounts so available, the Secretary shall in making the grants ensure that—

"(A) for fiscal year 1992, assessments described in such subsection are conducted by 1/2 of the States;

"(B) for fiscal year 1993, such assessments are conducted by 2/3 of the States, including each State for which the assessments were conducted for fiscal year 1992; and

"(C) for fiscal year 1994, such assessments are conducted by each State.

"(2) Paragraph (1) may not be construed as requiring that the Secretary, in making grants under such paragraph for any fiscal year, provide for the conduct by any State of more than one of the assessments described in subsection (a).

"(c) The Secretary shall provide to the States technical assistance regarding the conduct of assessments under this section.

"(d)(1) The uniform criteria developed by the Secretary under section 509D(d) shall include uniform criteria for conducting the assessments described in subsection (a). The Secretary shall ensure that each assessment conducted pursuant to this section is con-

ducted in accordance with the uniform criteria that are developed for the assessments, subject to paragraph (2).

"(2) Upon the request of a State, the Secretary may provide a waiver to the State of all or part of the requirement established in paragraph (1), subject to the Secretary ensuring that the data collected pursuant to the waiver will have sufficient utility for purposes of the program carried out under this section."

### SEC. 3. USE OF ASSESSMENTS BY STATES IN ALLOCATING BLOCK GRANT AMONG COMMUNITIES.

Section 1916(c)(19) of the Public Health Service Act (42 U.S.C. 300x-4(c)(19)) is amended by striking "will be targeted" in the matter preceding subparagraph (A) and all that follows through the semicolon at the end of such subparagraph and inserting the following: "will be targeted to communities in the State with the greatest need for treatment for substance abuse, as determined by the State after consideration of—

"(A)(i) data collected in the assessments conducted by the State under section 1916B; or

"(ii) with respect to any assessment under such section that has not been conducted by the State, such data as the State may possess on the categories of information with respect to which the assessment is to be conducted;"

### SEC. 4. RULE OF CONSTRUCTION REGARDING DELEGATION OF AUTHORITY TO STATES.

With respect to States receiving payments under subpart 1 of part B of title XIX of the Public Health Services Act—

(1) such subpart may not be construed as authorizing the Secretary of Health and Human Services to delegate to the States the primary responsibility for interpreting the governing provisions of the subpart, including delegating authority with the result that different States are permitted to reach different interpretations of any provision of the subpart; and

(2) the Secretary may not give any legal effect to section 50(e) of part 96 of title 45, Code of Federal Regulations (45 CFR 96.50(e)).

### OK FEDERAL FAMILY LEAVE BILL

#### HON. CHARLES A. HAYES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. HAYES of Illinois. Mr. Speaker, supporters of families look forward to the Congress voting on the family and medical leave bill soon. It is a shame that we have waited 7 years to get to this point. Opponents of the bill are a minority, yet they have been able to thwart the will of the majority of Americans as well as the majority in Congress.

I would like opponents to read this editorial from the Chicago Sun-Times and reconsider the prospect of voting against the will of millions of working people.

[From the Chicago, (IL) Sun-Times, Sept. 23, 1991]

### OK FEDERAL FAMILY LEAVE BILL

For nearly seven years, family advocates in Congress have been trying to fashion a family and medical leave bill that the White House could live with, gradually watering it down to the point where 96 percent of all businesses would be exempt.

Only those with 50 or more workers would be required to provide unpaid leaves for new parents, or staffers requesting time off to care for a seriously ill family member, under the latest compromise measure now working its way through the Senate.

Leaves would be limited to 12 weeks. It would cost employers no more than \$6 per covered worker per year to implement. And they could still deny leaves to "key employees," or to any who had worked less than 1,250 hours over the past 12 months.

There is little in it for President Bush, who has expressed concern about hardships on employers, to quibble with. It will still leave millions of Americans without this form of job protection, and small businesses with the right to do as they please.

In fact, the best that can be said of the bill may be that it's better than nothing.

But that is no small consideration when the United States stands alone, among the industrialized nations of the world, in failing to provide job-protected time off for new parents.

The Bush White House continued to hold the threat of a presidential veto over Congress last week, putting out the word that it still prefers "voluntary leave policies"—but Sen. Christopher S. Bond (R-Mo.) and his colleagues have largely defanged its arguments with this modest proposal.

They have bent over backward to produce a bill Bush can sign, if partisans in both houses sign off on it next month, as expected. And he should.

### PERM-FIVE PROGRESS IN MIDDLE EAST ARMS CONTROL

#### HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. FASCELL. Mr. Speaker, the Committee on Foreign Affairs has long championed and held special interest in promoting positive steps in arms control as a means of lessening tensions and regional instabilities, not only among the superpowers but in other regional flashpoints as well. One such volatile region that has consistently drawn the attention of the committee has been the Middle East and Persian Gulf. To that end and in the wake of Operations Desert Shield and Desert Storm, the committee developed and the House approved an important new legislative initiative calling for the implementation of a multinational arms transfer and control policy toward the Middle East and Persian Gulf region.

This initiative was included in both the State Department—H.R. 1415—and foreign assistance—H.R. 2655—authorization bills and initially opposed by some in the executive branch who interpreted this congressionally mandated proposal as an infringement on Presidential prerogative and authority. Withstanding those objectives, however, the committee continued to work in conjunction with the executive branch to produce a conference report that included a version of the committee's Middle East-Persian Gulf arms control initiative that was acceptable to the administration. To that end, I am pleased to inform my colleagues that on October 28, the President signed Foreign Relations Authorization Act for fiscal years 1992-93 into law—Public Law

102-138—and as such enacted this congressional call for greater multilateral restraint and arms control for the Middle East and Persian Gulf regions.

I am also pleased to report on other steps the administration has taken with regard to this most important issue. As I informed my colleagues last week (CONGRESSIONAL RECORD, October 24, pages E 3549-50), the permanent five members of the U.N. Security Council met in Paris on July 7 and 8, where they declared their intent to seek the elimination of the transfer of weapons of mass destruction [WMD] and missiles, and committed themselves to the creation of a universal register of arms under the auspices of the United Nations. These negotiations were followed upon by a second round of the permanent five in London on October 17 and 18 where they agreed to the adoption of common guidelines for conventional arms transfers to not only the Middle East but throughout the global community of nations. These negotiations will be continued in Washington early next week where hopefully, additional agreement can be obtained with regard to greater transparency and consultation among arms suppliers on both WMD and conventional arms transfers, especially those to the Middle East and the Persian Gulf.

In this regard, I am attaching to this statement, a copy of the London communique of the Permanent Five—the People's Republic of China, the French Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America—on arms transfers and nonproliferation. I am pleased to congratulate the President on the progress that has been achieved to date, and encourage him to continue in implementing the call of the Congress and as such the people of the United States, for the development and implementation of a multinational policy for bringing arms control to the Middle East and Persian Gulf regions.

### MEETING OF THE FIVE ON ARMS TRANSFERS AND NON-PROLIFERATION

1. In accordance with their agreement in Paris on 8 and 9 July 1991, representatives of the United States of America, the People's Republic of China, France, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics met in London on 17 and 18 October to take forward their discussions on issues related to conventional arms transfers and to the non-proliferation of weapons of mass destruction.

2. Recalling the statement which was issued in Paris on 9 July, they:

Agreed common guidelines for the export of conventional weapons (annexed). They expressed the hope that other arms exporting countries will adopt similar guidelines of restraint;

Agreed to inform each other about transfers to the region of the Middle East, as a matter of priority, of tanks, armored combat vehicles, artillery, military aircraft and helicopters, naval vessels, and certain missile systems, without prejudice to existing commitments to other governments;

Agreed to make arrangements to exchange information for the purpose of meaningful consultation, bearing in mind their shared concern to ensure the proper application of the agreed guidelines, and to continue discussions on how best to develop these ar-

rangements on a global and regional basis in order to achieve this objective;

Welcomed work at the United Nations General Assembly on the early establishment of a UN register of conventional arms transfers, and supported the current consultations on this issue between a wide range of UN members in which they are actively participating. They called for universal support for this work;

Noted the threats of peace and stability posed by the proliferation of nuclear weapons, chemical and biological weapons, missiles, etc., and undertook to seek effective measures of non-proliferation and arms control in a fair, reasonable, comprehensive and balanced manner on a global as well as on a regional basis. They reaffirmed the importance of maintaining stringent and, so far as possible, harmonized guidelines for exports in this area. They embarked on a comparison of their national export controls on equipment related to weapons of mass destruction and agreed to examine the scope for further harmonization of those controls. They agreed to pursue discussions at their next meeting on these subjects;

Agreed to continue discussing the possibilities for lowering tension and arms levels, including the development of further measures of restraint concerning arms transfers and ways of encouraging regional and global efforts towards arms control and disarmament;

Agreed to continue to give these efforts high priority and meet again in the new year in the United States to take forward their discussions, and to meet regularly thereafter at least once a year.

#### GUIDELINES FOR CONVENTIONAL ARMS TRANSFERS

The People's Republic of China, the French Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, recalling and reaffirming the principles which they stated as a result of their meeting in Paris on 8 and 9 July 1991, mindful of the dangers to peace and stability posed by the transfer of conventional weapons beyond levels needed for defensive purposes, reaffirming the inherent right to individual or collective self-defense recognized in Article 51 of the Charter of the United Nations, which implies that states have the right to acquire means of legitimate self-defense, recalling that in accordance with the Charter of the United Nations, UN Member States have undertaken to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human economic resources, seeking to ensure that arms transferred are not used in violation of the purposes and principles of the UN Charter, mindful of their special responsibilities for the maintenance of international peace and security, reaffirming their commitment to seek effective measures to promote peace, security, stability and arms control on a global and regional basis in a fair reasonable, comprehensive and balanced manner, noting the importance of encouraging international commerce for peaceful purposes, determined to adopt a serious, responsible and prudent attitude of restraint regarding arms transfers, declare that, when considering under their national control procedures conventional arms transfers, they intend to observe rules of restraint, and to act in accordance with the following guidelines:

1. They will consider carefully whether proposed transfers will: (a) promote the ca-

pabilities of the recipient to meet needs for legitimate self-defense; (b) serve as an appropriate and proportionate response to the security and military threats confronting the recipient country; (c) enhance the capability of the recipient to participate in regional or other collective arrangements or other measures consistent with the Charter of the United Nations or requested by the United Nations;

2. They will avoid transfers which would be likely to (a) prolong or aggravate an existing armed conflict; (b) increase tension in a region or contribute to regional instability; (c) introduce destabilizing military capabilities in a region; (d) contravene embargoes or other relevant internationally agreed to restraints to which they are parties; (e) be used other than for the legitimate defence and security needs of the recipient state; (f) support or encourage international terrorism; (g) be used to interfere with the internal affairs of sovereign states; (h) seriously undermine the recipient state's economy.

