

EXTENSIONS OF REMARKS

FIGHTING HUNGER: A JOB HALFWAY DONE—A CHALLENGE HALFWAY MET

HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. HALL of Ohio. Mr. Speaker, I would like to share with my colleagues a paper on fighting hunger which was prepared by the staff of the House Select Committee on Hunger. Forty thousand children die each year before their first birthday, and 20 million Americans depend on food banks or soup kitchens to supplement their diet each month. Americans discovered a tremendous amount of energy and force of will in our war against Iraq. It's time for us to use that energy to fight a war against hunger, poverty, and preventable disease.

The briefing paper, entitled "Fighting Hunger: A Job Halfway Done—A Challenge Halfway Met," is designed to look at America's current antihunger policy, and examine how it fails to adequately address the size and scope of the hunger problem. The paper lists insufficient funding levels and eligibility criteria for domestic food assistance programs such as food stamps and WIC, notes that the U.S. Government currently has no operational definition of hunger that recognizes food insecurity, and has no appropriate mechanism for measuring the extent of food insecurity in American communities.

Regarding international antihunger policy, the paper examines insufficient funding levels for child survival and education programs, and notes that the use of food as a weapon has never been recognized as a specific human rights violation through a U.N. Convention on the Right to Food.

With the fighting in the gulf behind us, it's time to redirect our energies toward a domestic and humanitarian agenda. As this paper makes clear, we have much work to do.

For the benefit of my colleagues, a copy of the briefing paper follows:

FIGHTING HUNGER: A JOB HALFWAY DONE—A CHALLENGE HALFWAY MET

Hunger has plagued humanity since the beginning of time. Food is among the most basic of all human needs. The problem of hunger is, on one level, simple to address: you give food to the hungry. However, solving hunger requires a more complicated and comprehensive approach.

Many current approaches are based on the direct, recurring provision of food. This is necessary for those in extreme need. However, to solve the long-term problem of hunger requires moving beyond responding to daily hunger needs to promoting individual self-reliance and empowerment through programs to reduce poverty.

Hunger has a simple cause: lack of access to food. And a well-understood connection exists between poverty and hunger. At least half a billion people are chronically hungry

today; nearly all of them are poor. Nevertheless, the reasons why individuals and their families become unable to obtain food vary widely. In the deserts of Africa, food is scarce because of weather conditions, unsuitable agricultural techniques, and, in many cases, war. In war-torn Angola, people starved because the farmers' fields contained too many land mines to harvest the crop. In some of the poorest countries in Asia, recurring natural disasters restrict food production and transportation. Latin American nations crippled by debt or civil strife have great difficulties in adequately feeding their citizens.

In America, the breadbasket of the world, it is difficult to understand how hunger—how food insecurity, the lack of a consistent access to food from conventional sources—can exist in a country that produces food in such massive quantities. And yet millions of Americans are food insecure: 21 million rely on food stamps, 20 million Americans each month are forced to rely on a food bank or a soup kitchen to supplement their diet.

In a land where food is plentiful, the root cause of food insecurity is once again poverty: 31 million Americans live under the official poverty line; another 13 million live in real poverty (the outdated official poverty measurement adjusted for contemporary economic and societal assumptions). Opportunities to use our vast wealth in resources and in real poverty (the outdated official poverty measurement adjusted for contemporary economic and societal assumptions). Opportunities to use our vast wealth in resources and energy to help the hungry are often ignored: twenty percent of the food produced in the United States—137 million tons—is wasted.

In recent decades, the fight against domestic and international hunger has included efforts to provide basic subsistence—food—to hungry people. Internationally, efforts to promote economic development are supplemented by the provision of emergency assistance to people in famine situations. Not enough is done to support indigenous humanitarian and social service organizations within Third World countries. Across the developing world, much of the humanitarian infrastructure still depends on outside groups and outside resources.

In this country, we have in place an array of programs which address hunger in terms of maintenance: we attempt to give a meal to a hungry person. But in doing so—in addressing the symptom of the hunger without similarly addressing the cause of the hunger—we fail to prevent someone who is hungry today from being hungry again tomorrow. In short, we address the hunger but not the poverty which creates it. This is a policy that breeds dependence.

Hunger can be a potent political force. From Robespierre to Roosevelt, many national leaders have been swept into power by the power—and anger—of hungry people who sought to change their condition. In the early 1930's, this country experienced what became known as the "hunger riots." Destitute World War I veterans and unemployed victims of the Great Depression rallied and protested in cities across the country

against their conditions of hunger and poverty. In the political campaign of 1932, Franklin Roosevelt acknowledged their condition and promised to solve it, and was elected President. In 1941, exactly half a century ago, FDR identified a vision for the post-WWII world, embodied in the famous Four Freedoms; Freedom from Fear, Freedom of Expression and Freedom of Religion, and Freedom from Want: Roosevelt understood that freedom from hunger and poverty were fundamental rights of all people.

Fifty years later, Roosevelt's vision remains unfulfilled. In a world where twenty percent of the population is poor, malnourished and diseased; in a country where twenty million people are unable to regularly feed themselves, there is no freedom from want. Current anti-hunger policy fails to give life to Roosevelt's vision, both by inadequately addressing immediate hunger, and by ignoring longer-term solutions.

The purpose of this paper is to identify the problems in current anti-hunger policy, and seek to understand how it fails to address the problem in a long-term, sustainable way.

DOMESTIC HUNGER PROGRAMS

Access to basic assistance programs

The Federal Government sponsors an array of programs to help low-income households access a consistent, nutritious food supply. However, many needy persons suffering from problems these programs were designed to address, receive no—or inadequate—assistance. For example, the Special Supplemental Food Program for Women, Infants and Children (WIC)—a program which offers food, health care access and nutrition education services to low-income women, infants and children who are at health or nutritional risk—currently serves only about half of the eligible population because of inadequate funding. Eligibility restrictions in the Food Stamp Program reflect outdated assumptions about the amount of resources participating households have available to expend on food. Consequently, benefits do not adequately cover the food needs of participants.

Approximately 8.7 million Americans are eligible for the WIC program; but the program is underfunded, only 4.5 million are served. Yet WIC saves money; a recent USDA study showed that every \$1 spent on the prenatal component of the WIC Program reduced related infant care Medicaid costs by up to \$3.13.

Food Stamp assistance demands recently jumped 400,000 in one month (October 1990). Because the Food Stamp Program operates like an entitlement program, every eligible person should receive benefits. However, asset and resource limitations are kept artificially low, barring participation to millions.

Food purchasing power

Low-income households in poor urban and rural communities face logistical and financial obstacles in their attempts to access an affordable, consistently nutritious food supply. Over the past two decades, supermarkets migrating from inner-city communities have been replaced by convenience stores and independent grocery stores whose prices are up to 30 percent higher than more efficient

* 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.

supermarket chains. In rural areas, recent research finds, on average, the existence of only one supermarket per every 265 square miles. The lack of marketplace competition results not only in higher food prices, but in fewer fresh fruits and vegetables and meats—items which research indicates are lacking in the diets of many low-income persons.

In rural North Dakota, there is a supermarket every 1,276 square miles; in rural Mississippi, there is a supermarket every 134 square miles.

In urban areas, most poor people do not live within walking distance of a supermarket. The smaller convenience stores found in low-income urban areas charge up to 30 percent higher prices for the items they sell.

Most states do not encourage farmer's markets or food co-ops, where fresh, nutritious food is readily available, to become certified to redeem food stamps and WIC vouchers.

Assessing food security

Over the past decade, there has been extensive debate concerning the magnitude and severity of hunger problems in the United States. Difficulty in ascertaining the extent of this problem stems from the fact that there currently exists no universally accepted definition for the non-clinical manifestations of hunger, nor is there a uniform system for assessing household food shortage problems.

The U.S. Department of Agriculture "has no operational definition of 'hunger' in terms of food sufficiency," according to John Bode, Ass't Sec'y Of Agriculture for Food and Consumer Services.

Because of the diversity and number of state and local survey instruments for measuring hunger, it is difficult to make any national comparisons of national food insecurity problems.

Communities making the transition to food secure status

A growing number of national, state and local reports have heightened public awareness about the prevalence of food insecurity problems in the United States. Consequently, community-based organizations and private citizens across the country have begun to mobilize efforts to eradicate this condition. While many such organizations have launched programs and services which respond to the immediate food needs of low-income persons, there is no comprehensive set of goals in place for achieving permanent food security—access by all people at all times through normal food channels to enough nutritionally adequate food for a normal, healthy life.

EMPOWERMENT PROGRAMS Asset-based welfare policy

Traditional welfare policies in America—which are humane and justifiable—have sustained millions of low-income persons, but rarely have those policies made them strong. As a result, most low-income persons remain in poverty, which is a drain on the nation, a loss of human resources, and an assault on human dignity. Welfare dependency continues and poverty rates remain high, in part, because welfare theory has taken for granted that a certain level of income or consumption is necessary for one's economic well-being. But very few people manage to spend or consume their way out of poverty. Economic well-being does not come through spending and consumption; rather, it is achieved through savings, investment, and accumulation of assets, which provide stability and orient people towards the future.

While the Federal Government has offered middle- and upper-income persons incentives to accumulate savings and assets (e.g., home mortgage interest deductions and tax deductions for retirement pension accounts), it has not provided those incentives to low-income persons; indeed, under current welfare policies, poor families must deplete most of their assets before qualifying for public assistance.

Under current welfare policy, billions of dollars are spent promoting consumption (Food Stamps—\$19 billion; AFDC—\$17.5 billion) while actually prohibiting the asset accumulation that could reduce welfare dependency.

Federal Tax policy will subsidize homeownership by more than \$50 billion in 1991.

Micro-enterprise programs for the poor

Self-employment and micro-enterprise activities (business employing five or fewer people, one of whom is the owner) are particularly important to areas where there are few formal job opportunities—such as many rural areas and inner-city urban areas—and to groups of people who have few job options due to lack of formal education and training. Yet the Federal Government has done little to promote self-employment opportunities in these economically depressed areas or for low-income and disadvantaged persons. In fact, Federal programs, while providing critically needed food, cash, and health assistance, actually drastically reduce or terminate benefits of participants who attempt to acquire the capital and assets necessary to launch a self-employment venture. Further, self-employment is usually not included in the definition of "employment" in current employment and training programs. Finally, the Federal Government has not sufficiently explored the potential contributions to general economic development derived from self-employment activities by low-income persons.

Between 1981 and 1985, 88 percent of all net job creation came from companies with fewer than 20 workers.

Self-employment is "counter-cyclical"—that is, it seems to be strong during recessions. Self-employment rates have increased during recessionary periods when wage and salary employment was decreasing.

INFANT DEATH—A PREVENTABLE DISGRACE Infant mortality

The United States currently ranks last on the list of 21 top industrialized nations in infant mortality. While the U.S. infant mortality rate has dropped from about 20 per 1000 live births in 1960 to about 10 in 1988, most experts attribute the drop to significant advancements in sophisticated medical technology. Yet, these same experts acknowledge that an emphasis on preventing the conditions that influence high rates of infant mortality in this country has been lacking. Thousands of children still die before their first birthday because of a lack of basic pre- and post-natal care. In spite of the proliferation of prenatal care programs serving high-risk women, a significant percentage delay seeking care until their second or third trimester, resulting in a high percentage of low birthweight babies and high infant mortality rates. In addition, high-risk pregnant women often have significant social, economic and psychological problems which impact on the outcome of pregnancy. As important as the need to provide supplemental care to high-risk women, there is a need to develop better mechanisms for disseminating this care, and for evaluating the effectiveness of these mechanisms. Narrowly targeting high-risk

pregnant women and infants in a well defined geographical area would enable health and supplemental care providers to adequately identify and treat the at-risk population in a more manageable and effective way.

While the overall U.S. infant mortality rate is about 10, the rate for African Americans is 17.9.

The teen birth rate among African Americans is about 65 percent; infants born to teens are twice as likely to die before their first birthday and three times as likely to be low birthweight.

In rural western Alabama, community-based pre-natal care programs lowered the infant mortality rate from 36 to 5.9 over a five year period.

Breastfeeding

There is a growing body of evidence that suggests that breastfeeding has significant benefits for infants and mothers. However, much of the research generating these claims has focused on populations in developing countries. Current research conducted in the U.S. is divided and has not been done on a wide scale. Much of the debate centers around the notion that significant health benefits from breastfeeding and particularly those that reduce infant mortality and morbidity are the result of the natural and sanitary source of breast milk, as opposed to unsanitary conditions, lack of clean water and a lack of medical care, conditions that predominate in developing countries. However, many of these conditions do exist in the U.S., and especially in low-income areas such as the Mississippi Delta, or the "colonias" in the Southwest. There is a need then to determine what benefits exist especially regarding infant mortality and morbidity in this country, and if they do, whether they have particular merit for reducing the high infant mortality and morbidity rates within low-income populations, who generally have low rates of breastfeeding.

Breastfeeding protects infants against a variety of illnesses including respiratory infections and diarrhea.

The WIC program spends \$500 million each year on infant formula; nearly \$30 million of that could be saved if recipients breastfed for one month instead of using formula.

A recent study showed that the breastfeeding rate among low-income women was below 36 percent.

HUMAN RIGHTS POLICY Food as a human right

Although food is a basic essential for life, access to food is not recognized as an essential basic human right. Access to food is listed in the Universal Declaration of Human Rights, but it has never been the subject of a specific United Nations Convention, which would have the effect of elevating the issue internationally. In many developing countries, especially countries experiencing civil war or strife, government leaders as well as rebel combatants use food as a weapon to further their military or political aims. While humanitarian relief officials often express their frustration at their inability to feed hungry people, the United Nations and the international community have no recognized device for putting public pressure on those who would use hunger as a weapon.

For example, in Sudan, drought was predicted one year ago by relief workers within the country, and by the U.N. Food and Agriculture Organization (FAO), whose satellite photos showed drought conditions and crop failure. Sudan's President Bashir, however, refused to officially ask for relief, and pre-

vented private voluntary relief organizations from distributing food. As the famine worsened, President Bashir continued to block relief. Current estimates place about 10 million Sudanese people at risk of starvation, due in large part to President Bashir's refusal to acknowledge a disaster which was foreseen and predicted, and which the international and donor community was mobilized to avert.

An international convention on the right to food, similar to international conventions on torture and other human rights abuses, would force governments to respect the right to food. Also, the United Nations currently has no regular mechanism for addressing humanitarian crises, especially those that occur in countries that are in the midst of civil strife.

When a country is accused of systematically violating human rights, such as the right not to be tortured, the UN has a system to evaluate the charge and report on its findings in an effort to stop the criminal violation of rights. No such mechanism exists on a permanent basis for countries accused of not respecting the right to food.

The present UN system has structures to respond to refugee problems and to long-term development needs, but has regular structure set up to respond to humanitarian crises.

INTERNATIONAL HUNGER PROGRAMS

Democracy and hunger

Promoting the expansion and strengthening of democratic systems must be a priority of any efforts to forge a "new world order." In undemocratic states, the government, by definition, does not need to be responsive to the needs of its citizens. This leads to greater disparities of well-being—and acute hunger—in many of these countries. One important way to strengthen democracy is by encouraging the growth and empowerment of local nongovernmental organizations working for the development of the country. The United States needs to design new aid structures to promote democracy by supporting local, grassroots organizations working to end hunger. U.S. foreign aid should be focused on those countries that are moving towards democratic systems.

Of the 50 countries in the world with the highest child mortality rates, only 10 are now democracies.

Of the 25 countries in the world with the lowest child mortality rates, 24 are democracies.

Many of the poorest countries in the world are in the early stages of efforts to become more democratic.

Children

Every year 14 million children die in the developing world. Ten million of these children die unnecessarily from diseases easily prevented like tetanus, measles, and whooping cough. The World Summit for Children brought more than seventy heads of state together last Fall to work for children. They pledged to intensify their efforts to end this tragedy of unnecessary child death and suffering. Programs to improve programs for child and maternal health and systems of primary education are critical to this process.

Simple, low-cost, easy to administer treatments for such health problems as diarrhea, respiratory infections, measles, and neonatal tetanus save millions of children's lives now.

More than 2½ million children in developing countries die every year because they are not fully immunized.

With sufficient resources, it may be possible to develop a new vaccine, administered

once in infancy, which would produce life-long immunity to a wide range of diseases.

Women in development

Women in developing countries play multiple and vital roles in development, but in many development efforts their roles have been overlooked or ignored. Development projects have often not been designed to target women, who provide the majority of labor for food production in many countries. Research has shown that the full participation of women in the development process is essential to achieving growth, a more equitable distribution of resources and services to meet basic needs, and sustainable development. When women's participation in development is high, project success and sustainability tend to be high; when participation is low, project success and sustainability tend to be low.

In Africa, 77 percent of all farmers are women.

According to the United Nations, in 1980 women, a) were half the world's population, b) performed two-thirds of the world's work hours, c) were recognized for only one-third, d) received ten percent of the world's income (and controlled even less), and e) had one percent of the world's property registered in their name.

In 1991, after a decade of unprecedented economic growth, the situation remains the same.

Refugees

There are an estimated sixteen million refugees worldwide right now. Many of them are ill-housed, undernourished, and left without hope for themselves and their families. They rely on support from U.S. agencies and international agencies like the United Nations High Commissioner for Refugees. Without adequate support for these agencies, not only will many refugees continue to suffer unnecessarily, but opportunities to work for their resettlement and repatriation will be lost.

Between 1984 and 1991, the world refugee population grew from 9 million to 16 million.

Between 1984 and 1990 U.S. Government funding for refugees overseas actually dropped, in real terms, by 22 percent; from \$206 million in FY 1984 to \$169 million in FY 1990.

Agriculture and the environment

Environmental degradation plays a critical role in exacerbating poverty and hunger in many developing countries. Increasingly, poverty forces rural residents to intensify their use of land and water resources, resulting in a spiral of degradation that reduces their ability to produce food and other basic necessities. An estimated six million hectares of forest land each year are denuded and degraded by shifting cultivation, conventional agriculture, and timber harvesting. Unfortunately current strategies to alleviate hunger by promoting agriculture in the developing world often lack an understanding of the relationship between the environmental, social, political, and cultural context in these countries. This has served to enhance the dangerous cyclical relationship between a lack of food self-reliance and environmental degradation. Developmental projects in the Third World sponsored by AID should promote the principles of sustainable agriculture; farming techniques which foster, rather than deplete, the capacity of farmable land to produce food in a renewable manner.

In Ethiopia, with one of the world's highest soil erosion rates, the loss of over 1 bil-

lion tons of topsoil a year has perpetuated a cycle of recurrent famine.

On Madagascar, one of the most eroded places on earth, population growth and severe environmental degradation has led to a 20 percent decline in grain consumption, pushing food intake below the survival level for many.

Debt

The debt burden of developing countries worsens hunger and poverty. Hunger tends to increase in these countries because, in an effort to save money, the government sometimes chooses policies which increase unemployment and underemployment. Without jobs, already severe problems of malnutrition worsen for the affected families. Also, in many instances, these governments decrease funding for basic educational and primary health services. Cuts in government health budgets can lead to increases in child mortality rates, while cuts in education budgets leave children unable to gain the tools to help them break out of this cycle of debt, unemployment, poverty, and hunger.

In total, indebted developing countries spend \$50 billion more every year repaying their debts than they receive through foreign aid and investment.

In order to service its foreign debt, AIDS-plagued Nigeria drastically reduced its spending for public health.