### MEXICAN INTEGRATED ENVIRONMENTAL BORDER PLAN

#### HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. COLEMAN of Texas. Mr. Speaker, negotiations between the United States, Mexico, and Canada with respect to a North American free trade agreement are currently underway. I wanted to bring to the attention of my colleagues an important speech by Mexico's Secretary of Urban Development and Ecology, Lic. Patricio Chirinos, concerning environmental programs along Mexico's northern border. I hope that Members will share my encouragement by Mexico's environmental initiative which was announced on October 23 in Ciudad Juarez, Chihuahua, Mexico. The speech follows:

#### MEXICAN INTEGRATED ENVIRONMENTAL BORDER PLAN

(By Lic. Patricio Chirinos, Secretary of Urban Development and Ecology)

First of all, let me thank the Honorable Governor Baeza and the Honorable Municipal President, Macias Delgado, for their fine hospitality and the great support they have provided to carry out this meeting.

Honorable Municipal Presidents: We have called this meeting, first of all, to express to all of you the appreciation of the Government of Mexico, for your valuable participation in the recent public consultation work carried out to analyze and enhance the Comprehensive Mexico-United States Environmental Border Program.

Second, to briefly review its progress and, finally, to inform you on some measures adopted by President Salinas, as part of the environmental strategy that we are implementing along the entire border.

As you know, since 1983, there has been a bi-national agreement between Mexico and the United States, La Paz Agreement, which has been in force to jointly attack the frontier's environmental problems. Based on that legal tool, President Salinas and Bush issued instructions in November of last year to proceed further through the development of the Comprehensive Program.

This is a program that the Environmental Protection Agency, on behalf of the United

States, and SEDUE, on behalf of Mexico, have been developing and preparing, bilaterally, with the objective of linking the effort from both countries to solve the complex environmental border problems.

The program has been conceived not as an exclusively federal tool but is rather based, in a decisive manner, on the efforts of State and Municipal authorities from both countries.

Furthermore, and as ordered by both Presidents, one of its conditions is the broad participation of the community: research and college education centers, the industrial sector, the unions, and, particularly, from non-governmental organizations more concerned with environmental problems.

Therefore, EPA and SEDUE, when we felt that we already had a working document as a base, decided to subject it to a public referendum, which, as you will recall, took place during the second half of September in 17 border cities, seven of which are located on the Mexican side.

The comments, criticisms and proposals made during the consultation meetings, are the basic raw materials for the development of the final version of this Comprehensive Program. In connection with this, I am pleased to inform you that, also on instructions from President Salinas, the version being prepared will be submitted, on the Mexican side, to a second public consultation process.

The reason behind it is straightforward. We do not want a bureaucratic program, developed from the capitals of both countries; what we want is a program that strictly responds to the priorities defined by the border community itself.

In other words, we want a program sanctioned in the border, and only when it is ready will EPA and SEDUE submit it for consideration by Presidents Salinas and Bush. I want to clarify that once the works, the schedules and the responsibilities have been outlined in the final version, the exact amounts and financing sources for the program will be defined. We expect that this will take place, at the latest, next January.

However, it is clear that we are not going to wait to see the final document to begin the basic works that, as you have pointed out, cannot be delayed; and that, regardless of the final structure of the Program, we agree are priorities.

We all know—and that is one of the issues that was stressed during the previous consultation—that the bottom line of many environmental problems are those inherent to urban development.

Measures to deal with the treatment of waste water; solid waste—particularly toxic waste—and conditions for its control and final disposal; the orderly growth of cities and their adequate installations; and, of course, environmental pollution produced by vehicles, which is increased by deficiencies in roads and in public transportation.

In view of these circumstances there are works that cannot be postponed. That is why I want to inform you that President Salinas has instructed us to channel, along the entire border, between 1992 and 1994, an investment close to 1.4 trillion pesos, i.e., approximately US\$460 million.

Presidential instructions are very clear: to support the State Governments and above all, you, Honorable Municipal President, who know the problems and the needs of your communities best. Therefore, let me then point out the following: Measures ordered by the President of the Republic of Mexico in support of the comprehensive program.

Sewage and Waste Treatment Plants. It is a priority to stop water pollution and streamline its use in this area where the resource is particularly scarce. It is necessary to have efficient sewage systems and adequate treatment plants in order to treat and, whenever possible, reuse waste water. To that effect, 671 billion pesos (US\$220 million) will be invested over the next three years.

Municipal Solid Waste. The accelerated increase in population in border cities and the proliferation of industries and services have rendered insufficient the waste collection, treatment and disposal system, including toxic waste.

Thus, for the first stage, investments of close to 78 billion pesos (US\$30 million) are planned to expand the collection capacity and to construct sanitary landfills in the main border cities.

Transportation and Roads. Improving circulation and vehicle fleet conditions, particularly in areas of heavy traffic, is an essential step in attacking environmental pollution. We are planning to work in two directions:

First, through the construction or improvement of roads, bridges and border crossing. We will invest 360 billion pesos (US\$120 million), with emphasis on the seven cities with the most movement of transportation.

Second, more than 155 billion pesos (US\$52 million) in credit lines will be established for private/public transportation ventures.

Creation of Territorial Reservations. The demographic dynamics of the border cities require adequate services and the timely prevention of negative environmental impacts. To that effect, 132.5 billion pesos (US\$40 million) will be set aside to acquire 3,185 hectares of land across the frontier border.

I wish to highlight only some of the more immediate actions with greater environmental benefits, which represent the scope of the effort. As soon as 1992 the following actions will be carried out.

#### PRIORITY WORKS

For instance, here in Ciudad Juárez, construction will begin on a high-capacity treatment plant, and the sewage system coverage will be expanded, all of that at a cost of 32.184 billion pesos (US\$10 million).

Besides, more than 13,570 billion pesos (US\$4 million) have been programmed for the construction and equipping of a transfer unit, acquisition of transport units and heavy equipment for sanitary filling.

In this city, works will also begin for a 33-km expansion of the road network, traffic control devices, paving, and bus stops, at a cost of 20 billion pesos (US\$6 million), and the establishment of 300 hectares of territorial reserves, at a cost of 12 billion pesos (US\$4 million).

In Tijuana, all primary sewage network collectors will be completed, to which 24,000 residential discharges will be added. Besides, all IDB/Tijuana Project goals will be completed. This represents a total investment of 42.8 billion pesos (US\$14 million). In accordance with the International Commission on Borders and Waters, a binational plant for waste water treatment will be initiated in that city, planned for next year.

On the other hand, in order to improve road influx and border crossing traffic from Tijuana, 27.5 billion pesos (US\$9 million) will be invested; yet another 16.223 billion (US\$5 million) will be directed through loans to improve public transportation.

In Mexicali, initiation of the Mexicali Project II, which includes a sewage system for the eastern part of the city; rehabilitation of collectors in the downtown area; and

the expansion of the treatment plant, more than 26.8 billion pesos (US\$8.6 million) will be allocated; to increase paving and road improvement coverage, another 14 billion pesos will be channeled, as well as loans in excess of 11.2 billion pesos (US\$3.8 million) to modernize transport.

It is worth clarifying that territorial reserves in Mexicali and Tijuana are in addition to the 1,770 hectares recently established under instructions from President Salinas for low-income housing.

In San Luis Rio Colorado, construction of a treatment plant will begin and sewage coverage will be increased by investing 9.27 billion pesos (US\$3 million); to solve the problems of municipal waste, 4.22 billion pesos (US\$1.4 million); and to improve and adequate the road network, 5.65 billion pesos (US\$1.8 million).

In Nogales, come November, the expansion works of the international treatment plant will be completed so that it operates at twice its original capacity; and the expansion of the collector system for the southern area will be completed, with resources amounting to 5 billion pesos (US\$1.6 million).

In the same municipality, 5.53 billion pesos (US\$1.8 million) will be invested in the purchase of collection equipment and construction of sanitary landfills; 11.3 billion pesos (US\$3.6 million) will be invested in the pavement and improvement of roads.

In Piedras Negras, the construction of a treatment plant and the expansion of sewage coverage is planned at a cost of 10.8 billion pesos (US\$3.6 million); to improve collection and waste disposal 4.5 billion pesos (US\$1.5 million) will be allocated; investment for roads will be 3.6 billion pesos (US\$1.2 million).

In Nuevo Laredo, the comprehensive project already in progress to sanitize Rio Grande will be accelerated, beginning with the construction of a treatment plant and a pumping station, investing close to 42 billion pesos (US\$14 million) from which 6.658 billion pesos (US\$2 million) will be set aside to solve solid waste problems.

In Reynosa, in addition to the expansion and rehabilitation of the treatment plant, measures will be taken to develop the sewage system allocating 13.4 billion pesos (US\$4.4 million) for this purpose; an investment of approximately 6 billion pesos (US\$2 million) to purchase vehicles and heavy equipment for sanitary landfills to improve waste collection and disposal has been planned.

In that same city, roads will be improved with an investment of a little more than 15.6 billion pesos (US\$5.2 million) and 150 hectares of territorial reserves will be established, at a cost of 6 billion pesos (US\$2 million).

In Matamoros, an investment of almost 19 billion pesos (US\$6 million) will be set aside to construct a treatment plant and expand sewerage coverage; for the acquisition of containers, collection vehicles and heavy equipment for sanitary landfills, close to 6 billion pesos will be invested (US\$2 million); to improve and expand pavement coverage of the road network, more than 15.6 billion pesos (US\$5.2 million) will be channeled.

#### BORDER CROSSING ROADS

The improvement of border crossing roads is basic to decongest and speed up passenger transportation and cargo operations. This is essential to decrease environmental pollution indices. An example of this is the crossing in Ciudad de Colombia, Nuevo León which will be provided with the physical infrastructure and roads to decongest other points such as Nuevo Laredo and Reynosa.

To that, add the construction of bridges in Julio Blanco, Tamaulipas, and those planned for Mexicali, Laredo, Piedras Negras as well as the expansion of others in Tijuana and Chihuahua.

#### ENVIRONMENTAL CONTINGENCY FUND FOR THE NORTHERN BORDER

During consultations with area residents, they emphasized as their highest priority the need to strengthen the capabilities of State authorities to respond to emergency environmental situations, i.e., those not foreseen in normal planning and which, by their nature, require immediate applications actions.

Thus, I am pleased to inform you that a reimbursable and permanent environmental contingency fund has been established in the northern border cities in the amount of approximately 12 billion pesos (US\$4 million) which will be operated by BANOBRAS.

#### STRICT APPLICATION OF THE LAW

Another but no less important issue resulting from our discussion with the residents of the northern cities is the question of environmental management. That is, the necessary tasks to ensure efficient enforcement of the law throughout the border area.

In this sense, I wish to inform you that SEDUE has been working at a fast pace to decentralize functions and heighten the ability of all our Regional Delegations in the area. We will increase twofold our inspection teams, which at present are being recruited and adequately trained.

In other words, by January 1992, we will have an inspection corps of 200 qualified technicians whose fundamental mission will be to ensure strict compliance with regulations, based on orientation and advisory services to the companies. Only those businesses that do not want or cannot comply shall be subject to penalties.

In this process, we have determined that certain tasks must be decentralized, a function that should no longer be managed centrally, including the issuance of ecological manuals here at the border. Therefore, I have given instructions so that, effective November 15, that function will be transferred to the Delegations. This measure will help speed up the border environmental management.

We will strengthen our information systems. To that end, in 1992 all SEDUE border delegations will have computer networks and data bases.

Thus, in cooperation with EPA and the cooperation of Customs authorities in both countries, we will keep stricter control on border crossings of raw materials and dangerous wastes. With the present information scheme, in three years we have prohibited imports to the country of close to one million tons of hazardous substances.

Environmental inspection, linked to the information exchange mechanism, will be a decisive factor to, on the one hand, avoid illicit traffic of materials and hazardous waste toward our country and, on the other, to ensure—as established by Law—that in-bond plants return their waste to the country of origin.

This last aspect will be strengthened through increasing regulation of the maquiladora plants industry, as to environmental regulations and guidelines. There is already impressive progress. In 1989, one year after enactment of the ecological legislation, only 6% of the industries had met the requirements for operating licenses; today, that percentage represents 54.6%.

Likewise, last year only 30% of maquiladora plants generating hazardous

waste declared them; today, this is reported by 55%. Previously, only 14.5% returned their waste; today 31% do so.

I can assure you that, by December 31st of this year, the 1,455 maquiladora plants operating at the border must have their corresponding operating license.

SEDUE will channel in 1992, only for the border area, resources in the order of 19 billion pesos (US\$6.33 million) which, added to those allocated for these areas by other Federal agencies, will reach 50 billion pesos (US\$25 million). This is an amount without precedent, especially for SEDUE investment, which, with an approximate increase of 450% in comparison with 1991, will be basically geared toward monitoring and environmental control tasks and not operating expenses.

#### PRIVATE SECTOR PARTICIPATION

It is clear that environmental management cannot rely exclusively on public resources. That would only lead to inefficiency and undesired expansion of the administrative and bureaucratic apparatus.

It is time to pave the way toward a scheme that involves private individuals, technicians and professionals, so that, gradually, they take charge of the advisory, auditing and environmental inspection tasks. This will translate to greater efficiency at SEDUE, while at the same time opening a vast field of work for society. We are already making progress in this area.

Additionally, as it is already happening here in Ciudad Juarez, foreign and domestic private companies have offered to participate in the water treatment plant that will be initiated in 1992, assuming part of the financing and the management.

Private participation is also taking place with respect to purchasing of urban land for low-income housing. Ways and means are being defined to establish trusts for this purpose; and even to expand, those from the public sector. For instance, in the case of Mexicali and Ciudad Juarez, close to 300 hectares will be built with participation from the private sector.

The same criteria will be applied to construction and expansion of primary roads—such as it is being used on the national highway network—and in the waste treatment systems, as is planned in the cities of Mexicali, Nuevo Laredo and Matamoros.

The methods to expand private sector participation are: long term licenses and permits; management and public works contracts; bonds issued by State or Municipal Governments; organization of joint ventures or consumer cooperatives. This is the call being made to private investment.

This is an investment field that has already been successfully broadened in several countries of the world, and is essential for Mexico, especially here in the border area.

Within the framework of this Program, there is a core aspect that, no doubt, is one of the most important demands from the public, and, particularly, from the border population. This is: not to accept any new project, domestic or foreign, if it does not strictly comply with environmental safety criteria. This is already a Government commitment with which we will have to comply.

In this and other objectives of the Program, the role of State authorities and especially of the Honorable Municipal Presidents, will be essential. You all are well aware that, while decentralization is necessary for domestic development, with respect to environmental issues, it is an essential condition.

In closing I would like to point out that the Undersecretary for SPP is here with us

today, as well as the General Directors of CONAGUA, NAFINSA and BANOBRAS, all Federal Government agencies which, besides SEDUE, will maintain direct contact with you in the implementation of the Program and thus guarantee full compliance with the instructions issued by the President of the Republic.

### DON'T LET AFFORDABLE HOUSING BECOME A THING OF THE PAST

HON. PAUL B. HENRY

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. HENRY. Mr. Speaker, I rise today with good news and bad news. The good news is from my Fifth District of Michigan, where in just a few days ground will be broken on a special project. The Inner City Christian Federation of Grand Rapids, in partnership with Old Kent Financial Corp., will begin construction of 30 three-bedroom homes for low-income families. This collaboration is one of the first of its kind and stands as a national model.

A major portion of funding of the Pleasant-Prospect Homes project is possible because Congress, in 1986, established the low-income housing tax credit program. Old Kent Financial Corp. will receive tax credits for its \$1.25 million investment in the \$2.3 million project.

I submit Mr. Speaker, that this is precisely the type of private sector involvement that I and my colleagues on both sides of the aisle so strongly support. A corporate good neighbor working with a concerned community organization to put roofs over families' heads. But, now for the bad news.

Mr. Speaker, this tax credit program is due to expire at the end of the year. How can we let this happen? How can we slam the door on private sector dollars at the moment the poor need help most? Even if the tax credit program is reinstated at a later date, investors' confidence could be irreparably damaged.

We must not let this session come to a close without renewing the low-income housing tax credit program. Furthermore, I urge my colleagues to make it a permanent renewal. If we don't do this now, we will be turning our backs on people who truly need our help.

Following is the statement announcing this project, Mr. Speaker, and I urge you to take every possible action to see that the extension and renewal of tax credits to meet the housing needs of low-income Americans is renewed before this session of the Congress recesses for the holidays.

#### ICCF AND OLD KENT FINANCIAL CORPORATION FORM PARTNERSHIP FOR CONSTRUCTION OF AFFORDABLE HOUSING

Inner City Christian Federation [ICCF] and the Old Kent Financial Corporation have entered into a unique partnership that will result in the construction of 15 new duplexes on scattered sites within a fifteen square block of Southeast Grand Rapids. Old Kent will provide equity as the limited partner and receive certain low-income housing tax credits.

The project has been named Pleasant-Prospect Homes after two of the streets in the target area. When completed the project will provide 30 units of affordable rental housing

to persons earning less than 50 percent of the area median income. Fifty percent of the area median income for a family of four is \$20,150. Great care has been exercised in designing buildings which are consistent with the architectural character of surrounding homes. When completed these units will be highly desirable for their exterior appearance and their interior layout. Off-street parking and adequate play space for children are other features of the project.

The total cost of the project, including construction, fees, rental assistance, and operating reserve, is estimated to be \$2.3 million. It will be financed in three ways. The Old Kent Financial Corporation will invest \$1.25 million in the project. Old Kent will receive tax credits and tax losses from the project over the next 15 years in exchange for its investment in the project. ICCF has received approval of a mortgage loan of approximately \$850,000 through the Michigan State Housing Development Authority's (MSHDA) Neighborhood Preservation Program. ICCF has also received a \$195,000 grant from the Affordable Housing Program of the Federal Home Loan Bank, administered through First of America Bank, after construction begins on the project.

Groundbreaking for the project is scheduled for November, 1991.

Inner City Christian Federation was incorporated as a Michigan nonprofit corporation in the 1968. ICCF, together with its sister corporation, ICCF Non-profit Housing Corporation, operates various programs designed to accomplish ICCF's primary objective of providing safe, affordable housing to persons of low and moderate incomes.

Through its Reconstruction for Lease and Purchase Program, ICCF provides opportunities for home ownership. Through its Madison Apartments, ICCF provides quality rental housing for low-income families and individuals. Through the Family Haven, ICCF provides homeless families with emergency shelter.

Through its various programs, ICCF has assisted in the production of over 200 units of affordable housing in Grand Rapids.

### 50TH WEDDING ANNIVERSARY OF MICHAEL AND VIRGINIA CUNNINGHAM

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. MANTON. Mr. Speaker, I rise today to pay tribute to Michael and Virginia Cunningham on their 50th wedding anniversary, which they will celebrate on November 9, 1991. Michael and Virginia are an inspiration to those who know them because of their dedication to each other and their commitment to the Queens community.

Mr. Speaker, on November 9, 1941, Virginia and Michael were married at our Lady of Perpetual Help Church in Richmond Hill, Queens. Virginia, who was born in Richmond Hill, and Michael, who was born in Yorkville, took residence in Richmond Hill after he was discharged from the Army in 1945. Michael and Virginia later moved to Jackson Heights, where they currently reside.

After his discharge Michael returned to his alma mater, St. John's University, where he attained his LLB in 1950. He then joined the

family business and in 1970 became an administrative law judge. He was an active supporter of the American Legion and became commander of Post 630 in Forest Hills. Michael was instrumental in the founding of the Vietnam veterans housing development in Forest Hills. Michael had realized his long-time goal to develop a desirable place to live for the veterans in Queens.

Virginia was also active in community affairs, including the Forest Hills Post 630 Auxiliary, and the Community House in Forest Hills.

Michael and Virginia have contributed greatly to the Queens community. They are second generation Irish and they have instilled the traditional values of hard work, faith, and family in their children Virginia, Constance, Paul, and Catherine and their four grandchildren.

Mr. Speaker, in honor of their 50th anniversary, I ask my colleagues to join me in congratulating Michael and Virginia on this milestone and wishing them all the best in the years ahead.

#### BANKING BILL LACKS A VISION FOR THE NATION

**HON. CRAIG THOMAS**

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. THOMAS of Wyoming. Mr. Speaker, we have been hearing the complaints of several Members here on the House floor, "The President does not have a domestic agenda—he's lost touch with the people of America." Well I have read through his proposals and do not think this is the case. He is very much in contact with the American people and he has a good idea of what they want. The problem does not lie within his proposals but when they come to this body and start bouncing through the Halls of Congress.