Private voluntary organizations

Private voluntary organizations (PVOs) like CARE, Catholic Relief Services, World Vision, and Save the Children have proven themselves to be particularly effective in the delivery of development and humanitarian assistance to those most in need. They tend to be better at getting needed resources to the poorest of the poor—at a lower cost than the U.S. Government or the host government. Efforts to make every foreign aid dollar stretch as far as possible—and help as many people as possible—require that these groups receive additional resources.

Between 1985 and 1989 the U.S. Government provided nearly \$180 million to PVOs to promote child survival in developing countries.

In Peru, CARE and other PVOs are using U.S. Government food to provide locally-organized community kitchens with the supplies they need to meet the nutritional needs of people in the poorest neighborhoods of Lima.

In a poor area of Malawi in southern Africa, World Vision, working with the Government of Malawi, has trained more than 90 percent of the workers responsible for educating mothers on the measures they need to take to promote their children's survival.

Multilateral development banks and the IMF

Increasingly, the World Bank has begun to focus its efforts on poverty alleviation, as illustrated by its "1990 World Development Report," which had poverty as its theme. The World Bank has begun to move towards the goal of poverty reduction by using a strategy of linking their assistance programs to the poverty reduction efforts made by developing countries. Following this trend, the International Monetary Fund (IMF), whose programs can determine a country's macroeconomic situation, has recently begun to acknowledge the importance of addressing problems of poverty in the design of their program. However, the IMF has yet to begin incorporating these policy goals into their planning process and programs.

The World Bank, with 152 member countries, is the largest single source of development assistance.

The World Bank accounts for more than 15 percent of international support for education.

JOHN BZDIL III RECEIVES EAGLE SCOUT AWARD

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. GEKAS. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating a fine young man from Sunbury in my congressional district in Pennsylvania.

On April 7, John Bzdil III will join an elite class of individuals in receiving the award of Eagle Scout, the highest and most prestigious honor in the Boy Scouts of America.

As a Cub Scout, John received the Parvuli—Dei in 1983, and as a Boy Scout he received both the Ad Altare Dei, and the Pope Pius XII Award in 1986 and 1987, respectively.

John became active in school activities early in life. While in the sixth grade at St. Michael School, he was a member of the student council and was selected to the honor roll. At Sunbury Middle School, he was on the National Honor Society and was awarded the American Legion Award for being the outstanding male student in the eighth grade.

His high school years at Shikellamy High School have given John the determination, motivation and self-discipline needed to reach the highest of goals. Not only was he involved in student council, class president, and student representative for the school, but he was also actively involved in three sports: basketball, football and track—receiving a varsity letter in both track and football. John was one of only four to be recently named to the All Star Team for his outstanding performance as safety on the football team. Such diligence and perseverance has given John the extra effort needed to achieve his goals and to strive for future endeavors.

John also devoted his summers to the American Red Cross where he became a life-guard and taught swimming for a Learn to Swim Program.

For his Eagle Scout project John recruited volunteers to assist him with refurbishing the Keller Street Playground in Sunbury. They cleaned the area of garbage, filled in holes, and refinished and painted all playground equipment and the recreation pavilion. To help pay the expenses, John raised a total of \$250, including some of his own money from his summer employment.

Mr. Speaker, as you can see, John is well-deserving of the rank of Eagle Scout. He has worked exceptionally hard, has maintained a fine academic record, and has fully participated in three separate sports. He has represented both his school and his community, and has proven himself to be a fine, upstanding citizen of Sunbury.

I join his family and friends when I say I am proud of his accomplishments, and I wish him luck in all future endeavors.

EXTENSIONS OF REMARKS

**PROLIFERATION PROFITEERS:
PART 1**

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. STARK. Mr. Speaker, nuclear proliferation is now the No. 1 national security threat facing the United States. Too many countries have the bomb already. If we don't take steps today, we might soon live in a world in which Iran, Iraq, Libya, and Syria are all nuclear-armed.

In recent years, countries like Iraq and Pakistan have relied on weak and poorly enforced export controls to obtain vital technology for their nuclear weapons programs.

Last week representatives from the major nuclear supplier countries are meeting in London to discuss the current state of nuclear export controls, especially relating to dual-use technology.

I hope these talks will generate substantial results, but if they do not we must be prepared to take steps of our own. If our allies won't clamp down on their firms' nuclear wheeling and dealing then we will have to provide some deterrence for them.

To help address this issue, I recently introduced the Nuclear Non-Proliferation Enforcement Act (H.R. 830). This legislation would punish foreign companies that sell nuclear equipment, materials, technology, and dual-use items without the proper safeguards to countries of proliferation risk.

I have obtained from the emerging nuclear suppliers and nonproliferation project at the Monterey Institute for International Studies 12 case studies of foreign firms found furthering nuclear proliferation. Beginning today, I will, each day, place one of these case studies into the CONGRESSIONAL RECORD to help illustrate the need for more stringent export controls:

TWELVE FOREIGN FIRMS REPORTEDLY ENGAGED IN NUCLEAR WEAPONS-RELATED TRADE WITH IRAQ¹

FIRM 1: BRAZILIAN AERONAUTICS COMPANY (BRAZIL)

The Brazilian Aeronautics Company (Embraer) is Brazil's state-owned aircraft manufacturing concern. Early in 1989, Embraer became involved in negotiations with two other Brazilian firms, Orbit Aerospace Systems and Specialized Engineers, Inc. (Engesa), that could have led to a wide-ranging scientific and technological cooperation program with Iraq. Embraer has been involved in attempts to acquire a U.S.-manufactured IBM supercomputer for use on the evaluation of aircraft projects. Critics have charged that this equipment could be used to help build a Brazilian nuclear bomb. Embraer has denied accusations that it would supply the means to make nuclear calculations of any kind to anyone. However, the firm has strong connections to Brazil's Aerospace and Technology Center (CTA) which has worked to enrich weapons grade uranium and to enlarge missiles to give

¹ Sources: "Los Angeles Times" 9/15/90 by Douglas Frantz; "O Globo," 3/19/90, p. 46; "O Globo," 8/1/90, p. 19 by Jose Eustaquio; "O Globo" 8/28/90, p. 15 by Marcia Margues; "New York Times," 7/29/90 by Gary Milhollin and David Dantzi; "New York Times," 12/4/90, p. A10; "Wall Street Journal," 8/15/90, p. B8.

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them the capacity to carry nuclear warheads. A congressional report alleges "strong evidence" that Embraer personnel have exchanged information with Iraqi weapons experts while another article suggests that Embraer and CTA have together trained Iraqi rocket engineers. President Bush decided in November 1990 that the supercomputer sale would be allowed pending the establishment of sufficient safeguards. The decision was criticized by many nonproliferation experts. In August 1990, Westair Holding Inc. and its airline operating division, United Express, signed a \$700 million purchase option to buy up to 60 Embraer aircraft.

INTERNATIONAL OVERSIGHT OF THE PORNOGRAPHY TRADE

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. DANNEMEYER. Mr. Speaker, the cruel societal effects of pornography and obscenity on the spirit of this Nation rival the physical effects of illicit drugs. We have international cooperation in attempting to control illicit drugs. We do not have its equivalent regarding pornography and obscenity.

Mr. Speaker, I commend the following speech by Archbishop Roger Mahony to our colleagues. A dialog should begin now on this important matter.

PUBLIC FORUM ON PORNOGRAPHY

(Speech by Archbishop Roger Mahony)

I would like to express my deep gratitude to the Southern California Chapter of the Knights of Columbus and the Archdiocese's Commission on Obscenity and Pornography for inviting me to be with you here today.

It is indeed gratifying to see the Knights present an award to United States Attorney General Richard Thornburgh in recognition of the pro-family position taken by the Justice Department in enforcing the nation's obscenity laws.

It is also gratifying to see the Knights give an award to Dove Video for their efforts to clean up regular motion pictures, which have become an embarrassment to family viewers.

Chris Blatchford of KCBS certainly deserves the award that he is receiving from the Knights for his report that exposed the pornography industry, which is a blot on the good name of Southern California's entertainment industry around the world.

The actions of these award recipients should inspire all of us to increase the pressure on this multinational industry which continually exploits the dignity of the human person.

Today I would like to focus your attention on a new way to pursue our goals. The United Nations is a powerful force in our world that can play a major role in eliminating pornography. As former Chairman of the Committee on International Policy for the United States Catholic Bishops' Conference, I call upon the United Nations to enforce the international pornography laws that have been already agreed upon by treaty.

I urge this distinguished international body of nations to identify and to impose sanctions upon those nations which attack the family of humanity by means of pornography. Pornography is not more acceptable in the new world order than are slavery,

apartheid, cocaine smuggling or germ warfare.

My friends, if we are to have true peace in the world, it will require that respect for human rights and human dignity be international in scope. Pope John Paul II has spoken of an emerging, worldwide consensus on human rights. We who believe in God know this must be based on moral values that transcend time and space, and are permanent in nature. I am talking about the Ten Commandments given to all of us on Mount Sinai.

Thirty-five years ago, one of the greatest figures in the history of Hollywood, Cecil B. DeMille, said this at a gathering prior to the New York opening of his epic film, "The Ten Commandments":

"The Ten Commandments are not the laws. They are the law—The Ten Commandments are the principles by which man may live with God and man may live with man. They are the expressions of the mind of God for His creatures. They are the charter and guide of human liberty, for there can be no liberty without the law. . . . In the final analysis, we do not break the Commandments. They break us if we disregard them. They are not rules to obey as a personal favor to God. They are fundamental principles without which mankind cannot live together."

Was there ever a time when we more urgently needed to return to these values than now, when our world is emerging from the most atheistic, and bloodiest, of all centuries?

The 20th century has been ravaged by three major atheistic philosophies which have led to bloodshed on a horrifying scale: fascism, communism and materialism—much of it spawned and spread by the Western nations. I believe it was no coincidence that the Weimar Republic that led directly to German Nazism, and Lenin's USSR, and our post-World War II secularized West, made access to pornography a so-called "right."

This "right" helped to destroy many laws safeguarding true human rights, human dignity and, indeed, life itself: If a society views women as mere commodities to be exploited by pornography, it will view preborn babies, the elderly, and the handicapped as "inconveniences" to be terminated.

The mentality that has divorced itself from the laws of God has helped to destroy countless people in the United States through rape, rape-murder, date rape, child molestation, venereal diseases and the killer disease, AIDS—all the fallout of pornography. Certainly the pornography shops along Hollywood Boulevard, which is just outside the front door of this hotel, are testimony to values gone insane, as were those values that led to slavery and segregation in this country.

When the Supreme Court of California cannot recognize that paying people to "act" in pornographic movies is prostitution, it shows that moral bankruptcy has penetrated the highest levels of our society. We should also recognize that the most dangerous place for pornography is the home, where it teaches susceptible young people that suicidal sex acts are perfectly all right.

But I want to leave you on a hopeful note today. Let us thank God for the efforts of the federal government and many local governments against pornography, and for the great victories won by citizen boycott groups. These victories are largely due to organizations such as the National Coalition Against Pornography, Morality in Media, the American Family Association, the National

Family Legal Foundation and the Religious Alliance Against Pornography.

And let us rejoice at the bright prospect of the ancient Christian nations in Eastern Europe that are emerging in our times, thanks to the will of God and the intercession of millions of people praying, especially through the intercession of Mary, Mother of the Redeemer, Mother of the Church. A new Ukraine, Byelorussia and Russia will take their places in the United Nations along with the other states of the world, the great majority of which will represent populations made up of Christian, Moslem and Jewish believers.

As a Catholic, I believe that the God of Abraham, Isaac and Jacob is extending to the world a new graced opportunity for real peace and unity based on His Law.

We Catholics believe God has given to Mary the task of ushering in an era of peace through the triumph of her Immaculate Heart. This will fulfill the great promise made by Our Lady in 1917 at Fatima, a Portuguese town named for the favorite daughter of Mohammed. Allow me to quote from the Koran: O Mary, God has chosen you and purified you. He has chosen you above all the women of the world.

I believe that God, through His humble, gentle and pure Mother, is calling all of His children to unite in determination to protect everyone's human rights through international law.

Yes, both United Nations resolutions dealing with Kuwait and international treaties on pornography must be respected if we are to have true peace. Together, let us seize the moment and unite our world in this first great opportunity to have a world order based on God's plan for peace, love and law.

May God bless you for the difference you are making in helping to shape a society and a world community in which God's plan and design for the human person becomes the norm, not the exception.

FAIRNESS FOR FILIPINOS

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. CUNNINGHAM. Mr. Speaker, some 4,000 men and women who fought for America in the gulf—cannot become citizens of America.

They are Filipinos who serve in America's Armed Forces.

This injustice can be corrected.

If President Bush makes a "declaration of hostilities" with respect to the war in the gulf—the Filipino men and women who so heroically served there—will gain eligibility to apply for American citizenship.

Similar Executive orders followed conflicts in Vietnam and Grenada. But Filipinos serving in the battle, for example, in Grenada had to wait 4 years to become eligible for citizenship.

Such a long wait for our Filipino veterans of the gulf is neither fair, nor necessary. My colleague Congressman DUNCAN HUNTER and I have already written one letter to President Bush, asking him to declare a "period of hostilities" promptly.

I encourage all Members of the House to sign a second letter I will send to the President, which should arrive in congressional offices via "Inside Mail" soon.

Mr. Speaker, let's encourage President Bush to declare a "period of hostilities"—so Filipinos who fought for America become eligible to apply for American citizenship.

TRIBUTE FOR THE 60TH ANNIVERSARY OF THE UNITED CREDIT UNION

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. LIPINSKI. Mr. Speaker, to all whom these presents shall come:

ORDER OF PROCLAMATION

Whereas, The United Credit Union was founded February 2, 1931.

Whereas, The Sixtieth Anniversary of its founding will be celebrated this month, March 9, 1991.

Whereas, The celebration of this anniversary would not have been possible without the dedicated service of the Directors, Officers, Committee Members and Staff.

Whereas, The membership of United Credit Union has placed full faith and trust in its management with over fifty million dollars of deposits.

Whereas, The democratic control of the United Credit Union is the foundation of the trust of its members.

Whereas, The United Credit Union's recognition that thrift is the wisest use of one's resources and that financial security is the key to personal satisfaction.

Whereas, For over 60 years Howard S. Bechtolt, Edward M. Fitzgerald, Anton A. Schlichte, Gerald O'Connor, John N. Ryan and Ronald J. Nawrocki, Presidents of United Credit Union, served United's membership with enthusiasm and dignity.

Whereas, United Credit Union has adopted as its motto: "People Serving People, not for Profit, but for Service."

Whereas, Consideration and help in the attainment of the financial well-being of its membership has always been the guiding force of the United Credit Union.

I, William O. Lipinski, as Congressman of the 5th District of the State of Illinois; and on behalf of the City of Chicago and of the United States of America, do hereby congratulate the United Credit Union on their sixtieth anniversary and grant this certificate in recognition of the 60 years of dedicated service to its members.

PUERTO RICO SENDS A SIGNAL

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. BEREUTER. Mr. Speaker, as a cosponsor of legislation to declare English as the official language of the Federal Government of the United States, I noted with much concern the passage by the Puerto Rican Senate of a bill making Spanish the sole official language of Puerto Rico. This Member invites his colleagues to examine the following editorial from the March 11, 1991, edition of the Omaha World Herald which addresses this subject in a most effective and coherent fashion.

[From the Omaha World Herald, Mar. 11, 1991]

PUERTO RICO SENDS A SIGNAL

The Puerto Rican Senate weakened the case for Puerto Rican statehood when it approved a bill making Spanish the sole official language of Puerto Rico.

Some residents want the island commonwealth to become the 51st state, although others want independence or continued commonwealth status. The U.S. House and Senate eventually will take up a bill that would let the islanders decide.

Puerto Rico has a 1902 law designating English and Spanish as the languages of government. Spanish is the first language of most people. But if dealings with Washington had to be conducted in Spanish instead of English, as is currently the case, the symbolism would be potent.

The widespread use of the English language has been a national strength for America since the early days of the republic. Immigrants have poured into this country speaking hundreds of different languages and dialects. The predominance of a single national language, English, has brought them together.

Enclaves of various nationalities have become established in cities of all sizes. But no matter what language was spoken in those enclaves, most learned English to pursue the opportunities of the larger society. English is the language of business, of entertainment and of education. The ability to communicate in English is one of the tickets to success in America.

Ethnic pride and the need to cling to a personal heritage can help people maintain strong roots and preserve moral and ethical values. But in keeping an individual cultural background there is no need to trash the elements that have strengthened the larger society and made it great. Language is one of those elements.

Canada has learned, to its sorrow, what can happen when citizens are divided into different linguistic camps. French-language purists, after several years of trying to suppress the use of English in parts of Quebec, are threatening to pull out of the union, creating a French-speaking entity and fragmenting one of the world's largest nations. The French-English split isn't the only point of disagreement. But it symbolizes the hard feelings, and it has made healing them more difficult.

The official embrace of Spanish by the Puerto Rican Senate seems to suggest that members are not wholeheartedly behind statehood. U.S. leaders officials should consider that message before deciding what to do about the island's political future.

The desire for statehood should imply a willingness to embrace the laws, the customs and the language of America. Advocates of statehood are now being saddled with a situation in which they could have to work much harder to persuade America that the statehood campaign is sincere.

FASCELL AND WAR POWERS:
ALIVE AND WELL

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. GEPHARDT. Mr. Speaker, one of the most important lessons of the gulf war is the

necessity for Congress to be a partner with the President in the decision to commit U.S. troops into combat.

That fundamental principle, as reflected in article I of the U.S. Constitution and reaffirmed in the War Powers Resolution, is also found in the Authorization To Use Military Force Against Iraq Resolution, Public Law 102-1.

This fact is due more to one Member of Congress than any other—DANTE B. FASCELL, the chairman of the Foreign Affairs Committee and the only original sponsor of the War Powers Resolution still serving in the U.S. Congress.

That reality was captured most astutely in a February 3, 1991, article entitled "Defining Hour for War Powers" by Christopher Matthews, the nationally recognized Washington bureau chief of the San Francisco Examiner. Matthews wrote:

As Fascell sees it, the Jan. 12 vote unleashing Desert Storm capped a long series of carefully worked precedents stretching from Beirut to Grenada and Panama, then back to the Persian Gulf. They establish the President's duty to inform and consult the legislative branch on foreign military ventures and the Congress' right to approve any sizable, long-term campaign.

"By specific language," Fascell insists, "we authorized the war." In so doing, it defended a concept written into the Constitution: Congress and the President's "shared responsibility" on matters of peace and war.

Matthews then concluded:

Decades from now, this single Bush decision, which triggered the landmark congressional vote, may be an important as his order, four days later, to attack Iraq.

Notwithstanding White House posturing prior to January 12 on the President's allegedly sole authority to commit troops into combat, the President ultimately did acknowledge the important and necessary role of Congress and formally requested congressional authorization to commit troops into combat. With the two branches of Government acting in concert, the American position was strengthened and contributed to the ultimate success and brevity of the war to liberate Kuwait.

In light of this very important war powers precedent, I request that Chris Matthew February 3 article and Chairman FASCELL's January 22d statement describing the role of the Congress and the President working together in enacting Public Law 102-1 be included in the RECORD. The article and remarks follow:

"DEFINING HOUR" FOR WAR POWERS

(By Christopher Matthews)

WASHINGTON.—The one good thing to come of this harrowing war in the Arabian desert may be the precedent that it has set for future military campaigns. Who in the United States has the right and power to make war? That question, which has dogged this country for decades, has been powerfully dispatched by the events of this young year.