Consider the path of the President's Financial Institution Safety and Consumer Choice Act of 1991, there is a comprehensive vision behind the President's proposal and the legislative changes point the Nation down a positive course. With a few modest amendments, the proposal was favorably reported out of the House Banking Committee.

But the bill we are considering here today is not the President's bill—which started the debate on banking reform. It is a different piece of legislation. It lacks a vision for the Nation. This is most unfortunate. Our top priorities should be to protect depositors and taxpayers. These should be reflected in the legislation as they move toward the President's desk. This body has once again lost sight of its responsibility.

As many of us have seen first hand, the financial services industry has changed significantly since the foundations of our banking laws were established. Now there are several new players in this game. We've also seen recently a good deal of our banks—for various reasons—fall on hard times. There are also a lot of good bankers out there struggling with Government regulation restricting how they can compete in the changing market. As a result, the bank insurance fund needs additional money. We must recognize this urgency. We

must restore the profitability of our Nation's banks. These are the issues that bring us here today.

I have received mail nearly every day during this session from people in Wyoming concerned about additional unnecessary regulation on banks. I have yet to receive a letter urging me to support basic banking and Government check-cashing mandates, stiffer CRA requirements, or even the recently passed Truth in Savings Act. These folks say the action we take should reflect a real need to protect the American taxpayer.

I share these views. I tend to view banks as a private, service industry that needs some Government regulation. It's certainly not a social program—not even an entitlement. However, I'm continually concerned by the agenda of certain Members to put substantial and costly restrictions on banks which have nothing to do with safety and soundness.

But the process has gotten out of hand and the legislation has drifted off course. Instead of helping banks, we are hurting them and if this process continues on the new course driven by the House leadership, then the burdens on banks will only grow.

I will support amendments that attempt to bring this legislation back in line. I urge every Member to closely take a look at this legislation and consider what is being done.

**JOHN ADASE, "MR. ROSELLE  
PARK"**

**HON. MATTHEW J. RINALDO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. RINALDO. Mr. Speaker, the people of Roselle Park, NJ, a borough that I represent, have lost one of their most public spirited citizens in John Adase. He was my good friend as well, and he will be greatly missed by all those he helped.

Generations of Roselle Park residents admired, loved and respected this kind and good man. He fits President Bush's description of a thousand points of light that illuminate America's cities and towns; good citizens doing their best to improve the quality of life in our local communities.

The story of John Adase's contributions to Roselle Park was written by Tom Canavan, editor of the Roselle Park Leader, and I ask that it be inserted in the RECORD as follows:

"HE WAS MR. ROSELLE PARK" BOROUGH  
MOURNS LOSS OF JOHN ADASE

To many in Roselle Park, losing John Adase is like losing a piece of the foundation on which the borough was created.

For many years, Mr. Adase was everywhere—as a member of a veterans group, the bowling league, school and civic groups, and most predominately, as a member and former vice president of the Dads Club, in which he played an integral role helping the people he cared for most—the youth.

He was "Mr. Roselle Park."

Mr. Adase, a lifelong resident of Roselle Park, died Oct. 16 in St. Elizabeth Hospital. He was 74.

Many of his friends this week remembered the man who was dubbed Mr. Roselle Park because of his active involvement in the bor-

ough. To them, the loss of their friend is the loss of "a kind, understanding, helpful" figure in the borough's history.

"While death is universal," noted Superintendent of Schools Ernest J. Finizio Jr. during the funeral Mass Monday, "we are also aware that the lives which led to death differ drastically in quality. We realize that some people live their lives with such honor and dignity, that at their death, it is only fitting that those around them stand up and proclaim that this was a life worthy of note, worthy of respect and worthy of honor."

That was the life led by Mr. Adase, Finizio said.

"John's life shines forth as a beacon to everyone of just what can be accomplished in this imperfect world—when a life is so lived that an entire community is shaken by its loss," he said.

Mr. Adase was involved with the Roselle Park Boys and Girls Basketball Parents Association, the Roselle Park Wrestling Parents Association and the Roselle Park Youth Baseball League. A playing field in the borough bears his name.

Mr. Adase also was a member of the Dads Club, an organization that assists the high school athletics department and provides scholarships to students who excel academically and athletically.

During his tenure in this organization, Mr. Adase served as a vice president and trustee, and chaired many of its committees.

Dads Club President Lou Terynyk recalled this week Mr. Adase's "generosity to the youth of Roselle Park." He cited the Little League fields and how integral a role Mr. Adase played in their construction. "He donated sod, recruited volunteers and had some of the kids in town work on the fields," he said.

In the 1960s, Terynyk said, Mr. Adase "was integral in bringing together the Roselle and Roselle Park athletics." The Dads Club was founded in 1934 as an organization that began as a dinner for the football players. Now, operating under an \$18,000 budget, the club provides scholarships to students, provides jackets to athletes who earn their Varsity letters, and presents plaques when teams reach the championships in their sport. Athletic equipment also has been donated by the club to the high school.

"He was very personable and likeable, and his death is a great loss to our town," he said.

Mr. Adase was a member of American Legion Post 60, an honorary member of the Aldene School Parent-Teachers Association, the Roselle Park Municipal Bowling League, the Roselle Park Pop Warner football organization. He was active with the Boy Scouts, the Roselle Park Band, and in the elementary school music awards.

He was a general contractor in Adase Brothers, which he started with his late brother, Frank. He served in the Army in World War II.

Borough Councilman Jacob Magiera also remembered Mr. Adase. "It's not the longevity of a person. It's how well he or she has lived their lives. It's not how wealthy a person is, it's how they shared their wealth. Mr. Adase is a perfect example of not how much I can do for myself, but how much I can do for the people of Roselle Park," he said.

Mayor Helen Ryan agreed.

Saying that the entire borough "was very saddened by his death," Ryan called Adase a "friend" as reiterated Finizio's statement that Adase was "Mr. Roselle Park."

He was very generous with his donations to any organization that came to him," she

said. "That alone was a great attribute and I think that Roselle Park owes Mr. Adase some sort of great tribute because he deserves it."

"The pride John had in his family name—Adase—can be spelled in the following manner: A—active; D—dedication; A—athletics; S—supportive; E—excellence in all aspects of life," Finizio said.

Mr. Adase is survived by his wife, Rose; two sons, Frankie and John Jr.; three brothers, Joseph, Rocco and Michael; two sisters, Isabelle Moscaritola and Rose Ciocarelli; and four grandchildren.†

**THE TUFTS ENVIRONMENTAL LITERACY INSTITUTE WINS THE PRESIDENT'S 1991 ENVIRONMENT AND CONSERVATION AWARD**

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. MARKEY. Mr. Speaker, I am very proud to rise and congratulate Tufts University for winning the President's 1991 Environment and Conservation Challenge Award for its innovative and forward-looking Environmental Literacy Institute.

Tufts University president, Jean Mayer and dean, Anthony Cortese of the department of environmental programs at Tufts University accepted the award on behalf of the Tufts Environmental Literacy Institute [TEL] at a ceremony in the Rose Garden yesterday. I would like to congratulate Dr. Mayer in particular, for his longstanding commitment to environmental education and his leadership in making this program possible.

This innovative program, codeveloped by Tufts University and Allied Signal, Inc., is the first environmental education program in the country to integrate environmental issues into undergraduate, graduate, and professional school curricula. The program helps faculty members to incorporate environmental concerns into their courses and to produce more environmentally literate citizens.

After 2 years, it has proven tremendously successful in bringing environmental concepts into the classroom. It has been used not only at Tufts University but across the world in such countries as Brazil, Hungary, and the Soviet Union. If we are to meet the daunting environmental challenges which lie ahead, it will be critical that people throughout the world understand the effects of their actions on the environment. The Tufts Environmental Literacy Institute brings us one important step closer to that goal.

**IN GRATITUDE TO A MOST VALUABLE PERSON**

**HON. BEN GARRIDO BLAZ**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. BLAZ. Mr. Speaker, an old priest friend of mine once told me that in every calling, every profession, and every discipline there are 12 apostles. These apostles will always

stand up and be counted when roll is called for service to the community. Although these apostles come from every age and from different walks of life, they have one thing in common—an undying devotion to God, country, and their fellow man.

I rise today with a great sense of pride and deep gratitude to pay tribute to a man from my district who epitomizes one of these apostles. I have known him for over 40 years and I have watched him pursue his dreams tenaciously and succeed spectacularly. However, in all the years that I have known him, I have not once seen him trade principle for profit.

He has never forgotten what it's like to walk that proverbial mile in the moccasins of life. He has known the squalor of the barrios and the destitution of the villages.

I recall so vividly an incident a few years ago which characterizes this man perfectly. As a friend of almost 40 years, I felt very comfortable asking for his support on an issue. With all sincerity, he told me that he could not support me because he has promised it to someone else in appreciation for what this other person had done on his behalf. Explaining his position, he simply stated: "BEN, I have a lot of flaws, but ingratitude is not one of them."

I have reflected on that comment over the years. What originally constituted a great disappointment and embarrassment for me has now come to symbolize the simple dignity and nobility of his character. He chose to be candid and honest with me rather than not keep his word to another person.

And a man of his word he is. When the Catholic Church on Guam needed assistance with expansion, he promised to support the church. And he did. When the local power authority needed help managing its operating costs, he promised to step in and help put things right. And he did. When the Filipino community on Guam needed a leader and a spokesman, he promised to represent and bring them together. And he did. When the American Red Cross needed someone to spearhead its campaign, he promised to serve. And he did. In countless other times when he was called on for assistance and support, he promised to give of himself and did—simply, unselfishly, and without fanfare.

This brings to mind a favorite line from Ralph Waldo Emerson which I believe fits this man perfectly: "What lies behind us and what lies before us are tiny matters compared to what lies within us."

The character within this man—the love and compassion and honesty and courage and humility that is within him—makes us all the better for it because he is among us.

I wish to salute this man, a man who wears many hats in our community—a consummate businessman, a generous patron, an untiring volunteer, a distinguished colleague, a loyal friend, and a loving husband and father. The initials of his name, "MVP," provides a clue to what he has become for our community and for our people—a most valuable person.

By now, it must be obvious that I can only be speaking of one person—Mark V. Pangilinan.

Mark, on behalf of the people of Guam, in recognition and appreciation of your many, many years of service and contribution to our

community, I wish to convey a profound and deeply felt "Dangkalu na si yuus ma'ase!" and "Maraming salamat po!"

We often speak of the annals of our country and of the pages of history. By my action today, I am entering into the RECORD of the U.S. Congress this tribute to you along with a summary of your exemplary service to the people of Guam.

Mark, we who believe in you may have a lot of flaws, but ingratitude is not one of them.

**MARK V. PANGILINAN: SUMMARY OF EXEMPLARY SERVICE TO THE COMMUNITY**

Mark V. Pangilinan is a common man of uncommon achievement, a man of boundless energy, enthusiasm and foresight, a man for whom the initials "MVP" have come to signify what he has become for Guam. In the purest sense of service and contribution to our community, Mark V. Pangilinan is a most valuable person.

Mark's humble roots can be traced to a rural area in Pampanga, Philippines, where he tilled the land at this family's farm. Rising before dawn each day, he labored beside his parents to grow rice, sugar cane, corn and pigs. Encouraged by his father to become an engineer, Mark attended Far Eastern University in Manila until the outbreak of World War II when he returned to the family homestead. During the years when the Philippines was occupied by Japanese forces, Mark and his family actively supported the Filipino guerrilla movement. The family farm provided shelter, food and diversion to rejuvenate weary guerrillas.

Those early years made a lasting impression on young Mark. They instilled in him the values of hard work, perseverance self-reliance, community service and the willingness to take risks. These would serve him well later in life.

When the war ended, Mark set out to see the world. He joined the Merchant Marine in 1945 and served as the radioman on a ship that shuttled goods and personnel between Okinawa, Shanghai, Japan and the Philippines. The ship also made periodic stops on Guam, which at that time was just beginning to rebuild itself from the ruins of the war. With his engaging personality and dynamic charm, Mark quickly made friends with some of the island's most influential families and soon began taking orders from them for merchandise from the Philippines. In 1946, sensing the opportunities on the westernmost American territory in the Pacific, Mark immigrated to Guam, married a local chamorrita, Guadalupe Torres, and took out a \$5,000 loan to open a haberdashery shop in 1948.

Thus began the formation of a ripple, tiny at first, then slowly building, growing, swelling and surging over the years into a tidal wave of multi-million dollar businesses on Guam:

- 1948—Haberdashery Shop.
- 1949—Agana Men's Apparel Shop.
- 1952—Bataan Restaurant and Guam Furniture Shop.
- 1963—Allied Construction Company.
- 1964—Mark's Walgreen (Department Store).
- 1966—Ben Franklin (Variety Store).
- 1968—Mark's Insurance Underwriters.
- 1969—ACE Hardware and Mark's Motor Company (Honda).
- 1971—Mark's LP Gas.
- 1973—Mark's Shopping Center.
- 1974—Guam Amusement Park (now Yigo Shopping Center).
- 1977—Mark's Sporting Goods.
- 1979—The Guam Tribune (Newspaper).
- 1982—Mark's Laundromat and Mark's Music Center.

1984—Guam Office Supply.

1987—Sinajana Shopping Mall.

Mark's wholly-owned family companies have flourished over the years into a multi-million dollar conglomerate. In this process, they have pulled Guam's retail and service sectors like a steady locomotive and contributed essential consumer goods and services into Guam's economy. As the President and Chairman of the Board of Mark V. Pangilinan Enterprises, Inc., Mark heads one of Guam's top five business groups and its most diversified conglomerate. His five children—David, Cerila, Genedine, Mark, Jr., and John—all actively participate in the management of the family business.

At 64, still strong and full of energy, Mark has no immediate plans to retire and still keeps a close eye on his companies with rotating personal visits to each division head on a daily basis.

Despite his hectic business schedule, Mark has always found time to contribute actively to Guam's civic affairs. His keen interest in education prompted him to chair the Board of Regents of the University of Guam. His interest in military activities helped him as a member of the Civilian Advisory Council of both the Commander Naval Forces Marianas and the Strategic Air Command of the U.S. Air Force. As former chairman of the Board for the Guam Power Authority, Mark brought his business acumen to bear in cutting costs and streamlining operations in order to secure \$36 million in federal loan guarantees. Mark has also taken leadership roles in the American Red Cross, the Guam Chamber of Commerce, the Filipino Community of Guam and the Catholic Church, where he was very close to Archbishop Felixberto Flores.

For his many contributions, Mark has received numerous awards and accolades, including: Ancient Order of Chamorri (Guam's highest award), Pro-ecclesia Pontificae (from Pope Paul), Most Outstanding Filipino Overseas (from the Philippine Government), Executive of the Year (from the Guam Business News), and Honorary Doctor of Laws Degree (from the University of Guam).

No amount of awards, honors, medals, plaques or other types of outside recognition can pay adequate tribute to the contributions made to Guam by this man. Neither can any amount of external inducement prompt him to continue his tradition of service and contribution to our island and to our people.

Mark V. Pangilinan is not driven by things outside of him, but by the strength of character which is within him—commitment, perseverance, honesty, vision, hard work, honor and courage.

After all is said and done, Mark's character will be the true measure of his contribution to our community.

**NEW JERSEY PRIDE HONOR ROLL:  
JACK MOTT**

**HON. DEAN A. GALLO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. GALLO. Mr. Speaker, when Jack Mott was appointed head baseball coach for Parsippany High School and Parsippany Hills High School, Whitey Ford was still 1 year away from becoming the Cy Young Award winner; the Pirates beat the Yankees in 7

games to win the World Series; Roberto Clemente would have to wait until the following season to win the first of four NL batting championships; Mickey Mantle led the American League with 42 home runs, one ahead of the National League leader, Ernie Banks, and the new high school in Parsippany, opened in 1956, was preparing to graduate its second class of seniors.

Jack Mott's challenge was team building and his dedication paid off almost immediately.

In the ensuing three decades, Jack has coached a long and distinguished string of top-notch teams, including three State champions and six conference champions. By his fifth season as coach he built a powerhouse team that racked up 27 consecutive wins and went on to an impressive string of 42 victories in 43 games between 1965 and 1967.

For this sterling achievement, Jack Mott was named Morris County and North Jersey Coach of the Year, 1965-66. He was named New York Daily News All-Star Coach in 1970.

Because of his love of baseball, a whole new world opened up for Jack. In 1967, he was U.S. Armed Forces clinic director in the Far East. For the next 12 years, Jack conducted clinics on three continents and continues to share his expertise through his baseball camp activities.

In 1968 and 1969, Jack coached the U.S. Army softball team, Fort Eustis, VA, and Fort Leonard Wood, MO, and was named All-Star Softball Coach for those years.

In the mid-1970's, Jack coached the Raybestos Cardinals softball team to a national championship.

Since 1978, Jack Mott has been the general manager and coach of the Budweiser Belles softball team of Parsippany, the 1990 regional champions.

In 1980, Jack was named head softball coach for the County College of Morris and built a team of regional champions in the 1984 season.

Jack Mott was named district athletic director in 1982, applying his experience to the broader concerns of the overall sporting program in the Parsippany-Troy Hills School District.

Coaches have a difficult job that goes beyond simply winning games. They have to be role models, character builders, and teachers of teamwork.

These are life skills that are as valuable in the classroom as they are on the playing field. Jack Mott has always brought that added dimension to his professional career, first as a teacher, then as a guidance counselor, and for the last 25 years as the director of adult education for the Parsippany-Troy Hills School District.

Mr. Speaker, I ask that my colleagues join with me in recognizing the career accomplishments of Jack Mott on the occasion of his retirement dinner, December 5, 1991.

**CUTS IN NATIONAL GUARD UNITS  
ARE TOO EXTREME**

**HON. TIM JOHNSON**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. JOHNSON of South Dakota. Mr. Speaker, I rise to strongly object to the downsizing of the National Guard nationwide. With defense cuts aimed at reducing the number of active duty personnel, we will need to place more emphasis on the less costly National Guard and Reserve force structure in order to preserve maximum national security during this time of international realignment. Retaining experienced military personnel in the National Guard may be the only affordable solution.

The National Guard is critically important, first and foremost because of its cost efficient contribution to national security. Reductions, however, also have a very real local impact. In my own State, the Guard is currently looking at a reduction of over 800 full-time positions. In South Dakota, where very small towns are the rule rather than the exception, and a loss of even 8 jobs in such a small community is potentially disastrous, the effect of losing 800 jobs would be catastrophic.

I oppose any reduction in National Guard strength. However, if a cut is required, I support the strategy outlined to me by South Dakota's adjutant general. This approach would involve a reduction in the force structure allowance from the fiscal year 1991 force structure allowance of 471,000, tied to the authorized ARNG end strength of 457,000 to a fiscal year 1992 force structure allowance of 450,000 tied to the proposed end strength of 440,000. That represents a cut of about 21,000 force structure allowance and 17,000 end strength. This should provide sufficient flexibility for some force structure adjustments during this fiscal year. To that end, I ask the House to support the Senate language in the 1992 Defense appropriations bill.

While world events would certainly point to a need to reevaluate our defense spending priorities and need to maintain a large standing force, we cannot let down our guard.

**TRIBUTE TO COL. WALKER  
WILLIAMS**

**HON. RICHARD RAY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. RAY. Mr. Speaker, I rise today to pay tribute to Col. Walker Williams as he retires after more than 29 years of distinguished service in the U.S. Air Force.

Colonel Williams is retiring today from his current position as chief of the Programs and Resources Division in the Air Force Reserve Headquarters. In this job, he is responsible for providing reserve expertise to the air staff in the implementation of their policy.

Colonel Williams was born in Buena Vista, GA, in 1938 and graduated from Marion County High School. He attended Georgia Tech

prior to entering into aviation cadet navigator training at James Connally Air Force Base, TX, in 1962. He received his bachelor of science degree in sociology from Troy State in 1974 and a master's degree in business administration from Southern Illinois University in 1977.

Upon receiving his commission in 1962, Colonel Williams was assigned as a navigator in C-130 and C-141 aircraft. He transferred from active duty to the Air Force Reserve in 1969.

With no break in service, Colonel Williams became an Air Reserve technician flying C-141's and C-5's. He then became a statutory tour officer at both the Air Force Reserve Headquarters at Robins Air Force Base, GA, and at Air Force Headquarters. He supervised the Air Force Reserve's programming function.

Colonel Williams is a graduate of the Air Command and Staff College and the Air War College. He is a master navigator with over 9,800 flying hours. His decorations include the Legion of Merit, the Meritorious Service Medal, and the Air Medal.

I am sure that all of my colleagues will join me in thanking Colonel Williams for his fine service and congratulate him on his recent appointment to the position of Deputy Director of the Reserve Officers Association. I wish Colonel Williams, his wife Marlies, and their three children the best of luck in the future.