Jan. 12. Mark that date well. It is when the House voted 250 to 183 and the Senate voted 52 to 47 for the United States to "use all necessary means" to get Iraq out of Kuwait.

What will matter, years from now and in a situation wrapped in as much peril as today's Persian Gulf episode, is not the arithmetic but the count itself, not how Congress reacted to the president's call for authority to make limited war against Saddam Hus-

sein, but how the president acted in requesting that authority.

Bush could have gone it alone, but didn't. "He acknowledged the principle!" the House Foreign Affairs Committee chairman Dante Fascell, D-Fla., exuberantly proclaimed in an interview this past week.

"This is very, very important," he continued. "By specific language, Congress authorized the war!" For the 73-year-old lawmaker, the Congress' formal approval of the Persian Gulf campaign was a landmark achievement.

Fascell and his colleagues have devoted decades to re-asserting the war-declaring powers given Congress in 1789, but eroded through years of compliance with executive branch decision-making.

As Fascell sees it, the Jan. 12 vote unleashing Desert Storm capped a long series of carefully worked precedents stretching from Beirut to Grenada and Panama, then back to the Persian Gulf. They establish the president's duty to inform and consult the legislative branch on foreign military ventures and the Congress' right to approve any sizable, long-term campaign.

The most powerful and enduring of those war-making precedents was set early this year.

"By specific language," Fascell insists, "we authorized the war." In so doing, it defended a concept written into the Constitution: Congress and the president's "shared responsibility" on matters of peace and war.

For Fascell, who came to Congress in 1955, the battle to enshrine the War Powers Act has been longer than President Bush's crusade for a "new world order."

It began with the enactment, over Richard Nixon's veto, of the 1973 War Powers Act. The statute contains two governing requirements: that presidents formally notify Congress whenever U.S. troops are sent "where hostilities might be imminent" and that any long-term troop commitment—beyond 90 days—receives legislative approval.

While the "legislative veto" provision in the 1973 act remains subject to judicial challenge, Fascell is right when he argues that the issue of who in America has the power to make war is, in the end, a "political" question. No matter what the courts decree or what the Founding Fathers wrote, this life-and-death decision lies with those elected officials who must serve and face the people.

Why did President Bush relent to having Congress vote up-or-down on Desert Storm?

Because, as the feisty Fascell puts it, he "got tired of playing the games."

Decades from now, this simple Bush decision, which triggered the landmark congressional vote, may be as important as his order, four days later, to attack Iraq.

STATEMENT BY REPRESENTATIVE DANTE B. FASCELL, JANUARY 22, 1991

"Congress' War Powers Resolution is alive and well. Congress and the President share responsibility for war powers under our democratic constitution. The legislative history of this decision to use force proves that war powers are properly shared by the President and Congress under the constitution and that the War Powers Resolution is alive and well."

Representative Fascell recalled the legislative history:

"Congress received a report from President Bush dated January 18, 1991 which places the military actions taken in the Persian Gulf in compliance with the War Powers Resolution. Specifically, Section 4(a)(1) of the War Powers Resolution requires the President to submit a written report to Congress within 48

hours once United States armed forces are introduced into hostilities in the absence of a formal declaration of war. That report was submitted by President George Bush to the Speaker of the House on Friday, January 18, 1991. The debate and legislative actions taken by the Congress to address the crisis in the Persian Gulf reaffirm Congress' proper constitutional war powers authorities."

The legislation passed by the House on January 12, 1991, H.J. Res. 77, is a statutory authorization of the use of force to implement UN Security Council Resolutions. That legislation is now public law P.L. 102-1. It is consistent with, and an implementation of, the War Powers Resolution. As specified in Sec. 2(c)(2) of P.L. 102-1, that law does not supersede anything in the War Powers Resolution. The legislation is an authorization to use force for purposes of the War Powers Resolution, therefore, the corresponding sections of the War Powers Resolution apply and the President is meeting those requirements by submitting this report.

H.J. Res. 77 authorizes the conditional use of force to implement UN resolutions. In Section 2(c)(1) of H.J. Res. 77, the Congress declares that this conditional authorization of the use of force constitutes the specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution. As a result, U.S. Forces may continue in hostilities beyond 60 days without additional congressional action.

In other words, under H.J. Res. 77, force is authorized by the Congress only after the President determines that the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the twelve United Nations Security Council resolutions and that those efforts have not been and would not be successful in obtaining such compliance. That report was sent by President George Bush to the Speaker of the House on January 16, 1991. Pursuant to the presentation of that determination the President was then authorized to use force to implement the UN resolutions. This procedure established by H.J. Res. 77 is consistent with and meets the requirements of the War Powers Resolution and the U.S. Constitution."

Fascell commented further on war powers: "War powers are shared powers under our constitution. The President is Commander-in-Chief of our armed forces. Congress has the responsibility and authority to declare war.

The strength and wisdom of the War Powers Resolution is that it establishes procedures and a process by which Congress can authorize the use of force in specific settings for limited purposes short of a total state of war. We find ourselves in such a situation today where H.J. Res. 77 authorizes the use of force under the specific conditions cited. It is not an unlimited, unconditional authorization of the use of force, nor is it a formal declaration of war. Therefore, the War Powers Resolution still applies and that is why the President has sent to the Speaker this 4(a)(1) report.

Building on the precedent established in the 1983 Multinational Force in Lebanon Resolution (P.L. 98-119), the Authorization To Use Military Force Against Iraq resolution (P.L. 102-1) represents another example of the President and Congress acting together within the framework of the War Powers Resolution.

Congress is proud of its debate concerning war in the Persian Gulf and its decision to authorize force and meet its responsibilities under the War Powers Resolution. As the

Constitution intended, in this case the executive and legislative branches share responsibility for a most solemn foreign policy and national security decision involving the use of our armed forces in hostilities to implement UN Security Council resolutions. I sense the wisdom of our forefathers who wrote the Constitution when I step back and see that the pain and anguish of sharing war powers are natural to a democratic system which must make sure that a democratic majority of its people support this most grave national decision, a decision to use American armed forces in any hostilities or war to deter aggression and seek peace."

PENNSYLVANIA YOUTH HONORED FOR EAGLE SCOUT

HON. GEORGE W. GEKAS

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. GEKAS. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing and congratulating a young man from the 17th Congressional District of Pennsylvania.

On April 7, 1991, Michael Bzdil will join an exclusive class of individuals in the United States when he receives the award of Eagle Scout, the most difficult and highest achievement a Boy Scout can earn.

To acquire this award, Michael completed a project in which he volunteered to raise funds for and provide over 100 manhours of work for the Danville State Hospital Summerfest.

The hospital patients credited the success of the festival to Mr. Bzdil, who recruited volunteers to help him paint and refurbish game booths, solicit contributions to pay for refreshments and prizes, and remarkably present a donation—partly financed by his cutting lawns—to the hospital volunteer fund.

Previous to his pursuit of the Eagle Scout Award, Michael has made extracurricular activities one of his lifelong pursuits. As an active altar boy at his church, Michael received the Parvuli Dei and the Ad Altare Dei Religious Awards. He participated in student council in his days at St. Michael School until seventh grade, and then Michael's eighth grade year at the Shikellamy schools found him being one of only two eighth graders to win a spot on the ninth grade football team.

In addition to his Boy Scout activities, Michael has been an avid outdoorsman, teaching Red Cross swimming lessons and acquiring a sponsorship to study at the Cumberland County Junior Conservation School at Camp Tuckahoe in the vicinity of Dillsburg, PA.

Of all his accomplishments, however, Michael considers the Eagle Scout Award to be the pinnacle. He describes the project he undertook to achieve that prize as a "very worthwhile experience" during which he "learned the joys and frustrations of organizing a major event." Michael "also felt enrichment at being able to bring joy and happiness to—hospital—patients who are not able to enjoy the many events that we often take for granted."

I am very proud of Michael for his supreme accomplishment. He has worked very hard for his Eagle Scout Award, and I join with his troop, family, and friends in congratulating Michael for a job well done.

AMERICAN HEROES: THE NAVY AND MARINE CORPS RELIEF SOCIETY

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. CUNNINGHAM. Mr. Speaker, the best way we can support our troops in the gulf is to support their families here at home.

Thousands of American families have answered the call to send their fathers, mothers, sons, and daughters to military service in the gulf, and when a service man or woman in the gulf is a family's chief breadwinner, the family left at home endures difficult financial sacrifice.

I know this, not just because I headed a military family for 20 years, but because military families all over San Diego call my office daily to ask for my help.

Where I send them is to the local chapter of the Navy and Marine Corps Relief Society. This worldwide nonprofit organization, staffed by some 3,600 dedicated volunteers, buys groceries for hungry families, clothe children, and pays the rent or the mortgage whenever a military family in need simply asks.

The service men and women who contribute their financial resources to Navy and Marine Corps Relief and the thousands of volunteers who staff their offices at 141 bases and 134 U.S. Navy ships are all unsung American heroes.

But now that nearly a half-million Americans have been called overseas, often on very short notice, the need for Navy and Marine Corps Relief services has never been greater.

Mr. Speaker, I encourage all the Members of this House who represent military men and women to voice their support for the hard-working volunteers at Navy and Marine Corps Relief. Members of Congress can record public service announcements, recruit volunteers, and make sure everyone who needs Navy and Marine Corps Relief knows that they are available.

Let's remember the needs of our military families, and support our American heroes on the home front, the people of the Navy and Marine Corps Relief Society.

Following is a list of Navy and Marine Corps Relief Society offices around the world, which I would like to include in the RECORD at this point.

NAVY-MARINE CORPS RELIEF ACTIVITIES

- Albany Auxiliary.
- Bermuda Auxiliary.
- Camp Lejeune Auxiliary: New River Branch.
- Camp Pendleton Auxiliary: Barstow Branch, Bridgeport Office, San Onofre Branch.
- Cherry Point Auxiliary.
- Connecticut Auxiliary: Windsor Office, Scotia Office.
- District of Columbia Auxiliary: Bethesda Branch, Dahlgren Branch, Henderson Hall Branch, Indian Head Office, Patuxent Branch, Sugar Grove Office.
- El Toro Auxiliary: Tustin Branch, Yuma Branch.
- Great Lakes Auxiliary: Detroit Branch, Glenview Branch.
- Guantanamo Bay Auxiliary.

Hampton Roads Auxiliary: Little Creek Branch, Portsmouth Branch, Shipboard Branch, Yorktown Office.

Hawaiian Auxiliary: Australia Office, Bahrain Office, Barbers Point Branch, Barking Sands Office, Christchurch Office, Kaneohe Branch.

Headquarters: Iceland Office, Augsburg Office, Stuttgart Office.

Jacksonville Auxiliary: Cecil Field Branch.

Japan Auxiliary: Atsugi Office, Chinhae Office, Iwakune Office, Misawa Office, Sasebo Office.

Key West Auxiliary.

Lemoore Auxiliary.

London Auxiliary: Brawdy Office, Edzell Office, Holy Loch Office, Lisbon Office, Mächrihanish Office, Mildenhall Office, St. Mawgan Office, Thurso Office.

Long Beach Auxiliary: China Lake Branch, Albuquerque Branch.

Mare Island Auxiliary: Concord Branch, Stockton Branch.

Marianas Auxiliary.

Mayport Auxiliary: Kings Bay Branch.

Memphis Auxiliary.

Miramar Auxiliary: El Centro Branch.

Naples Auxiliary: Gaeta Branch, La Madalena Branch, San Vito del Normanni Office.

Naval Academy Auxiliary.

New Hampshire Auxiliary.

New Jersey Auxiliary.

New Orleans Auxiliary.

New York Auxiliary.

Oceana Auxiliary: Dam Neck Office, North West Office.

Okinawa Auxiliary: Camp Hansen Office, Camp Kinser Office.

Orlando Auxiliary.

Parris Island Auxiliary: Beaufort Branch.

Pennsylvania Auxiliary: Earle Branch, Willow Grove Branch.

Pensacola Auxiliary: Gulfport Branch, Meridian Branch, Panama City Office, Pascagoula Branch, Whiting Field Branch.

Philippines Auxiliary: Hong Kong Office.

Port Hueneme-Point Mugu Auxiliary.

Puerto Rican Auxiliary: Sabana Seca Office.

Puget Sound Auxiliary: Bangor Branch.

Quantico Auxiliary.

Rhode Island Auxiliary: Argenta Branch, Brunswick Branch, Cutler Office, South Weymouth Branch, Winter Harbor Office.

San Diego Auxiliary: MCRD Branch, North Island Branch, NTC Branch.

San Francisco Bay Auxiliary: Centerville Office, Fallon Branch, Moffett Field Branch, Monterey Branch, Oakland Naval Hospital, Treasure Island Branch.

Seattle Auxiliary: Idaho Falls Branch.

Signonella Auxiliary.

South Carolina Auxiliary: Athens Branch, Atlanta Branch, NWS Charleston Branch.

Spain Auxiliary.

Texas Auxiliary: Chase Field Branch, Dallas Branch, Kingsville Branch.

Twentynine Palms Auxiliary.

Whidbey Island Auxiliary: Adak Branch, Anchorage Branch.

inary member of the Fifth Congressional District of Illinois, Mr. George Furgala. On March 12, 1990, Mr. Furgala will turn 106 years old, an accomplishment worthy of special recognition.

George Furgala was born in Galicia, Poland, in 1885. In 1920, he migrated to the United States settling in Chicago's Bridgeport neighborhood and later moving to Brighton Park. Mr. Furgala worked for R.R. Donnelley & Sons printing plant for 26 years retiring in 1951. However, he is known for his knowledge of faith and religion which he has shared with others for over 70 years. Mr. Furgala has three children, Josef, Walter, and Rose Kodak, seven grandchildren and five great-grandchildren.

George Furgala's commitment to his community and family is impressive and deserving of special recognition and honor. I am sure that my colleagues will join me in expressing congratulations to George Furgala for his many years of selfless dedication, loyalty, professionalism, and priceless contributions to his community. I wish him well on his 106th birthday and hope his life continues to be an adventure full of pleasant memories.

THE SPANISH SPEAKING CITIZEN'S FOUNDATION CELEBRATES ITS 25TH ANNIVERSARY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. STARK. Mr. Speaker, I rise today to pay tribute to the Spanish Speaking Citizen's Foundation of Oakland, in California's Ninth Congressional District. The Spanish Speaking Citizen's Foundation is a nonprofit, multiservice organization incorporated in 1965. Since its inception, the foundation has worked to improve the social and economic welfare of the disadvantaged. The mission of the foundation is to improve the quality of life of both the community and the individual while preserving and enhancing the cultural heritage of both. All services are provided in both Spanish and English as well as to the deaf and the speech-impaired.

Currently, the foundation provides comprehensive bilingual services in five areas including: employment and career development, educational enrichment, youth and family counseling, recreation and special activities, and information and referral services.

In the areas of employment and career development, the foundation offers such services as testing and appraisal of individual's abilities and interests, job placement and referral, individual and group work with clients and employers, post-placement follow-up with the employer and employee, and, a summer youth employment program for youth aged 14-21. The career development department offers such services as job search techniques, interview and resume writing services, and career and life planning.

The educational enrichment portion of the program offers such services as after-school classes in English as a second language and classes in basic mathematics and English.

The foundation also established the East Side Oakland Saturday Institute [ESOSI], a creative learning center open on Saturday mornings during the school year. At the ESOSI, credentialed instructors and trained volunteers teach subjects ranging from reading and writing to mathematics and science for grades one to nine. All volunteers are recruited from local colleges and universities. The ESOSI students also enjoy field trips to places like the Lawrence Hall of Science on Berkeley.

In the area of counseling, the foundation counseling staff members work directly with the community. The counseling staff has formed multiracial rap groups in which local junior high school students are able to discuss their problems. The foundation's counseling component also works with neighborhood gangs and, in one case, has been able to redirect group energy to initiate a neighborhood cleanup campaign.

Each month, the foundation's information and referral service assists at least 300 people by referring clients to service organizations providing emergency food and shelter, medical care, and tax services. This service also assists low-income clients who are experiencing problems with utilities, housing, insurance, immigration, and other social service needs.

The foundation, together with La Raza Athletic Association, also sponsors recreational activities for school-aged youngsters such as volleyball, soccer, softball, basketball, swimming, and bowling. They have also begun, a little people's academy which provides an outlet for children to develop creativity, leadership skills, and self-esteem through drama, music, dance, and arts and crafts.

The foundation has developed ties with other community based organizations, social service providers and other Government agencies—the Social Security Administration, the State Disability Insurance Office, and the Probation Department each have a representative assigned to the center 1 day each week. They have also established partnerships with schools, neighborhood groups, and local businesses to generate employment opportunities for both youth and adults.

Mr. Speaker, the Spanish Speaking Citizen's Foundation has been providing these services to the community for 25 years. I would like to take this opportunity to congratulate the Spanish Speaking Citizen's Foundation on its anniversary and to commend the foundation for its dedication to the community. It is a model program for both the community and the Nation.

A GI FAMILY'S PRAYER

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. DANNEMEYER. Mr. Speaker, I am glad to see that public prayer has regained its stature in America. The President has called on all sectors of the populace to pray for our troops in the Middle East and to pray for peace—that is, all sectors except public school children, who will be offended somehow by such an exercise.

TRIBUTE TO GEORGE FURGALA ON HIS 106TH BIRTHDAY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to pay tribute to an extraor-

President Bush, like most Americans, has increased his testimony of the efficacy of prayer. The Reverend Robert H. Schuller has known the value of prayer for along time. In fact, the following prayer, written by Reverend Schuller, has been answered for the vast majority of service men and women:

A G.I. FAMILY'S PRAYER

(By Robert H. Schuller, January 1991)

Hear, Lord, my prayer for my G.I.,
so eager to live—too young to die.
Beneath an alien blistering sun,
He faces a dangerous enemy gun.
The storm clouds gather, the horror of war,
my soldier stands bravely guarding the door.
Defending justice, peace, and freedom,
to his Commander-in-Chief give Holy wisdom.
From wars' alarms, bring swift release.
Hasten the day of honorable peace.
On land and sand and sea and air,
I back my soldier with this prayer:
"No matter how far he's forced to roam,
just bring, I pray, my G.I. home." Amen

LORRI S. KELLOGG—1991 "OUTSTANDING CITIZEN" AWARD RECIPIENT

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. LEHMAN of Florida. Mr. Speaker, I would like to pay tribute today to a special Floridian with an especially big heart. Lorri Kellogg is founder of "Universal Aid for Children," a licensed, nonprofit adoption agency. UAC has located loving families for over 1,000 foreign-born children, both healthy and physically disabled, since 1977. Because of her extensive work, Ms. Kellogg recently was honored by the South Florida and South Dade Councils of B'nai B'rith as an outstanding citizen for 1991. Her good works also have been singled out for praise in such diverse publications as "Working Mother" and "South Florida" magazine.

Lorri Kellogg first came to my attention in the early 1970's when, through her determination to adopt a Korean child and with my help and that of then-Senator Chiles, our immigration law was amended to allow single persons to adopt foreign-born children. Since that time, Ms. Kellogg has worked tirelessly to help adoptive parents benefit from her experience, and now from her expertise. With her assistance and guidance, deserving children and hopeful parents are brought together to create or augment loving, caring families.