**PREVENTATIVE ACTION AT HUD—  
INTRODUCTION OF LEGISLATION  
TO MAKE ADDITIONAL NEEDED  
REFORMS**

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mr. LANTOS. Mr. Speaker, 2 years ago one of the principal concerns of the Congress was dealing with the massive waste, fraud, abuse, and political favoritism that we found at the Department of Housing and Urban Development under the administration of former HUD Secretary Samuel Pierce.

In late 1989, the Congress adopted the HUD Reform Act to correct many of the most serious of these abuses, which were exposed during the investigation by my Subcommittee on Employment and Housing of the Government Operations Committee. While this reform legislation has done a great deal to correct many of the problems that we found, there are additional deficiencies which the HUD investigation identified that also require corrective action, both at HUD and elsewhere in the Federal Government.

Mr. Speaker, yesterday I introduced a series of four bills which deal with these problems. These four House bills are companion measures to legislation that was introduced earlier in the other body by the distinguished Senator from Florida, BOB GRAHAM. This legislation is the result of the series of hearings and the outstanding work of the Senate HUD Moderate Rehabilitation Investigation Subcommittee, which Senator GRAHAM chaired. I commend the Senator for his thorough, conscientious examination of HUD programs and oper-

ations, and I welcome the legislation he has introduced.

For the benefit of my colleagues, I would like to summarize the key provisions of these bills.

H.R. 3682—A bill to amend the Internal Revenue Code of 1986 to provide a 3-year extension of the low-income housing credit, and for other purposes. Referred to the Committee on Ways and Means. The first of these four bills which I have introduced (H.R. 3682), will extend the low-income housing credit for 3 years. This tax credit is a critical Federal incentive for the construction and rehabilitation of affordable rental housing for low-income individuals and families. It is important, Mr. Speaker, that this vital program continue in order to provide tax incentives for developers of low-income housing. The bill also authorizes housing credit agencies to collect a compliance monitoring fee and includes in the process a requirement that the housing credit agency determine the amount of credit that must be allowed to ensure project feasibility, the developer fee, and any direct or indirect benefits to the developer.

H.R. 3683—A bill to establish an Assistant Secretary for Administration of the Department of Housing and Urban Development. Referred to the Committee on Banking, Finance and Urban Affairs. This bill (H.R. 3683) deals specifically with HUD—it converts the post of HUD Assistant Secretary for Administration from a political to a career position in order to help improve internal management of the agency.

H.R. 3684—A bill to develop Federal Government performance standards and goals plans, and for other purposes. Referred to the Committee on Government Operations and the Committee on Rules. This third bill (H.R. 3684) requires Congress to include language specifying performance standards and goals plans in all authorizing and appropriating legislation and requires Federal agencies to establish conforming performance standards and goals plans. This bill strengthens the inspectors general of Federal agencies to permit them to monitor the implementation of the provisions of this legislation. In particular, this bill requires that a statement of goals for each HUD program must be a component of the HUD Secretary's semiannual reports.

H.R. 3685—A bill to establish the Office of Management and the Office of the Budget. Referred to Committee on Government Operations. This fourth bill (H.R. 3685) creates a separate Office of Management and an Office of Budget within the executive branch. The legislation divides the functions of these separate agencies, and places the Office of Information and Regulatory Affairs and the Office of Procurement Policy within the Office of Management. The Program Associate Director positions at these revamped agencies would be converted to career positions.

Mr. Speaker, I applaud Senator GRAHAM for his conscientious effort in preparing these four bills. They represent a serious and thoughtful effort to deal with the management and administrative problems that permitted the waste, fraud, abuse, and political favoritism that we uncovered at HUD. I urge the committees to which these bills have been referred to give them thoughtful consideration and I invite my

colleagues to join me in supporting this legislation.

**TRIBUTE TO JIM CALDWELL**

**HON. EARL HUTTO**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mr. HUTTO. Mr. Speaker, I rise today to commend the work of Director Jim Caldwell and his staff at the Biloxi, MS, Veterans Hospital. My constituent, Betty Drake of Pensacola, FL, in a recent letter, reminded me of the professionalism and hard work of Director Caldwell's staff.

In her letter, she states that—

I am presently a patient at the vets hospital in Biloxi, MS. There is no way I can ever begin to thank the people here for the wonderful way they take care of me.

At a time when the press has struggled to find inefficiencies at our veterans' hospitals, I am pleased to receive an outstanding report on the veterans hospital that serves my district. Therefore, I commend and thank the people of the Biloxi Veterans' Hospital and urge them to continue their exemplary work.

**A TRIBUTE TO THE SUMMER  
EMERGING SCHOLARS PROGRAM  
AT BOWIE STATE UNIVERSITY**

**HON. CONSTANCE A. MORELLA**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mrs. MORELLA. Mr. Speaker, I rise to congratulate the faculty and students involved in the Bowie State University's Summer Emerging Scholars Program for academically at-risk students on winning the 1991 Retention Excellence Award awarded by the Noel/Levitz National Center for Student Retention.

Bowie State University was recognized as 1 of 16 institutions of higher education that receiving this national award. It won the award based on several factors, including documentable results of student retention, potential for the program to be nationally replicated, and innovation used to retain students.

The Summer Emerging Scholars Program was created last summer by the center for learning and academic support services under the leadership of Barbara Williams. Dedicated to finding and developing students with the potential to enter and to succeed in college, but without the necessary credentials to be admitted under normal criteria, the program gives these students a chance for success.

During a 5-week summer program, students are given intensive instruction modules in English, writing, and mathematics. This instruction is reinforced with tutoring, skill-building sessions, and discussions about cultural awareness. Upon successful completion of this program, students are admitted to Bowie State University as freshmen.

During its initial year, the program retained 41 of 43 students whose success was rewarded with admission to Bowie State Univer-

sity's 1990-91 freshman class. During their first semester, several of the students, who came to the program from various parts of the country, achieved a 3.0 grade point average or better.

As a former teacher, I am delighted that, with the assistance of people like Barbara Williams and the Summer Emerging Scholars Program, students are able to achieve their potential. Mr. Speaker, it is a proud moment for me to pay tribute to the commendable efforts of Barbara Williams in providing the added instruction these emerging scholars need to succeed as college freshmen. I congratulate Ms. Williams and Bowie State University on receiving national recognition from the Noel/Levitz National Center for Students Retention, and I wish the winning combination of faculty and students continued success.

TRIBUTE TO MR. CLIFFORD L.  
JONES

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. WELDON. Mr. Speaker, I rise today to pay tribute to Mr. Clifford L. Jones as he retires as the president of the Pennsylvania Chamber of Business and Industry. For more than 8 years Mr. Jones has lead the fight for economic expansion and improvement in the Commonwealth of Pennsylvania, and now, after years of public service, he plans a well deserved retirement.

Mr. Jones has held many positions of importance over the years in Pennsylvania. Prior to his tenure with the State chamber, he served as the secretary of the Department of Environmental Resources, secretary of the State's Labor and Industry Department, Secretary of Commerce and chairman of the Public Utilities Commission. He served three Governors over a period of 17 years.

Mr. Jones devoted much of his time and attention to the Republican Party of Pennsylvania serving as the party's State chairman from 1970 to 1974. During that period of time he was credited with erasing the debt that the party had incurred and strengthening the party's organization.

Many service organizations have recognized Mr. Jones for his efforts through the years including the Hazleton Jaycees who named him Outstanding Young Man of the Year in 1962. Mr. Jones received the Karl Mason award for improvements to Pennsylvania's Environment. Along with these awards are numerous honorary degrees that several colleges conferred upon Mr. Jones in recognition of his achievement on behalf of Pennsylvania.

Mr. Speaker and fellow colleagues, Clifford Jones has given his time and effort to the citizens of Pennsylvania with strong commitment to excellence. We will surely miss the leadership that he has given us, and his service and record will be an inspiration for all of us to follow in the years ahead. Please join me in congratulating Clifford Jones on the announcement of his retirement from the Pennsylvania State Chamber of Business and Industry.

A TRIBUTE TO MARINE OFFICER  
MARTIN GAFFNEY

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. DONNELLY. Mr. Speaker, I rise today to pay tribute to Marine Officer Martin Gaffney, who died earlier today due to complications from the AIDS virus. Officer Gaffney fought a battle that no one in this Chamber has ever witnessed.

Officer Gaffney finally won his lawsuit against the United States last April, 5 years after his 13-month-old son, John, died of AIDS. His wife, Mutsuko, who contracted the disease in 1981 from a transfusion given to her in a U.S. Navy hospital during the stillborn birth of a first son, died in 1987.

For months, Officer Gaffney waited to hear whether the Justice Department would appeal his case. He was crushed when just before the deadline for appeals expired he learned that the Solicitor General planned to challenge the Court's decision. At the 11th hour, he learned that no appeal would be filed. Finally, the burden had been lifted. His only surviving daughter, Maureen, 8, is financially secure. No amount of money, however, could bring back her father or her family.

For Officer Gaffney, a loving and caring father, it is tragic that he used the only strength he had left to fight the Washington redtape to help insure his daughter's future. It is more tragic that if the initial judgment had stood, precious time could have been saved. Martin Gaffney would have been able to communicate to his daughter the circumstances of the last few years in a way only a father could explain. Instead, she will have to rely on the stories from her aunts and uncles to learn how bravely her father fought for her security.

I salute Officer Martin Gaffney and wish that he rest in peace.

A TRIBUTE TO DR. TRUMAN  
ATKINS

HON. CHARLES HATCHER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. HATCHER. Mr. Speaker, I would like to take this opportunity to congratulate Dr. Truman Atkins of Thomasville, GA, for being named the 1991 Georgia Principal of the Year. It is certainly an honor to receive such an award on behalf of Thomas County Central High School and the State of Georgia. I am confident that the students as well as their parents realize his leadership has helped achieve educational excellence. As a principal, Dr. Atkins has had a positive impact on the school; he has enhanced the performance of teachers, students, parents, and support staff. Indeed, the leadership of Dr. Atkins has increased consciousness and sensitivity this past year regarding students' needs in education.

As you know, Mr. Speaker, education has become a top priority for legislators on both

sides of the aisle during the 102d Congress. There have been several education initiatives introduced during this first session of the 102d that strive to reshape the current educational system and set goals to improve the future of our schools and students. Increased funding for education is obviously important to the Members of the House of Representatives as shown in the passage of the Labor, Health and Human Services, and Education appropriations bill for fiscal year 1992. At the present time, the U.S. Congress is working diligently on the reauthorization of the Higher Education Act.