I hope that the House will join me in recognizing Ms. Kellogg's contributions, paying tribute to the person as well as to the unselfish ideals which she represents. Also in her honor I would like to insert in the CONGRESSIONAL RECORD the text of the letter nominating her for this well deserved award.

LORRI KELLOGG, NOMINEE, B'NAI B'RITH 1991 OUTSTANDING CITIZEN AWARD

In 1972, life was very full for a busy, community minded Miami real estate executive, Lorri Kellogg, who founded the Vietnam Prisoner of War Missing in Action organiza-

tion. While relaxing at home one evening, she flipped through the T.V. channels, stopping when she saw the sad little faces of little Korean orphans on a very compelling program presented by Art Linkletter, who was seeking monthly sponsors. He said that \$12 a month would make a difference in each child's life.

Lorri was very moved. There was no way she could anticipate that moment's ultimate impact on her relatively quiet life. After the telecast, Lorri placed her check in an envelope, sealed it, and changed her life forever. She was also sealing the fate of the lives of children around the world. It would be a few years later that Lorri would create the internationally respected Universal Aid for Children, this state's first adoption agency licensed to bring together Florida couples seeking adoption of orphans, worldwide.

In the mid 1970's, Lorri Kellogg served on the H.R.S. District 11 (Dade-Monroe) Human Rights Advocacy Committee and Chaired the Subcommittee on Child Nurturing and Growth, where she was a trouble shooter for our community's underprivileged, abused, and orphaned children. During this time, Lorri's devotion grew for little Myung Sook, to whom she faithfully sent her monthly \$12 checks for food and clothing. When Lorri discovered the bleakness of Myung Sook's future in Korea, she made inquiries regarding her adoption. Every obstacle was placed in her path, even though Myung, she had learned, was adoptable. The greatest obstacle was that Lorri was a divorced single person. Lorri's determination to rescue Myung from a hopeless life threatening situation heightened. For several years, driven by love, fortitude, and keen intelligence, Lorri Kellogg painstakingly overcame each obstacle and changed the laws when she obtained the backing of Representative William Lehman and then-Senator Lawton Chiles who signed a bill allowing single people to adopt foreign born children. On April 9, 1976, Jaime Susan (Myung Sook) Kellogg, a precious, dazed, and tired little four year old girl arrived in America, giving her overjoyed mother the courage to continue pioneering and reforming the system of international adoption here in Florida as well as worldwide.

Lorri made a major sacrifice at that point in her life. She left her well-paying job to be with Jaime around the clock and opened a day-care program which she knew would not be financially profitable.

In 1977, Lorri Kellogg founded Universal Aid for Children (UAC), which has located loving families for over 1,000 foreign born babies and older children, both healthy and physically disabled.

This past November, Lorri returned from Bucharest, Romania, with five little children who otherwise would have had no hope for survival. These children were placed with loving South Florida families and were subjects of much publicity. As we all know, Romania is festering with a monumental number of orphans crowded into cold, unheated orphanages with inadequate food, no love, and a galloping outbreak of AIDS due to the ineptitude of care takers.

It took months of planning, establishing a network of couriers here and in Canada, and setting up contacts in Bucharest, to accomplish this pioneering feat of opening the doors for the exodus of these otherw'se tragically doomed babies. When Lorri left for Bucharest, she was not feeling well, but too much was at stake and she refused to postpone the journey. For seventeen cold days, Lorri and three UAC colleagues stayed in a tiny unheated flat which had cold running

water for only three hours each day. Food was very scarce, and conditions, in general, were deplorable. She visited every orphanage. She also visited every church and the one single synagogue left standing in Bucharest. She traveled to neighboring villages to assess the extent of the nightmarish numbers and conditions of the orphanages. Lorri returned to Florida with severe dysentery which weakened her for weeks but did not diminish her plans to return to evacuate more orphans, with her special concern for those with physical disabilities. She is hoping to establish an aid program for the children suffering from cancer who are without treatment and, even worse, without any medicines to relieve intractable pain.

Lorri Kellogg has also lead over 36 expeditions into war-torn El Salvador to bring supplies to and rescue orphans in refugee camps. She mobilized an impressive volunteer team of caring individuals from Dade County, including prominent medical specialists who brought their skills, as well as needed medicines, clothing, toys, wheelchairs, and hope to the children. Scores of children were brought back to Florida where their otherwise hopeless medical conditions were corrected. One child, Sara (now 13 years old), had severe burns as the result of a bombing and has since undergone ten reconstructive operations with several more required to achieve a normal appearance. Sara's last name is now Kellogg, and she is one of Lorri's six children. Also, there is Jillian (now 17 years old), another daughter of Lorri's. Tarabeth, now 15 years old, arrived from Korea thirteen years ago to join her loving mother and sister Jaime, now 19 years old.

This past August, Lorri went from "God-mother" to "Mom", after the tragic and untimely death of Larry Rosenthal, who helped to found the UAC program in the Dominican Republic, and served as Executive Vice Director. The two youngest of his seven adopted sons, Jake (age 13), and Tiger (age 12), have since joined the Kellogg family.

Lorri's capacity for caring and giving is limitless. Her courage is boundless. There are thousands of people in our community whose lives have been miraculously changed because of Lorri . . . people who have become parents, grandparents, American born children who now have new brothers and sisters, and, most important, innocent children who were brought out of the world's worst conditions and given the greatest gifts: hope, improved health, and a loving family they can call their own. In addition, Lorri has enriched our community with her program for unwed pregnant women, encouraging and arranging for good pre- and post-natal care. With her contagious compassion, she has attracted a broad spectrum of Dade County professionals who volunteer in all aspects of UAC programs. She is constantly collecting medicines, food, clothing, shoes, food staples, and other items to better the living conditions of children locally as well as abroad.

Lorri Kellogg exemplifies the truly outstanding individual who enriches our community, our nation, and the world, and is surely worthy of the B'nai B'rith Outstanding Citizen Award for 1991.

PENNSYLVANIA FAMILY HEADS
THE PAXTANG LIONS CLUB

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. GEKAS. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Waltz family from the 17th Congressional District of Pennsylvania.

Richard K. Waltz, Jr., has just been elected president of the Paxtang Lions Club for 1990-91. This position was held by his father, Richard K. Waltz, Sr., in 1969-70. His grandfather, Robert J. Swab, held the same position in 1959-60. This is the first time that three successive generations have held the office of president in the club.

The legacy of the Waltzes has been of interest to many and was recently documented in an article in the Harrisburg Patriot News.

The newly elected president has previously held every major office in the past 14 years. Richard Jr. started helping the club with their pancake breakfasts and other functions when he was 17.

I commend them on their outstanding service to the community. The members of the Lions Club are involved with assisting the blind and the young of the area. The time and energy that the Lions Club puts into working for the community is greatly appreciated by all. The Paxtang Lions Club has a lot to offer the community and if others would just follow their lead, imagine what this Nation could be like.

I am very proud of the Waltz family for their accomplishment and their leadership.

PROTECT DOMESTIC FOOTWEAR
FROM TRADE BENEFITS TO CBI
NATIONS

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. SNOWE. Mr. Speaker, legislation is being introduced today which will correct a provision in the Customs and Trade Act of 1990 that severely damages the ability of our domestic footwear industry to compete. I am proud to be an original cosponsor of this legislation which will remove this serious threat to the American footwear industry.

Section 222 of the Customs and Trade Act of 1990 denies the same protection to the domestic footwear industry from Caribbean Basin Initiative [CBI] nation imports that have already been granted to textile, apparel, and petroleum products. The House-Senate conference committee on the Customs and Trade Act ignored the intent of both the House and Senate to include protections for domestic footwear. During debate on the Customs and Trade Act of 1990, both the House and the Senate defeated amendments which would have reduced duties on footwear from CBI nations by 50 percent. Despite this action, the conference committee chose to adopt the Kerry amendment which allows shoes made of U.S. materials to be treated as duty free regardless of where they were assembled.

The increase in imports from Caribbean basin initiative nations threatens to eliminate our domestic industry, what is left of it. Since 1980, the State of Maine has lost over 7,000 shoe related jobs. This amounts to a 43-percent decline in employment in Maine's shoe industry. We cannot afford to sit here and do nothing.

We must act to counteract unfair foreign imports which are damaging the ability of American companies to remain competitive and costing U.S. workers their jobs. The cost of plant closings, lost jobs, and an increased trade deficit exceed those of whatever consumer cost increases may occur from limited imports.

In the end, I can only ask my colleagues to take a close look at both this legislation and the state of our footwear industry. We have left the industry and workers at the mercy of foreign imports, and they have suffered. It is time for this Congress to demonstrate its concern for American workers and include the protection of domestic footwear in section 222.

TOW MISSILE STARS IN
OPERATION DESERT STORM

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. KOLBE. Mr. Speaker, it is with great pride that I recommend the following article that recently appeared in National Defense magazine. The article describes the tremendous success of the TOW Missile Program. TOW missiles are manufactured at the Hughes Aircraft Missiles Systems Group in Tucson, AZ.

The TOW missile is designed to be a highly lethal yet mobile field weapon to counter enemy armor and other ground mobile threats. The weapon has distinguished itself for 20 years and has been upgraded several times to meet new challenges on the modern battlefield. Further, the TOW missile was a key component in the success of Operation Desert Storm. It is indeed the premier antitank missile in the world today and I would again recommend the following article to my colleagues.

[From the National Defense, Feb. 1991]

TOW: AN EXAMPLE OF CONTINUOUS UPGRADE

Weapon systems can serve for more than 40 years, if the basic design is sound and allows for improvement. In air-to-air missiles, the AIM-9 Sidewinder has served for almost 40 years, and the AIM-7 Sparrow has passed the 35-year mark. The TOW missile (BGM-71) seems destined to achieve similar longevity. Sidewinder, Sparrow, and TOW are all performing as designed in Operation Desert Storm, scoring kills daily.

In these times of tight budgets, defense planners worldwide are turning to upgrades to achieve additional capabilities. With that in mind, the TOW's example of continuous improvement can be instructive.

TOW'S FIRST COMBAT

The first TOW missile fired in ground combat was launched on May 22, 1972. Army Sgt. Bill F. Tillman, an advisor with the Vietnamese marines, got the chance to prove

TOW (Tubelaunched, Optically-tracked, Wireguided missile) in action against an enemy attack force which included 200 troops and nine tanks. Tillman manned his ground launcher, fired, and directed the missile toward a tank 900 meters away. The missile hit and destroyed the T-54 tank. Two hours later all nine tanks lay in ruins amid 117 enemy dead. The engagement confirmed TOW's lethality and began a successful combat tour in the waning days of the Vietnam War.

In that same spring of 1972, the helicopter-mounted version of TOW also proved itself in fighting around the city of Hue. The TOW was fired 81 times from the UH-1B Huey gunship helicopter over several months, and was credited with 65 direct hits on targets including armored vehicles, howitzers, trucks, guns and 26 tanks. In one battle alone, 10 of 12 tanks and vehicles were destroyed, with the targets engaged at ranges up to 3,000 meters. Few of the missiles malfunctioned. In two decades of service since its first use, TOW has earned a reputation as the premier antitank missile in the free world.

BUILDING FOR LONGEVITY

TOW's longevity might not have been foreseen in 1963 when Hughes Aircraft Co. tackled the demands of meeting Army requirements. Challenges included raising the Army's required effective range from 2,000 meters to 3,750, while holding weight gain to two pounds. A system had to be developed for winding and unreeling the guidance wires at speeds up to 1,000 feet per second. The analog computer had to be built out of individual components, because microprocessors did not exist.

Prototype missile firings in 1962 yielded a circular error probable of 1.6 feet and reliability of 74 percent. The Army awarded a production contract to Hughes Aircraft in 1968, and early production versions achieved 91-percent reliability. The project was infused with greater urgency when intelligence estimates forecast the North Vietnamese forces introducing tanks into the conflict. The race came out about even; the TOW was ready for use when the T-54 and other tanks pushed into South Vietnam during the spring offensive of 1972.

The helicopter-mounted version of TOW did not move along as quickly or smoothly as the ground-mounted. But when the enemy tank threat in Vietnam became real, TOW was married with the XM-26 stabilized sight-and-sensor system. The combination was put together in a hurry, first on the UH-1 gunship, then on the AH-1 Cobra. Eventually the improved M-65 airborne system was fitted on Army and Marine Corps Corbas, as well as on other helicopter types.

EVOLUTIONARY IMPROVEMENT

Simplicity was a driving concept behind TOW from the start. Each missile is supplied in a sealed container that also serves as the launch tube. There is never a reason to open it, so TOW does not need the special handling of a sophisticated system. As a so-called "wooden round," a TOW missile can be kept in storage until needed, and a shelf life substantially longer than 20 years has been demonstrated, compared with the original requirement of five.

Since 1980, four TOW upgrades have appeared to counter advances in enemy armor. Improved TOW (ITOW) in 1981 updated the basic design by adding a telescoping probe for standoff detonation, and a more powerful warhead. TOW 2 entered service in 1983 with the probe, plus an even more powerful war-

head. When microprocessors became available, digital guidance replaced the original analog version. An accompanying improvement to the guidance unit incorporates a night sight and another guidance link. It also provides better operation through battlefield obscurants such as smoke and dust, and incorporates other countermeasures.

Much of TOW's success stems from the simple design. That provides an evolutionary path to incorporate new technology without radical changes. One result is that all versions of TOW are compatible and can be fired interchangeably from any of the approximately 20,000 launching systems located around the world.

To counteract reactive armor, TOW 2A in 1987 incorporated a small additional warhead in the missile probe. The additional warhead explodes first. This sets off reactive armor, clearing the way for the primary warhead to penetrate the base armor of the tank.

To improve targeting under all conditions, a thermal imaging system was added to helicopter installations in 1989. With it, gunners have better control of the missile through battlefield obscurants and countermeasures.

The next, or fifth, generation of the TOW family is the TOW 2B. It is a flyover weapon. That is, it does not hit the target directly, but instead fires its two warheads downward against the vulnerable top of the enemy tank.

From the basic ground tripod and AH-1 helicopter installation, a broad range of launchers 2,000 been developed. Ground vehicle installations include the Hummer vehicle, the Improved TOW Vehicle, and the Bradley Fighting Vehicle. Among airborne platforms, TOW has been mounted on more than 10 helicopter models besides the Cobra. Helicopters from 13 countries that carry TOW include the Agusta A129 Mangusta from Italy, MBB B0105 from Germany, and the United Kingdom's Westland Lynx.

TOW'S FUTURE

Hughes Aircraft's Missile Systems Group rolled out the 500,000th TOW missile from its Tucson, AZ, production plant in November 1989. Almost half the TOW production has been sold to allies. Under current production contracts, Hughes will build about 1,000 TOW missiles a month through February 1992.

Looking to the future beyond TOW 2B, Army officials see plenty of opportunity for further advances. Already being considered is the use of higher performance thermal-imaging techniques developed for other projects. These enhance the target image sharply and are integrated into the advanced electronics guidance hardware based on new digital processing chips now available.

But even the latest missile versions still require wire guidance. The mechanical limitation of paying out wire keeps missile velocity subsonic. This also exposes the launcher platform for up to 20 seconds as the missile traverses its maximum 3,750-meter range. The next step could be a wireless TOW missile that will attain supersonic speed and reduce the exposure time. A concept using radio-frequency guidance has been tested, and interest in developing it is expected to build further in this decade.

COMMON GROUND: A COMMUNITY RESPONSE TO THE PERSIAN GULF CRISIS

HON. MIKE KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. KOPETSKI. Mr. Speaker, the country stands united in gratitude to the men and women who serve in our Armed Forces and the work they have accomplished. As many have observed in this Chamber, this is not a time to allow disagreement over tactics to degenerate into partisan bickering.

Recently, I received a letter from a constituent and friend of mine, the Honorable Charles Vars, mayor of Corvallis, OR. On February 12, 1991, citizens representing 12 diverse groups with differing views and opinions on the gulf situation met and formulated an eloquent statement, titled, "Common Ground: A Community Response to the Persian Gulf Crisis." I am entering this statement, as well as Mayor Vars promulgating letter, into the RECORD, and I encourage my colleagues to read it and share it with their constituents:

OFFICE OF THE MAYOR,

Corvallis, OR, February 21, 1991.

Hon. MIKE KOPETSKI,

House of Representatives, Longworth House Office Building, Washington, DC.

DEAR MR. KOPETSKI: On February 12, 1991, a remarkable event took place in Corvallis. Individuals from more than twelve groups that disagree about the Persian Gulf war reached an agreement that they hope will become the basis for a movement.

The twenty-two individuals who drafted the enclosed statement, "Common Ground: A Community Response to the Persian Gulf Crisis," are affiliated with the American Legion, the Oregon State University Coalition to Stop the War, Veterans of Foreign Wars, Alpine School District, First Presbyterian Church, Beyond War, Corvallis City Council, and many more. They are seeking support from the groups to which they belong and they have asked me to send you their statement and request that you help spread the message of reconciliation.

This group has no agenda other than the one stated in Common Ground. They want everyone to work to assure enmity, harassment, and violence do not occur in this nation within communities and families. They believe we all desire a world without war. Please help spread the message.

Sincerely,

R. CHARLES VARS, Jr.,

Mayor.

COMMON GROUND: A COMMUNITY RESPONSE TO THE PERSIAN GULF CRISIS

We are concerned that the nation, communities, friends, and sometimes families find themselves divided as the Persian Gulf crisis progresses. In some communities, this has led to enmity, harassment, and violence. We are determined to make an effort so that it not happen in our community.

We recognize that we disagree as to what our national policy should be. But we find that there are areas upon which we can agree and which can be stated succinctly and simply:

1. We see a possibility that the emotional trauma of the conflict may lead to over-generalization concerning differences of opinion, religion, or race and lead to suspicion, har-

assment, discrimination, or violence. We pledge ourselves to work to prevent that from occurring in our community.

2. We deeply respect the sanctity of all human life.

3. There is sometimes a tendency to stereotype and villainize those with whom we disagree. There are people of good will on all sides.

4. We disapprove of wars and aggression.

5. We have disagreements among ourselves about national policies, but we disapprove of the invasion of Kuwait by Iraq.

6. The death, abject misery, pain, and suffering of combatants and civilians alike, along with the destruction and damage to the economic systems, infrastructure, and environment caused by war, defy description. A quick end to fighting in the Middle East could limit the costs.

7. Support for people in the armed services and their families must be rendered by the community and the nation during and after the war.

8. All of us long for a world order under the leadership of a strong international peace-keeping body. We desire a world without war.

ST. JOSEPH FOUNDATION GOOD SAMARITAN AWARD WINNERS

HON. DOUG BARNARD, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. BARNARD. Mr. Speaker, Augusta, GA's St. Joseph Foundation Center for Life recognizes annually very special citizens from our local community for their kindness and generosity in serving others.

Next week the foundation will present formal resolutions honoring Brother Luke Driscoll, FMS, Robert P. Stuntz and Rosemary and Peter M. Menk as recipients of this year's Good Samaritan Awards.

I am most proud of St. Joseph's and their program to salute its "Good Samaritans." The resolutions honoring them are as follows:

Whereas: Brother Luke Driscoll, F.M.S., has with, love and devotion, served God and his fellow man in many ways and for many years, it is resolved that he be declared the recipient of the 1991 St. Joseph Foundation Good Samaritan Life Achievement Award.

Whereas: Brother Luke, for more than 50 years, taught at all educational levels, including elementary, every level of high school and at the college level, and is described as "A learned man of English literature, knowledgeable and quite remarkable—an engaging and intellectual companion in the field of English", and is a graduate of Fordham University, with further study at Hunter College, St. John's University and the University of Georgia as well as Marist studies in Lyons, France, Rome and Canada and has taught in Marist novitiates in Massachusetts and Nigeria, and served as principal of Marist schools including Aquinas High School in Augusta, GA from 1965 to 1971, as well as having served as the religious superior for Marist communities in Laredo, Texas and Augusta, Georgia, and as Director of both the Marist International Second Novitiate—program in Fribourg, Switzerland and of the USA Marist novitiate, and as Spirituality Coordinator for the Office of Ministry Formation.

Whereas: In 1987 at the age of normal retirement, Brother Luke Driscoll embarked upon a second career in pastoral counseling at St. Joseph Hospital and has served the many segments of population of the Augusta, Georgia area with compassion and devotion and is loved by all, not only for his good works but his loving nature, for his commitment to Christ. Be it resolved on this the 12th day of March, 1991, and with the cooperation and assistance of Congressman Douglas Barnard, that this Resolution is entered into the Congressional Record of the Congress of the United States.

Whereas: The St. Joseph Foundation annually recognizes three individuals who have greatly contributed volunteer efforts in the categories of Time, Talent and Treasure at the Annual Good Samaritan Recognition Program, it is resolved that on March 19, 1991, that recognition and acclamation be given to the following:

Ruth B. Crawford, Good Samaritan Award for Time.

Whereas: Ruth B. Crawford, Founder and Volunteer Executive Director of the Shiloh Comprehensive Community Center is perhaps best described in an editorial from the Augusta Chronicle. In part, it is said, "In a world filled with examples of man's inhumanity to man, it is spiritually uplifting to witness honors being paid to individuals who give their time and efforts to advance the well-being of others."

Whereas: Ruth B. Crawford working more than 40 hours a week since 1977, is credited with the rejuvenation of a social agency which had been closed for ten years. The Shiloh Comprehensive Community Center, a multifunction agency, which operates in one of Augusta's most disadvantaged areas, serves senior citizens, youths, the handicapped and operates programs of neighborhood development and anti-crime.

Whereas: The Shiloh Comprehensive Community Center's special tutorial school, conducted on week-ends with a volunteer corp of accredited teachers, has received wide praise and Ruth B. Crawford demonstrates leadership in organizations devoted to improving the delivery of human services.

Whereas: Ruth B. Crawford was selected by the Administration on Aging in 1989 for national recognition of her volunteer work, her sensitivity towards people in need and her ability to articulate the concerns of the community are valued by many; be it, therefore,

Resolved, That Ruth B. Crawford, be recognized for her many outstanding accomplishments and endeavors and is named the Good Samaritan Award winner for Time.

Robert P. Stuntz, Good Samaritan Award for Talent.

Whereas: Robert P. Stuntz has unselfishly answered the call of numerous civic and religious organizations in the Augusta community for the past 31 years.

Whereas: It has been said, "Robert P. Stuntz has served in these positions quietly, never allowing attention to be drawn to him, but instead, ensuring that the focus was maintained on the organization and the mission at hand."

Whereas: Numerous organizations have benefitted from Robert P. Stuntz's unique talent of leadership, including: Chairman of the Board and Blood Services Chairman, Augusta Chapter, American Red Cross; President, Greater Augusta Chamber of Commerce; President, Junior Achievement; President, St. Joseph Hospital Development Council; Chairman of the Board, St. Joseph Foundation; organizer of St. Luke Anglican Church and Warden of the Vestry; Member of

the Southeastern Diocese Council of Advice for the Anglican Church; United Way Board of Directors; Georgia-Carolina Boy Scouts Executive Board; Gertrude Herbert Art Institute Board of Trustees; and the Human Relations Commission.

Whereas: Robert P. Stuntz's position as an officer in a Fortune 500 Company and his memberships on national and international corporations' boards of directors bring a level of expertise not normally available in the volunteer community, and as a man of conviction who has the knowledge and confidence to make hard decisions, his exceptional service to his community serves as an inspiration and example to all who attempt to make our community a better place to live;

Resolved, That Robert P. Stuntz be recognized for his many outstanding accomplishments and endeavors and is named the Good Samaritan Award winner for Talent.

Rosemary and Peter M. Menk, Good Samaritan Award for Treasure.

Whereas: Rosemary and Peter M. Menk have spent their lives giving to others. Both individually and as a couple, their contributions of time, effort and resources have benefitted countless individuals and organizations. Hours, days and weeks of travel and many personal investments have been made in support of activities in which they believe.

Whereas: Rosemary and Peter M. Menk were among the first members of the St. Joseph Remembrance Society and they are recognized as Humanitarians on the St. Joseph Tree of Life for their most generous financial support of the St. Joseph Foundation.

Whereas: Rosemary Menk, one of the first Presidents of the St. Joseph Hospital Auxiliary, has also served as National President of the Teresians, a society formed to pray for increased vocations to the priesthood and religious life. She has also been an active supporter of Catholic Social Services and Birthright and instrumental in the formation of a Capitol Development Committee and National Resource Council to raise funds for retiring Sisters of St. Joseph of Carondelet.

Whereas: Peter M. Menk has generously supported St. Joseph Hospital for many years as he has served on several Boards, as treasurer of both the St. Joseph Center For Life and the St. Joseph Hospital Development Committee, as Chairman of the St. Joseph Hospital Board and is the current Chairman of St. Joseph Ventures, Inc.

Whereas: Rosemary and Peter M. Menk have shared their gifts of treasure most generously with the St. Joseph Foundation, St. Mary's and Aquinas Schools and the Sisters of St. Joseph of Carondelet; be it, therefore,

Resolved, That Rosemary and Peter M. Menk be recognized for their generosity and are hereby named the Good Samaritan winners for Treasure; be it, therefore,

Resolved on this, the 12th day of March, 1991, and with the cooperation and assistance of Congressman D. Douglas Barnard, That this Resolution is entered into the Congressional Record of the Congress of the United States.

THE MILTON LITTMAN MEMORIAL FOUNDATION: IN SUPPORT OF OPPORTUNITY AND EXCELLENCE

HON. WILLIAM LEHMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. LEHMAN of Florida. Mr. Speaker, back in 1978, my good friend, North Miami Beach Councilman Jule Littman, asked me to join him in establishing a foundation to honor the memory of his brother, Milton.

Milton Littman was a sensitive and decent man who cared deeply about this community and did much to make it a better place in which to live.

Over the years, the Milton Littman Memorial Foundation has attracted to its board a long list of distinguished Dade County and statewide leaders who are committed to the success of this remarkable organization. The foundation has assisted dozens of bright and promising young people in achieving their full potential through higher education. Students can be nominated by their teachers, guidance counselors, or principals, or they can submit their own names for consideration. A key consideration in the approval process is the student's charitable and civic activities.

This week, the Milton Littman Memorial Foundation will hold its 13th annual scholarship breakfast at the Marco Polo Hotel. I look forward to this event and to my continued association with the foundation. It is a fine way to remember and foster the work of one of our outstanding citizens.

INTRODUCTION OF LEGISLATION IMPOSING CHARITY CARE STANDARDS FOR TAX-EXEMPT HOSPITALS

HON. BRIAN J. DONNELLY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. DONNELLY. Mr. Speaker, I am introducing legislation to impose a series of charity care standards for hospitals to meet if they wish to be exempt from tax under the Internal Revenue Code. The need for this legislation is pressing and clear, and I urge hearings on it, and its enactment, in the 102d Congress.

Mr. Speaker, under current law, hospitals which are exempt from Federal income tax as charitable organizations are not required to provide charity care as a condition of that exemption. In my view, that policy is misguided, and my legislation would correct it.

Since 1969, the Internal Revenue Service has adopted a "community benefits" standard for tax exemption for hospitals. While the IRS policy may have made sense in 1969, it makes little sense today. Four years before the 1969 ruling, Congress had enacted the Medicare and Medicaid Programs, and the need for hospitals to provide charity care seemed to be diminishing. Now, 25 years after the enactment of those programs, the need for hospitals to provide charity care is increasing. Quite frankly, many hospitals which enjoy the

benefits of tax exemption have done nothing to fulfill that need.

Mr. Speaker, the fundamental basis under which Congress exempts organizations from taxation is the belief that those organizations will relieve a governmental burden. When a hospital refuses to care for an indigent patient—and the evidence suggests strongly that this happens frequently—the patient often goes to a public hospital. This increases the burden on government.

My legislation, consequently, imposes some realistic requirements on hospitals if they wish to enjoy the generous benefits which the Government provides. Aside from generous Medicare payments, tax-exempt hospitals receive numerous tax benefits. Under my bill, those tax benefits would be conditioned on three charity care standards.

I ask that a technical description of my legislation be printed at this point in the RECORD.

PRESENT LAW

In general

Hospitals may be exempt from tax under section 501 of the Internal Revenue Code as charitable organizations, one of the listed exempt purposes under section 501(c)(3) of the Code. Although no specific provision of section 501(c)(3) lists the provision of health care or hospitals as an exempt purpose or organization, common law and the Courts have long noted that such purposes or entities may be considered charitable in nature.

Prior to 1969, the Courts and the Internal Revenue Service had consistently taken the position that for a hospital to be exempt from tax as a charitable organization, it had to provide some level of charity care to those unable to pay (see, e.g., *Lorain Avenue Clinic v. Commissioner*, 31 T.C. 141 (1958); *Sonora Community Hospital v. Commissioner*, 46 T.C. 519 (1966); Rev. Rul. 56-185, 1956-1 CB 202). One requirement of Rev. Rul. 56-185 was that a hospital had to be operated, to the extent of its financial ability, for those not able to pay for care, and could not refuse to treat patients who could not pay for care.

In 1969, the IRS modified its position on this issue. In Rev. Rul. 69-545, 1969-2 CB 117, the IRS removed the "financial ability" standard of the 1956 ruling and substituted a "community benefit" standard. The 1969 ruling suggested that the operation of an open emergency room was a required community benefit necessary for a hospital to be exempt from tax as a charitable organization. The open emergency room requirement was modified in 1983 (Rev. Rul. 83-157, 1983-2 CB 94) by permitting a waiver of this requirement if a State had made an independent determination that an emergency room was unnecessary or duplicative.

The Courts have upheld Rev. Rul. 69-545 (see, e.g., *Eastern Kentucky Welfare Rights Organization v. Simon*, 370 F. Supp. 325 (D.D.C. 1973), rev'd, 506 F.2d 1278 (D.C. Cir., 1974), vacated on other grounds, 426 U.S. 26 (1976)). Thus, under present law, there is no explicit statutory, regulatory, or judicial requirement that hospitals provide any degree of charity care as a condition of exemption from tax as a charitable organization.¹

¹The requirement of Rev. Rul. 69-545 that a hospital operate an open emergency room implies, however, that if an indigent patient sought treatment in an emergency room without the means to pay for care, the hospital would be required to provide that treatment.

Benefits corresponding to tax exemption

In general, three main benefits accrue to hospitals which are exempt from tax under section 501(c)(3) as charitable organizations. First, the hospital is not subject to the income tax. Second, contributions to the hospital by individuals are deductible as charitable contributions. Third, the hospital may have access to capital financing through tax-exempt bonds.

Relationship with Medicare Program

The Medicare program reimburses most hospitals on the basis of a prospective payment system. Basic PPS payments to these hospitals are subject to several adjustments.

One such adjustment is the disproportionate share adjustment, which is provided to hospitals which treat a large number of low-income individuals. A hospital's disproportionate share adjustment is determined by reference to its disproportionate patient percentage, which is the sum of two fractions. The first fraction compares patient days attributable to Medicare beneficiaries who are receiving a benefit under the Supplemental Security Income (SSI) program to total Medicare patient days. The second fraction compares patient days attributable to Medicaid beneficiaries to total patient days. A similar adjustment is provided under the Medicaid program.

Five classes of hospitals are exempt from reimbursement under the prospective payment system: psychiatric hospitals, pediatric hospitals, long-term hospitals, rehabilitation hospitals, and certain designated cancer hospitals.

Hospitals may be penalized under the Medicare program if they refuse to provide certain services to patients entering the hospital's emergency room. If an emergency medical condition exists, the hospital is prohibited from transferring the patient until the patient's condition has stabilized and unless the patient requests the transfer. Hospitals violating these "anti-dumping" provisions of section 1867 of the Social Security Act may be subject to civil and monetary penalties, as well as exclusion from the Medicare program.

Reporting requirements for exempt organizations

Generally, tax-exempt organizations are required to file information returns with the Secretary. These forms must state items of gross income, expenses, disbursements out of income, accumulation of income, disbursements out of principal, a balance sheet, and the total contributions and gifts received during the year (Treas. Regs. 1.6033-1(a)(4)(i)).

EXPLANATION OF PROPOSAL

In general—basic standards for tax exemption

Under the bill, an organization could be exempt from tax only if no substantial part of its activities consisted of operating a non-qualified hospital. A nonqualified hospital would be any hospital which did not meet any one of the following three requirements.

First, the hospital would be required to operate a full-time emergency room which provided medical services to all members of the community regardless of their ability to pay for those services. An exception to this requirement would be provided for PPS-excluded hospitals which did not operate an emergency room, and for hospitals where an appropriate State health planning agency had made an independent determination that operating an emergency room would be duplicative or unnecessary in the community (i.e., codify Rev. Rul. 83-157). If a hospital's

provider agreement is terminated for violation of section 1867 of the Social Security Act, or if the hospital is fined on more than one occasion for violation of those provisions, it would be a conclusive presumption that the hospital is not in compliance with this requirement.²

Second, the bill imposes nondiscrimination requirements with respect to Medicaid beneficiaries. The hospital would be required to have a Medicaid provider agreement and would not be considered in compliance with this provision if the hospital consistently engaged in the systematic practice of refusing to furnish covered services to individuals eligible for assistance under the Medicaid program. Under this standard, as under standard one, a hospital which violates section 1867 of the Social Security Act is conclusively presumed to have violated this requirement.

Third, the hospital would be required to meet at least one of the following standards: (1) be a sole community hospital; (2) be receiving the disproportionate share adjustment under either the Medicare or Medicaid programs; (3) have a disproportionate patient percentage within one standard deviation of the mean of the disproportionate patient percentages of all hospitals in the geographic area of the hospital (not including long-term, rehabilitation, or pediatric hospitals); (4) devote at least 5% of its gross revenues to the provision of charity care; or, (5) devote at least 10% of its gross revenues to the provision of other qualified service and benefits.³

For purposes of standard (4), charity care would not include bad debt and contractual allowances,⁴ but would include contributions to a Statewide charity care pool (regardless of whether the hospital is reimbursed from such a pool). Whether or not care provided is charity care is primarily a question of first impression.⁵ For example, if a hospital provides care to an individual and at the time of providing the services had no expectation of receiving payment, the cost of that care could be considered charity care for purposes of the standard. Consequently, the hospital's motives in providing the care are relevant under this standard. Factors which would have sufficient probative value to establish a charitable intent under such a "no expectation" standard would include the income of the patient, whether or not the patient was eligible for a public assistance program, whether or not the hospital billed the patient for the care provided, and how aggressively and over what period of time the hospital sought payment.

For purposes of standard (5), qualified services and benefits include operating health clinics in medically underserved areas of the nation, operating substance abuse clinics in such a medically underserved area, or pro-

²No interference is intended that this requirement or presumption is a change from present law.

³Unlike Rev. Rul. 56-185, the bill does not contain "financial ability" standard. Before further legislative action on the bill, such a standard will be developed, taking into account the lack of uniform accounting principles for hospitals.

⁴Some hospitals have attempted to argue (without success) in State courts that "uncompensated" Medicare or Medicaid costs (or charges) constitute charity care. Assuming that there is such a thing as "uncompensated" Medicare or Medicaid costs or charges, they are contractual allowances and are emphatically not "charity care" under the bill.

⁵See, e.g., *School District of the City of Erie vs. Hamot Medical Center*, No. 138-A-1989 (Pa. Ct. Cm. Pl., Erie County, May 18, 1990): "there is no such thing as *ex post facto* charity. . . . [c]harity should be determined before given, not when deemed uncollectible". At 112.

viding other services defined by the Secretary in regulations.

Effect of loss of tax exemption

If a hospital is treated as not exempt from tax under the legislation, the hospital would be subject to the corporate income tax, contributions to the hospital would be non-deductible to the donor, the basis of the hospital's assets would be reduced for depreciation which would have been claimed had the hospital been a taxable corporation,⁶ and the hospital could not benefit from the use of new tax-exempt financing.⁷ Finally, under the bill, contributions to a 403(b) plan maintained by the hospital would not be eligible for tax deferral.

Generally, under the bill, a hospital would lose tax exemption (and the corresponding benefits) for the longer of two years or the earliest date on which the hospital was again in compliance with the provisions of the legislation. If a hospital failed to meet the qualified expenditure and benefit test, the hospital could elect to pay a penalty equal to 10% of the excess of the hospital's gross revenues over the cost of charity care actually provided by the hospital in the first taxable year in which the hospital failed the requirements. The penalty would increase to 100% in subsequent years.

New reporting requirements

The bill imposes reporting requirements on hospitals, on the IRS, and on the Secretary of Health and Human Services. Under the bill, hospitals would be required to report to the IRS: (1) the nature and costs of charity care and community benefits provided by the hospital;⁸ (2) whether it received the disproportionate share adjustment under the Medicare and Medicaid programs, its geographic area, and its disproportionate patient percentage; (3) its Medicaid utilization rate, and; (4) whether it is exempt from reimbursement under the prospective payment system.

If the Internal Revenue Service revokes the tax exemption of a hospital because of the application of this legislation, the IRS is required to notify the State, county, and local government in which the hospital is located of its actions. Finally, the Secretary of Health and Human Services is required to notify the Internal Revenue Service if it has fined a hospital for violation of section 1867 of the Social Security Act, or has terminated a hospital's provider agreement due to a violation of that section.

EFFECTIVE DATE

The tax exemption requirements of the legislation are generally effective on the earlier of January 1, 1993 or the date on which the hospital is in compliance with those requirements. The reporting requirements are effective for taxable years beginning after December 31, 1991.

⁶ See, GCM 39813

⁷ Under the bill, interest on outstanding bonds would not become taxable. No inference is intended that this result is consistent with present law.

⁸ The General Accounting Office has identified community services most frequently provided by hospitals. See, "Nonprofit Hospitals: Better Standards Needed for Tax Exemption", GAO/HRD-90-84, May, 1990, at 51.

NAVY COMMENDATION TO LONG BEACH NAVAL SHIPYARD

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. DORNAN of California. Mr. Speaker, the Secretary of the Navy has awarded the Long Beach Naval Shipyard the Navy's Meritorious Unit Commendation Medal. The citation reads for excellence in the "performance of its missions from 1 May 1988 to 30 April 1990."

I have visited the shipyard on several occasions. Each and every time, I have been impressed by the dedication and commitment to excellence exhibited by the men and women who proudly maintain the world's finest blue water Navy. The shipyard has consistently met or exceeded schedules and has effectively competed with the more aggressive private yards in this era of down-sizing and reorganization of our naval forces.