Dr. Atkins is a good example of what it takes to be an effective educator. People, such as he, can help encourage the Federal, State, and local governments to work together to obtain national educational goals. It will take the combined effort of communities, school personnel, families as well as all levels of government to enable our students to become competitive in the work force and most importantly, well-rounded adults. I would like to thank Dr. Atkins for his important role as a leader and an educator.

A TRIBUTE TO GREEN BAY PACKAGING FOR INNOVATION IN CONSERVATION

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. ROTH. Mr. Speaker, it is with great pride I rise today to salute the management and employees of Green Bay Packaging, a fine company located in the Eighth District of Wisconsin, which I represent. Yesterday, Green Bay Packaging was one of only eight companies to receive a citation award from President Bush for innovation in the development of environmentally friendly products. The ceremonies for the President's 1991 Environment and Conservation Challenges Awards were held in the Rose Garden at the White House, and Roger Hoffman accepted the award on behalf of the company.

Three years ago, Green Bay Packaging began to develop recyclable products. Its research led to the introduction of three new containerboards used to manufacture corrugated boxes. Eco-Brite has an outer surface derived from old newspapers; Eco-White has an outer surface derived from office waste paper; Eco-Stack is the first 100 percent recycled content linerboard made from old corrugated containers. These products are currently being used as packaging materials for products sold by companies like Sears, Wal-Mart, and Xerox.

The accomplishments of Green Bay Packaging are extremely important. The company and its employees are providing a vital link in the recycling chain. The first step in the recycling process is to separate the material from the waste stream. We are doing that now in communities across the country. But to make it worthwhile for these efforts to continue, uses must be found for the separated material. Demand must be created by individuals and companies who have been ingenious enough

to invent ways of using the material. That is exactly what Green Bay packaging has done.

The new materials Green Bay Packaging is creating from previously used paper products are eliminating wastes that otherwise would have clogged our landfills or polluted our air because of incineration.

On behalf of the people of the Eighth Congressional District of Wisconsin and the entire Nation, I wish to congratulate Green Bay Packaging on being awarded the first-ever President's Environment and Conservation Challenge Award. I further wish to urge them to continue their research and efforts in our behalf and on behalf of future generations that will inhabit the Earth.

**TRIBUTE TO BEDFORD JUNIOR  
HIGH SCHOOL'S ANTI-DRUG PRO-  
GRAM**

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mr. DINGELL. Mr. Speaker, I rise today to call your attention to the efforts of students, faculty, and parents at Bedford Junior High School in Bedford Township, MI, to work for the elimination of illegal drugs from our community.

Last month, Bedford Junior High School recognized the importance of a drug-free lifestyle during the National Red Ribbon Week with its slogan, "Neighbors—Drug-Free and Proud." This is the second year that this school has taken the opportunity to educate its students on the importance of personal health. One of the most important parts of this program is letting young people know that it is all right to say no to drugs.

Mr. Speaker, programs like that of Bedford Junior High School are worthy of high praise. Recent national tracking studies have shown that with higher public awareness of the dangers of illegal drugs, there has been a significant shift of attitude toward a negative view of illegal drug use and drug users. Reportedly there has also occurred a significant reduction in the number of Americans who use cocaine and marijuana.

I believe that presenting this message to young people as they come to an age where they must make adult choices sends them a positive message: "Don't do drugs. They will ruin you. We care."

Mr. Speaker, Bedford Junior High School has taken this message to heart and is succeeding. Ninety-five percent of its 1,063 students have signed a pledge to stay drug- and alcohol-free. I ask my colleagues to join me in sending my sincere congratulations to Bedford Junior High School.

**EXTENSIONS OF REMARKS**

IN MEMORY OF JOHN SIEGLINGER AND ROBERT SHAW

**HON. ROBERT J. LAGOMARSINO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mr. LAGOMARSINO. Mr. Speaker, I rise today to pay tribute to two of our Nation's brave citizens, John Sieglinger and Robert Shaw, who lost their lives on October 16, 1991, while fighting a devastating forest fire in the mountains of the State of Montana.

Both John and Robert were employed by the U.S. Forest Service as pilot firefighters stationed at the Los Padres National Forest. As a result of inclement weather, the partners' Lockheed P-3 Orion was lost over Montana's Bitterroot Mountains while en route to assist in fire suppression efforts.

I never had the pleasure of meeting John or Robert. I did attend a memorial service for them on Sunday, October 20, 1991, and saw just how generous these two men were. John was one of the key pilots who boldly fought the fierce Santa Barbara Painted Cave fire last year. Robert was a man who always had time for somebody who really wanted to learn about the profession. Family and friends shared their experiences and feelings about John and Robert, both of whom were kind, caring, and gracious individuals who loved life and people.

In closing, it would be very difficult to overstate the extent to which John and Robert will be missed. We should all praise their valor and dedication to duty and offer our condolences to their sorrowing but proud families.

IN RECOGNITION OF THE U.S.  
SQUASH TEAM

**HON. RONALD K. MACHTLEY**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize the U.S. squash team who will be participating in the world team championship in Helsinki, Finland on November 11 to 17.

What makes this U.S. squash team so special is that three of the four participants on the team are from my home State of Rhode Island. The team members are Mark Talbot of South Kingstown, RI, Kenton Jernigan of Newport, RI, Jeff Stanley of Bonnet Shores, RI, and William Karlin, of Brooklyn, NY. In addition Tom Jones, publisher of Squash News, and manager of the U.S. national team, hails from Hope Valley, RI. Peter Briggs of Greenwich, CT is the coach of the United States team.

A total of 87 countries now play squash. The world team championship is held every 2 years; 24 teams will be participating in the world team championships in Helsinki, Finland this year. The U.S. team finished 17th in the last event in Singapore, won by the Australian team.

This year the team will be going to Helsinki, Finland with great expectations. It is a great honor for the State of Rhode Island to be so

*November 1, 1991*

well represented on the U.S. national squash team at this international spring event. It is with great pleasure that I extend my best wishes to the Rhode Island delegation and the whole U.S. national squash team for their greatest success at this most prestigious sporting event.

CONGRESSMAN KILDEE HONORS  
IVOR JONES: PUBLIC DEFENDER

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 1, 1991*

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the United States House of Representatives to join me in paying tribute to an outstanding public servant, Mr. Ivor Jones.

Ivor Jones is retiring as defender administrator for my home county of Genesee. He has been the first and only defender administrator for Genesee County, having served in this position since it was first established in 1969. Ivor Jones has been a staunch supporter of the rights of the accused, ensuring that those in the criminal justice system are treated fairly and given due process, as guaranteed by our Nation's Constitution.

Ivor Jones is a true American success story. He was born in Wales and emigrated to this country with his family in 1927. He entered the U.S. Army and served his country with honor as a U.S. Ranger, seeing action in the invasion of Normandy. He has maintained his contact with his fellow Rangers by being active in organizing reunions for his unit. Like many other soldiers, he completed his education, receiving his undergraduate degree from Penn State University. Following his graduation, he entered law school, graduating from the Wayne State University School of Law in 1958.

He distinguished himself after graduation from law school, first working as an assistant prosecuting attorney in Genesee County. He then entered into private practice as well as serving as a special assistant attorney general for the State of Michigan and handling cases for the Michigan Department of Transportation. Throughout his legal career he carried with him an unwavering commitment to serving the indigent to ensure they received proper legal representation.

Ivor's commitment to his community carried into his personal life as well. He served on the Carman-Ainworth School District Board of Education and has been an active member of the Democratic Party, participating and contributing to the betterment of his community. Ivor has three children, one of whom has followed his father into the legal profession. Ivor has also been blessed with five grandchildren and will soon gain another grandchild. He has been a loving father, grandfather, and a defender of the constitutional rights of the accused in the criminal justice system.

Mr. Speaker, it is indeed a great honor and distinct pleasure for me to rise before my colleagues and pay tribute to such a fine American as Ivor Jones. He has been an inspiration to young attorneys who are beginning their ca-

reers and has strengthened the legal system by his very presence. But above all else, Ivor Jones has been a champion of the rights guaranteed by our Constitution. Ultimately, it is individuals such as Ivor Jones that make our system work. While Ivor is retiring from this phase of his career, I am certain that he will continue to remain active and will successfully pursue other goals. I call upon my colleagues in the U.S. House of Representatives to wish him the very best in all that he may do.

#### MANAGEMENT OF FEDERAL OLD-GROWTH FORESTS

### HON. WALLY HERGER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 1, 1991

Mr. HERGER. Mr. Speaker, the problem of developing a balanced, equitable, and scientifically credible solution to our current timber supply crisis in northern California and the Pacific Northwest is especially complex and vexing. This body is considering a wide range of proposals to address this problem. No less than nine legislative measures are presently before the House. The differences among them have been subject to several committee hearings and a great deal of discussion among the involved Federal agencies, interest groups, the Members of this body, and various scientific specialists.

In order to obtain some useful insights about the basic elements of a solution, I joined my colleagues Mr. RIGGS, Mr. DOOLITTLE, and Mr. SMITH of Oregon last month in a letter to the Department of Agriculture and the Department of the Interior concerning the legislative proposals before the House. We wanted some guidance from the professional resource managers, scientists, and technicians in the Departments about the essential form that a legislative solution should take. Several of the proposals before the House call for the creation of an old-growth reserve in Oregon, Washington, and northern California. The proposals differ, however, on how such a preserve should be established, with two different views emerging.

On the one hand, some Members believe that the preserve boundaries should be established by Congress. At least the first, if not the final, decision concerning map boundaries and preserve location and size would be designated by statute.

A different view holds that the land management agencies should establish the preserve boundaries based upon statutory direction from Congress and, to the extent possible, through the resource planning processes already provided in the National Forest Management Act and the Federal Land and Policy Management Act. These are the measures passed by Congress in 1976 that set the framework for the management of our Federal lands.

We asked the two Departments about the relative merits of each approach, and I am pleased to be able to share their response with my colleagues. I ask that they be included in the RECORD. Without recounting the details of each response, suffice it to say that

both Departments strongly prefer the latter approach described above. The Department of the Interior notes that the Bureau of Land Management is currently developing an old-growth protection alternative in its existing planning process which will rely heavily on the concept of managing for forest biodiversity. The Department of Agriculture's response provides a very helpful insight as to the management alternatives for maintaining old-growth forest structure and values, noting that simply drawing lines on a map does not distinguish between old-growth values that require strict preservation and those values that must be maintained by active management.