There are those who suggest that the public yards should go the way of the dinosaurs. These nay-sayers are wrong. The public yards provide a unique service to the U.S. Navy and to the American people. I have found the public yards to be on the cutting edge of shipyard technology and innovative approaches to difficult problems. The Secretary of the Navy, in issuing this award, affirms that the Long Beach Naval Shipyard is a valuable asset and an important part of the U.S. national security team.

Mr. Speaker, I am proud to share the shipyard's citation with my colleagues. Be assured that the shipyard will continue its tradition of excellence as our Navy sails into the 21st century.

NAVY COMMENDATION TO LONG BEACH NAVAL SHIPYARD

The Secretary of the Navy takes pleasure in presenting the Meritorious Unit Commendation to "Long Beach Naval Shipyard" for service as set forth in the following:

CITATION

For meritorious service in the performance of its mission from 1 May 1988 to 30 April 1990. Long Beach Naval Shipyard distinguished itself by excelling in the areas of schedule adherence, financial performance, production management, safety, and customer and community service. The men and women of the Shipyard accomplished these significant achievements while in a unique and difficult environment of direct competition with the private sector ship repair industry and in the midst of a downsizing and reorganization effort that was blazing the trail for the Naval Shipyard Community. The Shipyard's personnel responded in a bold, innovative fashion to the demands of competition. By their superb professionalism, total determination, and impressive dedication to duty, the officers, enlisted personnel, and civilian employees of Long Beach Naval Shipyard reflected credit upon themselves and upheld the highest traditions of the United States Naval Service.

H. LAWRENCE GARRETT, III,

Secretary of the Navy.

THE ENVIRONMENTAL MARKETING CLAIMS ACT OF 1991

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SIKORSKI. Mr. Speaker, today I am introducing the Environmental Marketing Claims Act of 1991, a bill that will protect American consumers from misleading claims about the environmental or green attributes of products and packages. I am pleased to introduce this bill as a companion to a bill introduced today by Senator LAUTENBERG.

We have heard of green thumbs and green mail and Green Giant—and now we are hearing of green marketing. Green means good; good for the environment. And with a recent Gallup Poll revealing that 9 out of 10 of us are willing to pay more for products that do not harm the environment—a lot of companies are into green marketing in a big way. Lots of green puts account ledgers into the black.

A tour of any grocery store will show you terms like "environment friendly," "recyclable," "biodegradable," "ozone neutral," stamped on everything from diapers to dish soap, from cleaners to cosmetics. The words of Dr. Seuss were prophetic: Even eggs and ham are green. In fact, terms like these are being used pretty loosely, and in some cases, deceptively and confusingly. They need clear definition—and Senator LAUTENBERG and I believe that the Environmental Marketing Claims Act will provide that definition.

What we are proposing is not revolutionary. Our trade competitors in Germany, Japan, Canada, and elsewhere have had national environmental labeling programs for some time.

I will submit a summary of the bill into the RECORD, but I would like to emphasize four points.

First, this bill is good for environmentally conscious companies and environmentally conscious consumers. By setting standards and defining the terms used in "green marketing," this legislation enables consumers to make intelligent choices. But this is not a case of overzealous do-gooders versus big, bad corporate America. It protects companies that produce environmentally sound products from unfair competition on the part of scoundrels who will make any claim to snag a buck.

Second, it encourages recycling, reusing, reducing—the three R's. All too often products are advertised as "recyclable," "reusable," or "compostable" in places where no program exists to accomplish those things. Clearly no one benefits from products that are good for the environment in theory, yet end up in the local landfill. This bill establishes the minimum rates at which a product or material must be managed in the manner advertised in order for a marketer to make an environmental claim.

Third, this bill prevents marketers from taking credit for things totally irrelevant. For example, in response to the growing demand for environmentally sound products, even manufacturers of electric razors have touted their products as ozone friendly. But such products as electric razors never contributed to ozone completion. Such claims are clearly misleading, and must be stopped.

Finally, the bill will end advertising that promotes one environmental attribute of a product—when the product harms the environment in another way. To use the ozone friendly example again, aerosol deodorants have been advertised as safe for the ozone layer. True, they no longer contain ozone-depleting chemicals—chlorofluorocarbons, or CFC's, have actually been banned in the United States for over a decade. But what the advertisements and slogans don't tell you is that these friendly deodorants replaced CFC's with volatile organic compounds—a major contributor to urban smog.

A cry has gone out—from the local grocery stores of small-town America to the board rooms of Fortune 500 companies. During the past year, industry, consumers, and government officials have looked to the Federal Government for uniform standards for green marketing claims. What they want—and what this bill provides—are measures that are proenvironment, proconsumer, and probusiness.

The Environmental Marketing Claims Act has the support of the Environmental Defense Fund, Environmental Action, the Natural Resources Defense Council, the Consumers Union, and the National Association of Attorneys General's Task Force on Green Marketing, which is led by Attorney General Humphrey III of my own State of Minnesota.

In conclusion, I would like to draw on the words of E.B. White:

People are beginning to suspect that the greatest freedom is not achieved by sheer irresponsibility. The earth is common ground and we are its overloads, whether we hold the title or not. Gradually, the idea is taking form that the land must be held in safe keeping, that one generation is to some extent responsible to the next; and that it is contrary to the public good to allow an individual . . . to destroy almost beyond repair any part of the soil or the water or even the view.

American consumers and American businesses are taking steps to ensure that the world they leave for their children is not degraded beyond recognition. The Environmental Marketing Claims Act will assure that their efforts are not in vain.

ENVIRONMENTAL MARKETING CLAIMS ACT OF 1991 SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

"Environmental Marketing Claims Act of 1991"

SECTION 2. FINDINGS AND PURPOSES

A. Findings: (1) Surveys have shown that over 90 percent of Americans would pay more for environmentally preferable products. (2) Environmental marketing claims are now largely unregulated and can be deceptive.

B. Purposes: (1) Prevent fraudulent or misleading claims. (2) Establish uniform standards for environmental claims about products and packaging. (3) Encourage environmental responsibility by consumers and industry.

SECTION 3. DEFINITIONS

This act defines the following terms: product, package, life cycle, environmental marketing claim, label, Administrator, end product, post-consumer material, pre-consumer material, secondary material.

SECTION 4. ENVIRONMENTAL LABELING REGULATORY PROGRAM

Requires the EPA Administrator to issue regulations, establishing an environmental marketing claims regulatory program.

SECTION 5. INDEPENDENT ADVISORY BOARD

A. Within 180 days of enactment, EPA must establish an independent Advisory Board to make recommendations to the Administrator.

B. The Board must have 15 members (including 4 ex officio members): 3 consumer advocates, 5 industry representatives, 3 environmentalists, 2 state government officials (ex officio), 1 local government official (ex officio), 1 representative of the National Institute of Standards and Technology (ex officio).

C. Meetings of the Board must be open to the public.

D. The Board must issue an annual report on its activities and recommendations.

SECTION 6. REGULATION OF ENVIRONMENTAL MARKETING CLAIMS

A. The Board's recommendations to the Administrator must include definitions and standards used in regulating environmental marketing claims.

B. Within 18 months of enactment, the Administrator must issue final regulations governing the use of environmental claims. The regulation shall include claims that a product is: source reduced, refillable, reusable, recyclable, has a recycled content, compostable, ozone neutral, nontoxic, photodegradable, biodegradable, decomposable, or otherwise related to an environmental impact.

C. This act does not prohibit the use of environmental seals of approval, if the Administrator approves the use of such seals.

D. In regulating claims, EPA must distinguish between the product and the accompanying package unless the claim applies to both.

E. The act establishes requirements for the use of the following terms:

(1) Recycled content: All products and packages must be composed of at least 25 percent (by weight) post-consumer material prior to the year 2000, and 50 percent post-consumer material from 2000 on. Products and packages that do not meet these standards may list the amount of pre-consumer and post-consumer material used, if this claim is included in a sentence in which the term "recycled content" is no more prominent than any other word in the sentence.

(2) Recyclable: The product or package must be recycled at a rate of 25 percent per annum prior to the year 2000 and 50 percent thereafter.

(3) Reusable or refillable: Must be reused for the original purpose an average of five or more times.

(4) Compostable, photodegradable, biodegradable, degradable, or decomposable: The product or package must be safely managed in a composting or other waste management system at a minimum rate of 25 percent per annum prior to the year 2000, and 50 percent thereafter.

Retailers may use shelf labels if the above standards are met by the local community, even if they are not met nationwide.

F. The regulations must be reviewed by EPA every 3 years.

G. Anyone may petition the Administrator to issue additional regulations.

H. Limitations:

1. Claims may only be made about environmental attributes defined by EPA regulations.

2. A claim may not be made about the absence of an environmental attribute unless that attribute is a usual characteristic of the product or packaging or EPA has determined that such a claim would assist consumers. For example, a product may not be labeled "ozone friendly" if it never contained ozone-depleting chemicals.

3. An environmental claim may not be made if it is misleading in light of another environmental characteristic of the product or package.

SECTION 7. CERTIFICATION

A. Anyone who intends to make an environmental marketing claim for which a regulation has been issued must certify with EPA that the claim meets the regulatory requirements.

B. Recertification is required whenever changes are made in the product or package that affect the claim, or new regulations are issued.

SECTION 8. PROHIBITION

SECTION 9. PENALTIES

A. Civil: penalties will not exceed \$25,000 for each violation.

B. Criminal: violations are punishable by fines specified in title 18 of the U.S. Code, or imprisonment for up to one year, or both.

SECTION 10. STATE ENFORCEMENT

States may enforce provisions of this act, if they notify EPA at least 30 days before initiating any proceeding.

SECTION 11. CITIZENS SUITS

The act allows for citizen suits against any violators or against the EPA Administrator for failure to carry out the duties assigned under the act.

SECTION 12. PUBLIC INFORMATION CAMPAIGN

EPA must carry out a public service advertising campaign to alert/educate consumers.

SECTION 13. STATUTORY CONSTRUCTION

Nothing in this act bars states from enacting or enforcing stricter standards.

SECTION 14. CONFORMING AMENDMENT

SECTION 15. AUTHORIZATION OF APPROPRIATIONS

Authorizes \$10 million for FY 1992, 1993, and 1994.

PEACE IN THE MIDDLE EAST IS NOT POSSIBLE IF THE ARMS BAZAAR REOPENS FOR BUSINESS AS USUAL

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. MAZZOLI. Mr. Speaker, I call to the attention of my colleagues the following article from the March 4, 1991, Wall Street Journal.

This article describes United States arms makers as almost salivating over the prospects of selling to Middle East nations the self-same high technology military and electronic equipment which our troops utilized to such devastating advantage in the prosecution of Operation Desert Storm.

This is not only dismaying and disturbing, but it also serves to undercut the efforts of President Bush and Secretary of State Baker who want to mount a major nonproliferation effort in this region of the world.

Mr. Speaker, peace in the Middle East is impossible if arms sales to the region are resumed as if something called Operation Desert Storm never occurred.

Peace in the Middle East is impossible if the arms bazaar reopens for business as usual even before the dust of Desert Storm has settled.

I think my colleagues will find this article interesting—if disquieting—reading.

MIDEAST ARMS OUTLAYS SEEM UNLIKELY TO FACE ANY TOUGH NEW CURBS

(By Walter S. Mossberg and Rick Wartzman)

WASHINGTON.—It could happen again.

The U.S. and its allies smashed Iraq's huge military machine with alacrity. But far more exclusive will be success in preventing the warlike states of the Mideast, including Iraq itself, from building deadlier new arsenals in the future.

The renewed urge to control the spread of arms is running headlong into two powerful forces. One is strong demand: Mideast nations are eager to purchase some of the powerful high-tech gadgetry that won the Persian Gulf war. The other is ample supply: The profit motive remains undiminished by the recent bloodshed.

"People who are talking about limiting arms sales to the Middle East are living in a dream world," says Gregory Fetter, senior defense analyst at Forecast International/DMS, a consulting concern that compiles data on the global weapons business. "It's a shame to have to say it, but it's true. Everybody wants to sell there, and it would take a world-wide, airtight effort to stop that."

AN ISSUE FOR BAKER

Nevertheless, the Bush administration says it is determined to build on its battlefield victory by curbing the proliferation of modern arms, not only to Iraq but to the entire Mideast. Shutting down the arms bazaar will rank among the top issues on the agenda when Secretary of State James Baker flies to the region this week. During the crisis, Mr. Baker promised Congress he would "mount a major nonproliferation effort for this area of the world," calling for "very, very intrusive measures of inspection and verification."

But experts and government officials agree that the most that Mr. Baker can hope for might be a continued arms-sales embargo against Iraq alone for a while, coupled with the start of a vague, drawn-out diplomatic quest for a regional arms-control system.

The problem starts with the U.S. itself. The administration is hinting that its approach will be selective: While talking nonproliferation, it will pour arms into the region to help its allies and weapons makers. At a news conference Friday, President Bush declared: "Let's hope that out of all this, there will be less proliferation of all kinds of weapons, not just unconventional weapons." But he added: "I don't think there will be any arms embargo" by the U.S.

A CRUCIAL MARKET

American defense contractors, pinched by Pentagon budget cuts at home and convinced that the war has given them great advertising abroad, are salivating over the prospect of big Mideast sales. The Mideast is a crucial market because, along with the Pacific Rim, it is about the only place where defense budgets are expanding.

In addition, Mideast countries tend to buy weapons off the shelf rather than demanding a role in producing them, as many Asian countries do; as a result, the companies can keep their employment and supplier bases intact.

"American equipment performed so doggone well compared with that of the French and Soviets, there ought to be some very hot

prospects" for sales throughout the Mideast, says D. Kenneth Richardson, the president of Hughes Aircraft Co. For his Los Angeles company, a subsidiary of General Motors Corp., Mr. Richardson foresees an opportunity to peddle battlefield navigation systems, radar for F-15 and F/A-18 jet fighters, air-launched Maverick missiles, and night-vision devices and laser range-finders for the M-1 tank.

PATRIOT MISSILE MAKER

Martin Marietta Corp., which produces part of the Patriot missile plus night fighting gear for Apache helicopters and fighter planes, expects its overseas sales to double, with much of that volume going to the Mideast. "If there is a need to step up the defense of countries in the Middle East, Martin Marietta is one of those contractors that would want to be very much involved," a company spokesman says.

But for the moment, many weapons companies are lying low. Most depend on the government to sell their deadliest products in government-to-government deals. They also think that this isn't the time to get too pushy. "If the government decides for us to stay out of the area for a while nobody is going to fight it very hard," says Peter Oram, president of Grumman Corp.'s aircraft division.

However, the companies are vowing to fight any U.S. sales curbs that aren't matched by competing arms-making countries. If the U.S. acts alone, "the Europeans will look at us and say, 'By gosh, you guys are moral. But we're going to see what our Middle Eastern comrades-in-arms need. We're open for business,'" says Joel Johnson, vice president of international activities for the Aerospace Industries Association, a trade group.

A White House aide acknowledges: "The problems are very, very large, and it's not obvious how to solve" them.

Defense Secretary Dick Cheney recently warned Congress that, by the end of this decade, at least 15 developing countries will probably be able to build and deploy ballistic missiles. Even scarier, eight of those countries, he added, "either have or are near to acquiring nuclear capabilities." He also estimated that by then, 30 countries will have chemical weapons, and 10 will have germ weapons.

Right now, Soviet-designed Scud missiles remain in the arsenals of Syria, Egypt, Iran, Libya and Yemen. Even Iraq is believed to have retained scores of Scuds and home-built mobile launchers. The Central Intelligence Agency predicts that by the year 2000 at least six countries will have missiles able to fly nearly 2,000 miles, with three additional nations able to reach targets almost 3,500 miles away. That could put U.S. territory within reach of some Latin American countries, and the Soviet Union in the sights of many Muslim nations.

However, administration officials do expect some incremental progress in controlling proliferation in the Mideast. There's a good chance Iraq can be quarantined, at least for a while. And throughout the region, nuclear-weapons development can be slowed because the technology is so complex and expensive—and thus somewhat controllable.

But further progress will be minimal to nonexistent, many experts say—and the U.S. itself won't be blameless.

Last November, even with the huge U.S. military buildup under way in the Gulf, the White House vetoed a bipartisan bill that would have imposed sanctions on companies exporting chemical-weapons components.

The administration contended that the bill lacked a "national security" waiver enabling the President to allow such sales in rare cases.

ADMINISTRATION PROPOSAL

After the veto, the administration drafted its own tough controls on a wide variety of products and technical data that could be used to fabricate these terror weapons, as well as the missiles for delivering them. The program would increase to 50 from 11 the number of "precursor" chemicals subject to export controls. New controls would be imposed on exports of certain equipment and even benign supplies—potentially down to pencils and paper clips—being shipped to suspicious manufacturing plants. U.S. exporters could be subject to criminal penalties.

But business groups have so sharply criticized this program—called the Enhanced Proliferation Control Initiative—that its release has been delayed for more than two weeks. Until other countries adopt similar rules, business groups say, target countries will remain free to buy from other sources.

"Draconian measures without a multilateral approach have never worked out," argues Peter McCloskey, president of the Electronic Industries Association of Manufacturers trade expert, wonders whether such controls could "unilaterally take the U.S. out of markets in Brazil and India."

The Mideast business opportunity, and the political pressure it generates, will severely limit Mr. Baker's effectiveness in putting together a multilateral plan to curb Mideast armaments. In fact, the U.S. will be preaching restraint to other supplier nations just when it is preparing to make some huge arms sales of its own. Kuwait's rulers have already quietly notified the U.S. that they intend to acquire far more military punch than they had when Iraq invaded last August, though details haven't yet been determined.

MANY WISH-LISTS

In addition, according to the administration, Egypt wants Raytheon Co.'s Hawk missiles and General Dynamics Corp. M-60 tank upgrades and F-16 fighter jets. Israel is said to be looking for hand-held battlefield navigation systems, plus upgrades to its McDonnell Douglas Corp. F-15 fighters and its Harsco Corp. M-109 artillery pieces. The United Arab Emirates is interested in General Dynamics' M-1 tanks and Raytheon's Patriot missiles. Bahrain and Turkey are said to be interested in the Patriot.

But the biggest arms-control buster is a pending arms-buying spree by Saudi Arabia. The Arab kingdom is in line for a package of \$15 billion worth of the U.S. weapons that won the war. Included are F-15 fighters and McDonnell Douglas Apache helicopters, M-1 tanks, LTV Corp. Multiple Launch Rocket Systems, Patriot missiles and Boeing Co. AWACS radar planes. Also being eyed by Riyadh: United Technologies Corp. Seahawk helicopters, FMC Corp. Bradley Fighting Vehicles, and Maverick infrared missiles.

For some U.S. contractors, Mideast sales may be crucial to even continuing their product lines because the Pentagon is planning to phase out buying numerous systems that starred in the Gulf war. McDonnell Douglas says that, without foreign buyers, it will have to halt F-15 production in May 1993.

Even under the best circumstances, Nathan Higginbotham, director of government program development for McDonnell Douglas's jet-fighter division, doesn't envision a clear administration policy emerging on

weapons transfers to the Mideast until later in the year. "The challenge is going to be to bridge the gap," he adds. He notes that the company has already stopped ordering certain long-lead-time items from its F-15 suppliers, some of which could go out of business.

BOEING'S PROBLEMS

Boeing is in a similar bind. C.G. King, executive vice president of its military aircraft division, says that although Saudi Arabia has indicated it wants more AWACS planes, the Seattle company must find more AWACS buyers by the end of the month or it will have to shut down the 707 airframe line that serves as the backbone of the program. "We're getting very close to where it doesn't make economic sense to keep it going," Mr. King says.

Some contractors argue that selling defensive weapons won't spur the Mideast arms race. "That area is too ancient and too tribal not to give countries the ability to defend themselves," asserts Lawrence Skantze, a retired Air Force general and now a board member at Loral Corp., which makes electronic gadgetry.

But others say the visible success of defensive systems such as the Patriot speeds up proliferation. As more nations buy the anti-missile system, their enemies will be spurred to seek even more sophisticated offensive weapons that can break through the knock-down systems.

Administration officials insist that Mr. Baker isn't going to the Mideast with any grand arms-control plan in his pocket. But several ideas are floating around Washington and other Western capitals.

There is talk of forming a "suppliers' committee" to cut off or cut back sales to Mideastern states of nuclear, chemical, biological and conventional weapons and weapon components, especially missiles. Officials also are studying a plan to begin gradually by introducing "confidence-building measures" between Israel and its Arab enemies—announcements in advance of military maneuvers, swaps of military data, or an easing of the Arab boycott of the Jewish state.

Italy is proposing that the Mideast nations emulate Europe by forming a "conference on security and cooperation" that might, over the years, bring about arms control. But Europe, unhampered by any states of war, still took 15 years to produce last year's conventional arms treaty.

For Mr. Baker, Israel is also a big arms-control problem. The country is not only one of America's strongest allies in the Mideast but also the best-armed nation in the region, now that Iraq's military machine has been dismantled. It is the region's only nuclear power, with an estimated 100 atomic warheads. And Israel's Jericho II missile is no clumsy, short-range Scud: it can fly 900 miles and is accurate. Israel also has an awesome conventional arsenal and is said to possess chemical weapons.

Thus, to win Arab support, any broad U.S. arms-control plan must somehow scale back Israel's might. Jerusalem has recently hinted that it would favor regional arms control, State Department officials say. But, if controls cut too deeply, tiny Israel, surrounded by 21 Arab lands, isn't likely to want to go along—and neither are Israel's vocal friends in Congress.

FINDING A WAY TO GIVE YOUNG, AS WELL AS OLD, SOCIAL SECURITY

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. LaFALCE. Mr. Speaker, the state of America's children is a national tragedy. The figures are devastating: One in five American children is living in poverty; 16 million children lack health insurance, and the United States ranks lower than nearly all other industrialized nations in standard measures of children's health such as infant mortality and child immunization.

In the past several decades, we have done a fine job of improving the care of the elderly population, but we have sorely neglected our children. As cited in a recent Washington Post story, from 1978 to 1987, Federal expenditures on older Americans increased by 52 percent, while spending on children fell by 4 percent. The poverty rate among the elderly has fallen from 24.6 percent in 1970 to 12 percent in 1988, while the rate among children has increased from 14.9 to 19.2 percent during the same period.

Clearly, if we are to remain a superpower in the 21st century, we must focus our energies on children, who truly represent America's future. Improvements in access to health care, child immunization, prenatal and infant care, child nutrition, Head Start, and the quality of public education are critical, and numerous strategies remain to be explored. I respectfully submit the following article, "Finding a Way to Give Young, as Well as Old, Social Security," which I hope can serve as a springboard for action. At stake is nothing less than the fate of this country for generations to come.

[From the Washington Post, Feb. 22, 1991]

FINDING A WAY TO GIVE YOUNG, AS WELL AS OLD, SOCIAL SECURITY (By Paul Taylor)

Children's advocates celebrated a rare victory last fall when the Bush administration and Congress agreed to a multi-year expansion of the Head Start program for poor preschoolers. But when the administration's budget came out earlier this month, funds to keep the expansion on track weren't in it.

There were no such surprises for Social Security, which needed \$18.6 billion in new funds, mainly to pay for cost-of-living adjustments. That increase hadn't been the subject of any budget battle nor the occasion for any celebrating. It was automatic.

The fates of Head Start and Social Security tell a story in microcosm of a nation that treats its two most vulnerable populations—the young and the old—in wildly divergent ways.

A child in the United States is nearly twice as likely to be poor as a senior citizen—in large part because the federal government spends more than four dollars on the elderly for every one it spends on children, studies show. This is novel in the nation's history and unique in the world; no other country has so large an age bias to its poverty rates nor so wide an age tilt in its allocation of resources.

AGE TILT IN ALLOCATING FUNDS

What we've done in this country in the past few decades is socialize the cost of grow-

ing old and privatize the cost of childhood," said Sylvia Hewlett, an economist and author of a forthcoming book on the subject. "From an economic perspective, it makes no sense; children are an investment in our future. From the standpoint of compassion, we might have been able to get away with treating children this way in Norman Rockwell times, but not today, when so many families are fragile, brittle and dysfunctional."

The chief source of economic insecurity in America used to be growing old; now it's being born into or raised in a single-parent family," said David Ellwood, a Harvard professor who is an authority on poverty. "If Social Security were being designed today, I suspect it would have taken this new reality into account."

"We should be proud of what we have done for the elderly," said Rep. Thomas J. Downey (D-N.Y.), "and horrified at what we're doing to our children."

Congress made some headway last year, passing a bill that authorized new funds for child-care programs, increased the federal wage supplement for low-income working parents and provided for an expansion of Medicaid benefits to children.

But children's advocates say the response has been no match for the need. "There is a great consensus among experts in the field that we have never seen the plight of America's children as bad as it is today," Dr. Edward F. Zigler, director of the Bush Child Development Center at Yale University, told a congressional subcommittee Wednesday.

Given the growing concern about the social cost of shortchanging children, new ideas are beginning to surface that would address their economic well-being.

A CHILDREN'S TRUST FUND

One proposal, to be introduced next month by Sen. Christopher J. Dodd (D-Conn.), would create a Children's Trust Fund—an earmarked source of public money designed to spare children's programs from having to scramble every year for what Rep. George Miller (D-Calif.) derisively calls the "chump change" in the federal purse.

Another approach, which has support in liberal and conservative think tanks and is being spearheaded by Sen. Dan Coats (R-Ind.), is to double or triple the value of the personal income tax exemption for children, and perhaps make it refundable for those who have incomes so low that they do not pay taxes. This proposal would put money in the pockets of parents, while the Trust Fund would funnel money toward government programs.

Still a third idea is to beef up the child-support enforcement system to force payments from all non-custodial parents, and to guarantee that the federal government would make the payments when parents cannot meet their obligations.

Because these approaches vary, and because the constraints imposed by federal budget deficits are so daunting, no one expects overnight success. "This is not something we're likely to get through in one Congress," said Dodd. "But there's a growing recognition that children are the one constituency we've left behind in the past few decades, and that we have some catching up to do."

DECLINING PUBLIC INVESTMENT

Here are some ways to measure the declining public investment in children:

Eighty-two percent of the elderly who would be poor if there were no such thing as a federal government are lifted out of poverty through government tax and transfer

programs, including Social Security and all other cash and non-cash benefits, according to the Census Bureau. Only 32 percent of children who would be poor without the government's help are lifted out of poverty because of its, according to a Census analysis.

From 1978 to 1987, federal expenditures (adjusted for inflation) targeted on the elderly grew by 52 percent while expenditures targeted on children fell by 4 percent, according to an analysis by the Republican staff of the House Budget Committee. In 1987, the federal government spent \$259 billion on the elderly and \$55 billion on children.

From 1965 to 1986, the share of all social welfare spending (including primary and secondary education, welfare, health programs, food stamps, Social Security, Medicare and Medicaid) by all levels of government—federal, state and local—targeted specifically at children declined from 37 percent to 24 percent, while the share allocated specifically to the elderly rose from 21 to 33 percent, according to recently completed research by University of California at San Francisco professors A.E. Benjamin, Paul W. Newacheck and Hannah Wolfe.

In addition to falling behind relative to the elderly, American children long have been public policy losers in comparison to children in other advanced societies.

U.S. LAGS BEHIND OTHERS

Sixty-seven countries, including every industrialized society in the world except the United States, have some form of universal children's allowances, according to a survey by Sheila B. Kamerman and Alfred J. Kahn of Columbia University. These allowances are generally tax-free and not means-tested; that is, they are awarded to parents without regard to family income.

More than 100 countries also provide additional cash benefits to parents at the time of childbirth, with some nations providing a portion of the income lost from a parent's displacement from the labor force for six months or more following childbirth. A French married mother of three, for example, can stay at home until her youngest is 3 years old and receive the equivalent of the minimum wage. (President Bush last year vetoed a family-leave bill that would have assured 12 weeks of unpaid leave at the time of child bearing.)

In addition, most European countries provide free, full-day public pre-school programs. Ninety-seven percent of all French children age 3 to 6 attend such a program, as do 75 percent of German pre-schoolers and 70 percent of all Italian pre-schoolers.

These programs have their origins in the 19th century social democratic notion that the government should supplement the wages of factory workers with large families. They also reflect a pro-natalist streak among European policymakers, who long have worried that declining birthrates would sap national strength and identity.

The United States, a magnet for immigrants, has never worried about low birthrates, nor has it ever warmed to a social philosophy that treats children as a collective social responsibility. Its political culture is fiercely individualistic and its religious heritage makes most Americans ambivalent about state interference in family life. Moreover, Americans always have been suspicious of welfare programs—and except for public education, the major children's programs in this country are aimed at the poor.

The most successful anti-poverty program in the nation's history isn't a children's program, however—it's Social Security. The political genius of that program has been that,

even though it redistributes income from rich to poor and from workers to retirees, it also contains elements of a contribution/earned benefits plan. Thus, it avoids the stigma of welfare.

"We tend to see the elderly as deserving and children—or at least the parents of children—as undeserving," said Hewlett, the economist and author. "And it doesn't help that more children than adults are black and brown."

TAX ADJUSTMENT PROPOSED

Children's advocates say they don't want to get into a war with seniors or take away their benefits. They would just like to initiate some of their successes.

For example, the Dodd proposal for a children's trust—first advanced by Jule Sugarman, one of the founders of Head Start—seeks to create an earmarked source of funding and establish a collective responsibility for children, just as Social Security does for elderly. Dodd has not decided how the funds should be raised.

The proposal to raise the value of the personal exemption in the tax code is crafted to avoid the stigma of welfare, much in the way Social Security does. The exemption is the closest thing this country has to a child allowance, but inflation has eroded about three-quarters of its value in the past four decades.

The plan to step up enforcement and guarantee payments of child support in the case of divorce or out-of-wedlock birth borrows from the social insurance aspect of Social Security. "In many ways this is an analog to Social Security," said David Ellwood, the Harvard professor. "A lot of the beneficiaries would be middle-class people who aren't getting the money owed them by non-custodial parents. But when the non-custodial parents don't have any money, the government serves as the insurer of last resort."

In addition to exploring these new ideas, Congress this year will take on an old and recurring children's problem—a foster-care system that has nearly doubled in the past five years and is widely acknowledged to be broken.

No one is sure which proposals will fly. "All I know is that there are a lot more people interested in children's issues than there used to be," said Dodd.

PROSPECTS AND PROPER TREATMENT OF CREDIT UNIONS

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. PETRI. Mr. Speaker, recently I had the privilege of speaking to a group of credit union members in my district. My remarks dealt with the prospects and proper treatment of credit unions as we consider financial institutions reform measures. In case they may be of interest to a wider audience, I insert these remarks in the RECORD at this point.

REMARKS OF HON. THOMAS E. PETRI

You, as members of Wisconsin Axle Credit Union, have much to be thankful for. A quick glance at your annual report tells me this meeting promises to be a happy occasion, because you've had a very good year.

I congratulate Wisconsin Axle and I wish you continued success.

Since I myself am a member of a credit union, I know full well the benefits of be-

longing, and I am a strong supporter of credit unions.

During my first days in Congress twelve years ago, I supported allowing credit unions to offer checking account services, which was an important advance at that time.

I have been a supporter of credit unions for a number of reasons.

Credit unions add to the diversity and the strength of our country's financial services overall.

Our economic system works best when there are a variety of competitors in any given marketplace.

In a diversified market, some entities become generally competitive, and some become extremely successful in various niches of the market.

Some entities just struggle along, and some fall by the wayside.

But we are all better off, because the competition gives us a chance to keep on discovering better ways of doing things.

It's particularly valuable to have Wisconsin Axle and other credit unions competing in the financial services markets because your basic organizing principle, the cooperative principle, is so different from that of your competitors.

This unique organizational feature adds to the diversity from which comes strength.

The cooperative idea is, in and of itself, a most appealing one. It is rooted in the democratic concept of people with like interests and objectives freely coming together to form an enterprise whose benefits accrue to all its members.

That, of course, is the basis of this whole cooperative movement, of which you are just one part, and which has a long and honorable history in Wisconsin.

The cooperative principle is only threatening if people try to cooperate to gain a monopoly in some area, because then it can be used to deny opportunity to others.

But that has never been a goal, or even a remote possibility, for credit unions.

In fact, Wisconsin Axle and other credit unions continue to be one of the best examples of the cooperative principle at work.

While you operate in only a small corner of the whole financial services industry, you have been vastly successful in that corner.

Among all the types of cooperatives, taken as a group, credit unions have an excellent record of achievement.

And, at a time when American financial institutions are undergoing intense scrutiny, credit unions as a whole are emerging from this thorough examination with a clean bill of health.

Wisconsin Axle's experience here in Oshkosh is, fortunately, not unique. Credit unions have been doing well all over.

Reserves and capital are very high, loan portfolios are strong, and your insurance fund, the National Credit Union Share Insurance Fund, is in excellent shape.

It faces none of the problems of the savings and loan insurance fund or the Bank's insurance fund, the Federal Deposit Insurance Corporation.

These other depository institutions and their insurance funds are experiencing major problems. But credit unions are not.

It's fair to say that credit unions have not been part of the problem, and they should not be forced to be part of the solution.

Any attempt to merge your insurance fund with the FDIC would amount to a raid on your money to benefit someone else.

Even worse, it's a raid on the small to benefit the more powerful. I don't think it's justified.

The democratic chairman of the House Banking Committee, Henry Gonzalez of Texas, has in fact introduced a banking reform bill that would merge your deposit insurance with the FDIC.

His bill would also create a single regulatory agency for depository institutions. When the chairman of the committee puts in a bill like that, one has to be at least a little concerned.

I wouldn't be too concerned, however * * * for several reasons.

For one thing, the Bush Administration's banking reform plan does not contain either a merging of insurance funds or a single regulatory agency.

The Administration will have substantial power to block anything it does not want in this area.

Moreover, two days ago the FDIC came out with a plan for bolstering the bank insurance fund that made no mention of credit unions.

Meanwhile, credit union members themselves are making their views well known to members of congress.

Through thousands of letters—even a few valentines—petitions, rallies and office visits you are sending a very loud no thanks to capitol hill.

In fact, the mail campaign on this issue is one of the biggest I've seen in my twelve years in Congress.

Believe me, members of Congress will hear the message.

And when all is said and done, my best judgment is that you have little to fear.

The case on its merits is weak * * * either for merging insurance funds or for creating a single regulatory agency.

And * * * with little support and much opposition, I don't think either is going to happen.

There are two proposals affecting credit unions in the administration's banking reform plan. One is to put a Treasury official on the board of your regulatory agency, and the other is to phase in over 15 years an accounting change that would stop counting your insurance fund deposits as capital on your books. I think it's fair to say that even though credit unions might oppose these two proposals they are far less threatening to credit unions than a merging of deposit insurance funds. At the same time, I really can't predict what will happen to them.

In any event, while you must remain vigilant, I believe credit unions have little to fear from the current discussion over deposit insurance reform.

You meet real needs and you have done a good job satisfying those needs.

As a result, today, strong credit unions like Wisconsin Axle face more opportunities than every before.

Congratulations on another successful year!

Thank you very much.

WORDS OF INSPIRATION CONTRIBUTED BY LORI ANN SCHWANDT OF COEUR D'ALENE, ID.

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. LaROCCO. Mr. Speaker, as we are welcoming our troops home from the Middle East, I want to call the attention of all Americans to words of inspiration contributed by Lori Ann Schwandt, a young woman from Coeur

d'Alene, ID. Her speech, "Democracy, the Vanguard of Freedom," won first place in the Idaho VFW Voice of Democracy contest this year. I was inspired by her words and I hope that all my colleagues in the House and all our Nation's citizens will find the same inspiration when they consider her words. Mr. Speaker, I ask that Lori's speech be printed in the RECORD and I ask permission to revise and extend my remarks.

DEMOCRACY—THE VANGUARD OF FREEDOM
(By Lori Schwandt Idaho VFW, First Place, 1990-91)

A 19th century philosopher, Immanuel Kant, once said, "Freedom . . . is the one sole original, inborn right belonging to every man by virtue of his humanity." Although, without any sort of leadership or written laws for society, criminals would pillage the countryside, and mothers would live in fear for their children's lives. Before history was ever recorded, men realized this and organized himself into societies with laws, in time, these societies become nations and man pondered the question "What is the best way to organize and govern a large body of people?" Over the course of history that question has been answered; let the people govern themselves. By giving the power to the people, they can guarantee their rights and freedoms. We have given this type of government a name, democracy, and it is truly the vanguard of freedom.

Since the ancient Greeks, feudal times and before, man has desired to be free. This desire is impossible to suppress even under severe oppression. In the past many people felt prompted to speak out for their freedoms like Socrates, John Adams, Ghandi and Dr. Martin Luther King Jr. Patrick Henry's famous line "Give me liberty or give me death" epitomizes the strong feelings people have for their freedoms and has been a vanguard for many people's actions. Millions of people have given their lives in the name of democracy and freedom. People in the French Revolution and American Revolution and World War II. James Otis, an advocate for American independence once said, "And some of us will die-so other men can stand up on their feet like men. A great many are going to die for that reason. They have in the past. They will a hundred years from now—two hundred. God grant that there will always be men good enough." People have been struggling for their freedom all the way back to Moses who told Pharaoh "Let my people go."

Unfortunately, sometimes false democracies have been set up to quiet the people. China, the People's Republic, and Russia both have false democracies and so does East Germany who called itself the People's Democratic Republic. In these countries the people are allowed to vote, but they are given little or no choice. Because they can't vote for someone who will really represent them, they can't guarantee their freedoms. Abraham Lincoln once said that the government should be, "of the people by the people and for the people." Only when the people are allowed to govern themselves are they assured of their freedoms. That is why the people in East Germany spoke out and demonstrated until their voices were finally heard last November. The world rejoiced when the wall came down and are encouraging the representative democracy that is being established. Once their democracy is founded and working, the people will be able to ensure their freedoms as they vote for people who have similar ideas and who will work for them.

During the American Revolution, Americans fought for freedom. They were tired of "taxation without representation." And so after their independence was won, they wrote a document called the Constitution which set up a democracy so the people could govern themselves. Included in the Constitution is the Bill of Rights which guarantees Americans their basic freedoms. But the cry for freedom didn't end with the American Revolution. John F. Kennedy once said, ". . . the rights of all men are diminished when the rights of one man are threatened." During the last century blacks, women and other minorities took this message to heart and spoke out and demonstrated for their freedoms. Because America is a democracy where the people have a voice, these freedoms have been granted and ensured, by amendments to the Constitution, for future generations.