Both agencies note that congressional line-drawing would move significantly away from the management principles articulated in the 1976 organic statutes for each agency. They also note that such an approach would deprive the Congress and the country of the opportunity to benefit from the professional expertise and scientific background of the specialists in each agency. Both agencies argue strongly for congressional direction, followed by agency implementation, as the best way to successfully preserve and manage important old-growth values.

Mr. Speaker, I believe that these agencies have provided useful advice to the Congress as we struggle during the next several months over the proper form for a bill to resolve the forest crisis in the Pacific Northwest and northern California. This is a time when many in the country are critical of Congress over how it discharges legislative tasks and responsibilities that are clearly congressional. I do not believe that the Congress should assume unto itself the professional and scientific responsibilities of our land managers schooled in the principles of forest biology, wildlife ecology, and other important natural resource disciplines. I urge all of my colleagues to read the exchange of letters that follows and to use this information to provide insight as we go about our constitutional task of providing legislative direction to the executive branch.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, August 27, 1991.

HON. EDWARD MADIGAN,  
Secretary of Agriculture, USDA, 14th Street &  
Independence Avenue, SW., Washington,  
DC.

DEAR SECRETARY MADIGAN: As you know, we are considering a wide range of proposals to address the current federal land management crisis in northern California, Oregon and Washington. No less than eight legislative measures are presently before the House.

As these proposals have been introduced and discussed, a generic question has arisen about which we would like both your guidance and the Administration's view. Several of the proposals, including H.R. 2463, call for the creation of an old growth forest preserve in Oregon, Washington and northern California. The proposals differ, however, on the question of how such a preserve should be established, with two different views emerging.

On the one hand, some members of Congress believe that the preserve boundaries should be established by Congress, with Congress making at least the first, if not the final, decision concerning map boundaries and preserve location and size. H.R. 842 has Congress making both interim and final decisions on the size and boundaries of the pre-

serve, legislatively referencing maps in the former case. H.R. 2807 and H.R. 3263 have Congress legislating interim preserve boundaries with map references, while providing the federal land management agencies some flexibility to modify, upon the advice of outside scientific advisors, final preserve boundaries.

A different view holds that the land management agencies should establish the preserve boundaries based upon statutory direction from Congress and, to the extent possible, through the resources planning processes already provided in the National Forest Management Act and the Federal Land Policy and Management Act. H.R. 1590 takes this approach with a committee of outside scientific advisors assisting in the designation of final preserve boundaries. H.R. 2463 takes the same approach but depends more heavily on the existing technical expertise of the federal land management agencies.

The broad question, as we see it, is as follows: Should Congress assume the technical responsibility of drawing lines on maps to initiate or finalize a preserve; or should we provide statutory direction to accomplish this objective and rely on the expertise of the agencies (perhaps assisted by outside scientific advisors) to perform this task through their land management planning processes?

We need your thoughts on this question as soon as possible. We are particularly interested in your views as to the advantages and shortcomings of each approach. If we choose the former approach, what type of technical assistance can you provide to would-be cartographers in Congress? If we choose the latter approach, what sort of direction do you suggest that we provide to the agencies?

Most importantly, what is your preference? Agency testimony on several of the above-referenced bills strongly suggests a preference for the latter approach. But is this an issue which would influence your views about supporting a measure on final passage?

Please respond as promptly as possible as this is an issue that we wish to discuss with our constituents during the recess. Thank you for your assistance in this matter.

Sincerely,

WALLY HERGER.  
FRANK RIGGS.  
BOB SMITH.  
JOHN T. DOOLITTLE.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, September 3, 1991.

HON. MANUEL LUJAN, JR.,  
Secretary of the Interior, Department of the Interior, Washington, DC.

DEAR SECRETARY LUJAN: As you know, we are considering a wide range of proposals to address the current federal land management crisis in northern California, Oregon and Washington. No less than eight legislative measures are presently before the House.

As these proposals have been introduced and discussed, a generic question has arisen about which we would like both your guidance and the Administration's view. Several of the proposals, including H.R. 2463, call for the creation of an old growth forest preserve in Oregon, Washington and northern California. The proposals differ, however, on the question of how such a preserve should be established, with two different views emerging.

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final, decision concerning map boundaries and preserve location and size. H.R. 842 has Congress making both interim and final decisions on the size and boundaries of the preserve, legislatively referencing maps in the former case. H.R. 2807 and H.R. 3263 have Congress legislating interim preserve boundaries with map references, while providing the federal land management agencies some flexibility to modify, upon the advice of outside scientific advisors, final preserve boundaries.

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We need your thoughts on this question as soon as possible. We are particularly interested in your views as to the advantages and shortcomings of each approach. If we choose the former approach, what type of technical assistance can you provide to would-be cartographers in Congress? If we choose the latter approach, what sort of direction do you suggest that we provide to the agencies?

Most importantly, what is your preference? Agency testimony on several of the above-referenced bills strongly suggests a preference for the latter approach. But is this an issue which would influence your views about supporting a measure on final passage?

Please respond as promptly as possible as this is an issue that we wish to discuss with our constituents during the recess. Thank you for your assistance in this matter.

Sincerely,

BOB SMITH.  
FRANK RIGGS.  
WALLY HERGER.  
JOHN T. DOOLITTLE.

DEPARTMENT OF AGRICULTURE,  
OFFICE OF THE SECRETARY,  
Washington, DC, October 24, 1991.

HON. WALLY HERGER,  
U.S. House of Representatives, Longworth  
House Office Building, Washington, DC

DEAR CONGRESSMAN HERGER: Thank you for your August 27 letter asking for our position on the appropriate means for designating old growth reserves if the Congress proceeds with legislation to establish such a reserve system in Washington, Oregon and northern California. Secretary Madigan asked that I respond. I apologize for the delay.

You asked whether Congress should assume technical responsibility for drawing lines on maps to initiate or finalize a preserve, or instead provide statutory direction to guide the land management agencies to accomplish the same through their land management planning processes.

In its testimony on August 1, 1991 favoring S. 1156, The Federal Lands and Families Protection Act, the Administration noted that the creation of an old growth reserve system should first recognize old growth forests that already are reserved under Federal ownership. Priorities for adding to the reserve system should be based on marginal value for achieving old growth habitat and ecosystem objectives, using the forest planning processes of the agencies as the means for balancing old growth objectives against other resource objectives, and providing opportunities for public involvement and comment.

The underlying premise for creating an old growth reserve system is that old forests have unique values in terms of their composition, structure, and function. Unfortunately, the "lines-on-maps" proposals currently before Congress do not distinguish between unique old growth values that may warrant preservation, and old growth structure that can be sustained, enhanced, or even created through professional forest management. For example, it is now apparent that the conservation of the northern spotted owl across its range may depend as much on managing forests to maintain an older forest structure across the landscape, than it does with reserving scattered unmanaged stands of old growth. The Spotted Owl Interagency Scientific Committee (ISC) rejected the Spotted Owl Habitat (SOHA) theory consisting solely of old growth reserves, in favor of habitat conservation areas with old growth structure strategically located within a forest matrix managed to sustain, enhance or create desirable forest structure.

Existing legislative authority and direction for managing the National Forests put emphasis on comprehensive land and resource management planning with public involvement, followed by implementation of the plans by professional forest managers. We support the democratic principles embodied in this approach, and would consider a "lines-on-maps" approach by Congress to be a major shift away from these principles.

It is already apparent that the delineation of areas by lines on maps in some of the proposed old growth bills is flawed by a lack of sensitivity for what is actually on the ground, or the relative value of each area as a reserve compared to other multiple use considerations. Many of the so-called old growth areas are found to contain relatively little contiguous old growth when examined on the ground. The creation of an old growth reserve system should be done with sensitivity to what is actually on the ground and the relative marginal values between single purpose old growth protection and multiple use opportunities. It is not a job that can be done at arms-length with any acceptable degree of sensitivity or credibility.

It is far better for the Congress to provide broad statutory authority and direction for the creation of an old growth reserve system, and then allow implementation of that direction through the land and resource management planning processes mandated by Congress through the National Forest Management Act (NFMA) and the Federal Land Planning and Management Act (FLPMA). This will allow forest managers and scientists to work together on a site-specific basis to develop and evaluate alternatives for achieving a balance between old growth objectives and other multiple use values, and provide opportunities for public involvement and comment.

Please let me know if I can be of further assistance. Duplicates of this letter have

been sent to Representatives Riggs, Smith and Doolittle.

Sincerely yours,

JOHN H. BEUTER,  
Deputy Assistant Secretary,  
Natural Resources and Environment.

U.S. DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT,  
Washington, DC, October 22, 1991.

HON. WALLY HERGER,  
House of Representatives, Washington, DC.

DEAR MR. HERGER: Thank you for your letter of September 3, 1991, to Secretary Manuel Lujan, Jr., cosigned by Representatives Robert F. Smith, John T. Doolittle, and Frank D. Riggs, regarding the Department of the Interior's opinion on potential legislation associated with Federal forest management in northern California, Oregon, and Washington. Secretary Lujan has asked the BLM to respond. I apologize for the delay in responding.

Your questions centered around the advantages and disadvantages of Congress drawing temporary or permanent lines on maps versus Congress providing general direction for the responsible land management agencies to identify geographic areas and management approaches that will meet identified objectives. As you indicated, our testimony on some of the pending bills indicates that we favor the latter approach. Federal land management agencies, such as the Bureau of Land Management (BLM) and Forest Service, are specifically directed by law to address resource issues such as old growth forest and spotted owl habitat management through their planning process. They have the experience, the professional staff, the data, and the tools to do the job. They have done and are continuing to do their planning consistent with existing law and biological knowledge and with full consideration of current social and economic concerns and values. Both agencies involve the public extensively in the planning process. If the agencies are given new information or new objectives, they can determine effective ways to use that information or meet those objectives.

It would be helpful if Congress were to provide direction to agencies to meet the needs of the people of this Nation. This could include short-term minimum biological protection levels and commodity production targets that would not only protect future planning options but would also provide a reliable timber harvest level to ease the economic transition to the future. It could also provide long-term objectives for management of the forests, their products, and their ecosystems. With these basic guidelines and objectives, the responsible agencies can develop the appropriate and responsive process to meet established goals.

We believe that legislation should provide clear direction without drawing specific reserve areas on maps. In fact, given the rapid growth of knowledge about forest ecosystems and potential for responsive and innovative management responses, flexibility for the agencies could be a major benefit to the resources and the people who depend on them.

For example, the BLM in Oregon is currently developing an alternative in its planning process that will consider the whole forest ecosystem through management for biodiversity. Although the spotted owl is the current focus of concern, we know that there are other sensitive species that we will need to consider in the long term. We do not know now if this alternative or something similar