As people continue to fight for democracy and freedom in the world, many use the United States of America as an inspiration and example. The Chinese students demonstrating in Tiananmen Square even built a small replica of the Statue of Liberty to symbolize their views. The French patterned their document the Declaration of the Rights of Man after our Declaration of Independence. So, not only is democracy the vanguard of freedom, but so is the United States of America.

In answer to the question "What is the best way to govern?" people for hundreds of years have been crying out democracy. We are lucky to live in a time when the world is moving towards democracy. Thousands of people are rising up and demanding their freedoms. And we are able to witness those cries for democracy being heard and dreams of freedom being realized.

SNOWE SALUTES MAINE'S VOICE OF DEMOCRACY WINNER

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. SNOWE. Mr. Speaker, I rise today to offer my congratulations to Kurt Stiffel of Millinocket, ME, on placing seventh in the national VFW Voice of Democracy broadcast scriptwriting contest with his outstanding essay.

Kurt, a senior at Stearns High School, was the State winner and went on to place seventh in the national competition. He had some stiff competition as over 138,000 students participated in the 44th Voice of Democracy contest. The VFW has awarded Kurt the Daniel Sean Wallace Memorial Scholarship Award which will help him pursue his interest in engineering at the University of Maine at Orono next year.

The theme for this year's contest was "Democracy—The Vanguard of Freedom." The topic and Kurt's winning speech are particularly relevant in light of the events in the Persian Gulf. Therefore, I would like to share Kurt's speech with my colleagues.

DEMOCRACY—THE VANGUARD OF FREEDOM
(By Kurt Stiffel, Maine winner of the 1990-91 VFW Voice of Democracy Scholarship Program)

When the original thirteen colonies were finally declared a separate nation from England, a new form of government was con-

ceived. It was known as a democracy and was ruled by the people. This type of government was a conception that far exceeded that of anyone else, and many did not have faith in it. However, democracy has withstood the test of time and thanks to the incredible insight of our forefathers, it still exists today.

In 1871, my great-great-grandfather boarded a ship and came to America. He came to America along with many others in search of a better life for himself and his family. He knew that the democratic society in the states would not only permit him much personal and social freedom but would also help him in his trade. By 1872, he had made a place for himself and had enough funds to send for his wife and seven children. He, like so many other immigrants, thought coming to America was important enough to break up the family for a time.

Our ancestors and others who came before us gave us the privileges that we now enjoy. We cannot become complacent and take these joys for granted. We only have to watch the evening news to see how quickly one's daily routine can undergo unbelievable changes. We see the Soviet mother with tears of joy as she bows to pray in church for the very first time. While at the same time we see the tears of anguish in the eyes of the Kuwaiti mother as she waits in line for water to give to her dehydrated infant. Neither of these women could believe that their lives could be changed so dramatically and in such a short time.

Today, people all over the world are starting to fight for their freedom, and are winning. However, their freedom will never be won until they win the most important freedom of all. The freedom of expression. The freedom of expression is truly the vanguard of democracy. For the basic foundation of democracy is the guarantee of this freedom. Battles for personal freedoms continue to be fought throughout the world. The lives of the individuals in Africa, China, Kuwait, and Vietnam, to name a few, are in turmoil as they attempt to win their freedom from oppression and become free living citizens. These individuals look toward the United States as an example in democracy since it has succeeded so well.

We are unique in our birthright of freedom. We Americans are all created equal. We cannot be taxed without our consent and may delegate power of self government to represent ourselves. We have been given privileges and responsibilities as well. Our largest responsibility is to express our ideals and vote for the candidates whom we feel will best preserve our gifts of the past. For this we have our founding fathers to thank, for they are the ones who created democracy. Let us hope that all Americans, new and old will stand together to protect this unique gift and ensure that future generations of Americans will enjoy the gift of our ancestors.

INTRODUCTION OF THE FAMILY EDUCATION LEAVE ACT, AND THE FEDERAL FAMILY EDUCATION LEAVE ACT

HON. GERRY SIKORSKI

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SIKORSKI. Mr. Speaker, it is not easy being a kid today. Too many of America's children are victims of neglect or malnutrition or

drugs. Kids need parental encouragement, advice, and support. But its getting harder for parents to fulfill that role.

Happy Day's Richie Cunningham is probably married with kids by now. And there's both a 50-50 chance that he's divorced and a 50-50 chance if he's not that his wife works outside the home. Richie Cunningham's kids probably don't have mom waiting at home for them after school to push cookies, milk, and home work. Dad may only get the kids on the weekends, and may never participate in an after school activity.

It's not Happy Days—it's the nineties, where over 81 percent of single mothers work full time to support their children, women make up almost half of the labor force, and a majority of them are mothers. Between 1950 and 1988 the number of divorces increased by at least 150 percent. Richie Cunningham's two-parent household with one parent home fulltime to take care of the children is now the exception. Only 25 percent of American families have one parent at home full time.

Most American parents work to financially support their kids—and they're working harder just to keep above water. Nonfinancial parental support and involvement do, however, make a big difference in a child's life—at the school play, or watching baseball practice, and most of all when they're working with teachers. Kids try harder when they know their parents care.

Today I am introducing two bills to help just a little to make it easier to be a parent, or a kid, or an American business that understands its future is tied to an educated work force and strong American families. The Family Education Leave Act refocuses the nineties American family on education by providing parents with 8 hours of paid leave per school year to participate in school activities of their children. Only employees with a minimum of 1 year's employment would be eligible for the leave, and they would be required to give employers 2 weeks notice of their intent to take a parent day leave. Employers will receive a 10-percent tax credit to help defer the very small cost. The Federal Family Education Leave Act provides the same leave to Federal employees who have served for at least 1 year.

I understand that businesses don't take mandates lightly. In fact, they don't like to take them at all. However, the ultimate result of this proposal is a better educated work force and stronger families, which benefit employers and America directly. The short-term inconvenience will result in long-term benefits for everyone. The Committee for Economic Development, a group of 225 corporate executive officers and university presidents, has stated the need for investing in children in its report, "Children in Need: Investment Strategies for the Economically Disadvantaged":

This nation cannot continue to compete and prosper in the global arena when more than one-fifth of our children live in poverty and a third grow up in ignorance. And if the nation cannot compete, it cannot lead. If we continue to squander the talents of millions of our children America will become a nation of limited human potential. It would be tragic if we allow this to happen. America must become a land of opportunity—for every child.

Failure to adjust to today's realities and prepare for future challenges jeopardizes the development of America's children, the integrity of our families, and the productivity of our work force. The longer America waits to help develop our children's minds and bodies and souls, the greater the risk America takes at failing a generation of young Richie and Joanie Cunninghams. Enough studies have been completed, more than enough statistics have been compiled—it's time to bring back real happy days for America's kids.

POSITION ON VOTE ON HOUSE RESOLUTION 95

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SERRANO. Mr. Speaker, I would like the Record to reflect that had I been present on March 5, 1991, I would have voted "yes" on House Resolution 95.

I would like to qualify this by saying that, frankly, I have serious reservations about some of the language contained in this resolution. I have a feeling that these reservations were shared by some of my esteemed colleagues who voted against the resolution. So I would like to make my position on this clear.

There is no question in my mind or in my heart, that the American men and women who have served in Desert Shield and Desert Storm have "demonstrated exceptional bravery, dedication and professionalism," as stated in section 2 of the resolution. They have served their country well, and have made us proud. The pride I feel for the courage and performance of our troops is one reason I would have voted for the resolution.

My community lost two marines in Operation Desert Storm. Their families and friends were devastated by this loss, and the community drew together in sympathy, prayer, and again, in pride for these two young men who gave their lives in the service of our country. Had every congressional district lost two people, the death toll would have been considerably higher than it was. And so I feel I must add my voice to the resolution of this body, as we convey our deepest sympathy and condolences to the families and friends of those we have lost in the Operation.

The President has undoubtedly shown himself to be an effective and decisive leader of military operations. Had I written this resolution, I might have acclaimed him for his precise and effective execution of military operations in Operation Desert Storm. My reservations about this resolution stem from the praise for the President's "unerring judgment, and sound decisions with respect to the crisis in the Persian Gulf." The crisis included the November decision to double the troops in the region, the setting of the January 15 deadline, and the decision to commence offensive operations on January 16. I cannot say that I agree with these decisions.

My position throughout the gulf crisis has been that the President must have congressional authorization to take the country to war, and that sanctions should have been given

more time to work. The majority of Congress expressed the will of the American people, and the President was authorized to take us to war. I still believe that we could have spared many lives, much devastation, and billions of dollars by allowing enough time for sanctions to achieve the desired results.

I feel very deeply the sentiments expressed in this resolution, in praise of the members of the U.S. Armed Forces, and in sympathy with those who lost loved ones. And so I will not allow my reservations about the scope and language of section 1 of the resolution to keep me from showing my solidarity with the men and women sent to the gulf from the South Bronx, for whom I feel so much pride and admiration, and with those in my community who are grieving for Marine Capt. Manuel Rivera and Marine Cpl. Ismael Cotto.

Thank you, Mr. Speaker, for this opportunity to restate my position.

RECOGNIZING THE 70TH
ANNIVERSARY OF NARFE

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. WOLF. Mr. Speaker, I rise today to pay tribute to the National Association of Retired Federal Employees [NARFE] on the occasion of its 70th anniversary.

Less than a year after President Woodrow Wilson signed the Civil Service Retirement Act of 1920, 14 newly retired Federal workers met in Washington, DC, and founded NARFE. Today, some 70 years later, the Government's original retirement program has evolved into a complex system of rules and regulations which provide comprehensive retirement and disability income protection for more than 2 million former civil service employees and their survivors. And today, NARFE has grown into a major national organization of approximately half a million members.

The purpose of NARFE at the time of its founding was to insure proper and adequate remuneration for Federal civilian retirees after long and faithful service. After 70 years of change and growth in our society and the workplace, NARFE's mission remains the promotion and preservation of the vested retirement interests of its membership and of the entire Federal community of workers and retirees.

Mr. Speaker, it is a pleasure for me to mark the anniversary of an organization dedicated to making the Federal retirement and benefit laws responsive to the changing social and management needs of the Government, and to the evolving personnel and personal needs of its employees.

I know that all of my colleagues join me in honoring the millions of men and women who have devoted their working lives to serving this great Government. Today I also invite you to join me in congratulating NARFE as it celebrates its 70th birthday and in wishing the organization continued success in the years ahead.

TRIBUTE TO ANDREW AND ANN
MORSE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. BONIOR. Mr. Speaker, today I have the distinct privilege of honoring a remarkable couple. Ann and Andy Morse will retire this month after deeply touching the lives of many individuals who ventured to the shores of Lake Huron to stay with them at the Lake Huron Methodist Camp.

Ann and Andy Morse will always be remembered for the quiet dedication, compassion, and above all, decency they brought with them into their relationships with other people.

For example, in 1980, after Andy sold his interest in a thriving construction business, he traveled to Haiti and built a much-needed church which continues to serve the local community to this day. And Ann, through her close involvement with the Muscular Dystrophy Society, has built strong bridges of her own to help people in our community afflicted with this terrible disease.

I personally know of their wonderful spirit because I have worked with them for years with my Congressional Student Leadership Summit. Their gracious hospitality and unceasing cooperation have been deeply appreciated by all of us involved in this annual program.

Mr. Speaker, over the years Ann and Andy Morse have viewed their work as a lifestyle and an extension of their faith. We in the 12th Congressional District in Michigan are, indeed, fortunate to be the beneficiaries of their good graces. I ask that my colleagues join me in saluting Ann and Andy Morse and offer them best wishes and good luck in their future endeavors.

INTRODUCTION OF THE ADMINISTRATION'S EMERGING TELECOMMUNICATIONS TECHNOLOGY ACT

HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. RITTER. Mr. Speaker, today, my colleague, MIKE OXLEY, and I introduced the administration's version of the Emerging Telecommunications Technology Act of 1991. Our proposal is similar to H.R. 531, of which I am an original cosponsor, with one major exception.

Under the Ritter-Oxley proposal, the FCC will have the authority to assign licenses through a competitive bidding process.

I know that all this talk of spectrum and competitive bidding seems a little bit arcane. However, we are talking about the licensing of a natural resource, not unlike oil and gas. The Government has been successful in using competitive bidding for oil and gas licenses, an idea that seemed unworkable when first proposed. Spectrum is the telecommunications fuel of the 21st century, and the Government has to stop giving the licenses away for free.

My colleagues that are not familiar with current FCC licensing schemes may be shocked to find out the realities of licensing by lottery. The FCC was authorized by Congress to assign licenses for certain telecommunications services, such as cellular telephone, paging, and MMDS—wireless cable—by lottery. The abuses of the lottery system have made many people rich, while the public and the U.S. Treasury got nothing.

In one example, in 1989, a company was 1 of over 900 applicants for a cellular license in Cape Cod, MA. There was a lottery held, and this company held the winning number. The company had no money to build the cellular system, and worse than that, they had no intention of building the system; 79 days later, the company sold the license for more than \$30 million and the public got nothing. This scenario has been repeated many times.

Our bill would cut out the middle man. The profits reaped by the lottery winners would instead be reaped by the U.S. Treasury and the American people. The bill does not change any of the other FCC licensing requirements. The same restrictions and qualifications apply to licensees. This just changes the private auction and private sale to the highest bidder into a public competitive bidding process.

It is important to note that the language of our proposal is sufficiently broad to take care of the public interest concerns inherent in communications licensing policy, such as making spectrum available for pioneering technologies and small businesses that would otherwise not have the resources to compete with larger organizations.

I urge my colleagues to join us and not let the FCC lottery fiasco continue. With a public good being licensed, is it better public policy to increase the coffers of the public, the U.S. Treasury, or the coffers of a person holding the matching number to a lucky ping-pong ball? We think the former makes for better public policy and the latter makes for more, perhaps undeserving, millionaires.

V-22 OSPREY IS AWARDED
COLLIER TROPHY

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. OBERSTAR. Mr. Speaker, this year the National Aeronautics Association awarded the 1990 Collier Trophy to the V-22 Osprey tiltrotor team. The Collier Trophy is among the most significant and coveted awards in the field of aviation. It is awarded annually " * * * for the greatest achievement in aeronautics or astronautics in America."

Our colleagues have become quite familiar with the V-22 Osprey. It is a tiltrotor aircraft which takes off, hovers and lands like a conventional helicopter, but when it tilts its engines forward into a converted propeller position, it flies like a turboprop aircraft, with the speed and efficiency of a turboprop. It is a remarkable machine.

The V-22 aircraft are presently undergoing flight testing. Decisions will soon be made by the Congress on the future of tiltrotor aircraft

in carrying out a number of crucial military missions.

My interest in the V-22 Osprey has focused on the potential civilian applications and the promise this technology holds for our Nation's transportation infrastructure. Because of its unique and demonstrated capabilities, tiltrotor aircraft will be able to relieve airport and airway congestion in some of our Nation's busiest air transportation markets. Since tiltrotor aircraft will be able to operate outside of the traditional aviation infrastructure, short range flights of under 300 miles could be off-loaded from congested airports, thereby making room for the growth of air services better suited to longer range markets.

In conclusion, Mr. Speaker, I also bring to our colleagues attention a recently released study sponsored by the Federal Aviation Administration and the National Aeronautics and Space Administration entitled "Civil Tiltrotor Missions and Applications—The Commercial Passenger Market." This excellent report describes in detail the civilian potential of this technology and makes recommendations to government and industry to bring this technology to fruition in the civil sector. Government and industry would do well to follow through on the recommendations in this report.

Again, congratulations to the V-22 Osprey tiltrotor team for being awarded the Collier Trophy and working so hard to earn this well-deserved recognition and honor.

**ALEXANDER ADAIRE SCHOOL
CELEBRATES 100 YEARS OF
SERVICE**

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. FOGLIETTA. Mr. Speaker, it gives me great pleasure today to honor one of Philadelphia's most outstanding educational institutions. The Alexander Adaire School was founded 100 years ago to serve the children and the Fishtown neighborhood in my district.

The school was named for the father of Alexander Adaire who was born in Kensington on May 7, 1834. Educated in the Philadelphia public schools, he served in the Pennsylvania Legislature for many years and was appointed to the Philadelphia Board of Education in 1874. After founding the school in 1891, he established night sewing classes in the mill district 2 years later, which was a seminal event in the development of a night school system in Philadelphia.

The Adaire School has been and continues to be a neighborhood school where parents and community are an integral part of the school's service to children. Adaire stresses strong fundamental skills in all areas of the curriculum as well as social skills and the democratic process.

I congratulate the many students, teachers, and parents on this occasion and pay tribute to the distinguished principals who have served the school and the community: Sarah Gilbert, 1892-1920; William McLaughlin, 1921-35; Florence Henry, 1935-39; Morris B.

Ginsberg, 1939-46; John J. Welsh, 1946-52; Marion Thorpe Price, 1952-69; Edwin H. Gideon, 1969-75; Marvin Goldenberg, 1975-89; and Christopher McGinley, 1989 to present.

Mr. Speaker, I urge my colleagues to join me in paying tribute to the Alexander Adaire School. I wish the school well in its next century of serving the community of Fishtown.

**THE FEDERAL EMPLOYEES
ADOPTION REIMBURSEMENT ACT**

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mrs. SCHROEDER. Mr. Speaker, today I rise to reintroduce the Federal Employees Adoption Reimbursement Act, which is identical to H.R. 2764 which I introduced in the last Congress. The bill is also very similar to a military adoption program former Senator Gordon Humphrey and I initiated in the 100th Congress.

The bill would allow Federal employees to be reimbursed up to \$2,000 for the adoption of a child. Reimbursable expenses include legal, agency, and counseling fees, transportation expenses, foster care charges, and medical expenses related to the biological mother, the child, and the adoptive parents.

To many childless couples adoption is the only hope for building a family. The demand for adoption is large—estimated to be as high as one of every six couples of childbearing age. The supply of children who need adoptive homes, however, is relatively small and is not responsive to the demand factors.

In 1988, the National Committee for Adoption [NCFA] estimates that there were 60,000 adoptions of all kinds by U.S. citizens, at home and abroad.

Federal employees constitute less than 2 percent of the total national work force. A generous estimate of the number of total adoptions by Federal employees would be 2 percent of 60,000 or 1,200. We say "generous" because adoption is related to race and ethnicity and persons who are not white are less likely to adopt, for many reasons, than whites. Since the percentage of nonwhites is disproportionately larger among Federal employees than the total work force, using a straight percentage is probably overestimating the potential numbers.

Adoption is very expensive, averaging about \$10,000 per child, which may have deterred the less affluent nonwhite workers from adopting children. Yet, over 40 percent of adoptable children are blacks.

Some of the greatest expenses related to adoption, especially special needs adoption, are medical: The health care costs of the birth mother, the child, and the adoptive parents.

For many years the Federal Government has encouraged private employers to provide adoption benefits, yet has provided none to its own work force. This legislation would serve as a model to the private sector.

By enacting this bill, adoption will become less a privilege of the affluent. It will be available to employees of different economic classes. It will encourage minority would-be par-

ents, who have been deterred by the high costs of adoption, to provide homes for black children who constitute over 40 percent of all adoptable children.

I urge you to join me in promoting adoption among Federal employees by supporting this legislation.

**A TRIBUTE TO SGT. STANLEY
BARTUSIAK**

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SANGMEISTER. Mr. Speaker, it is with a heavy heart that I rise today to honor one of the Americans who made the ultimate sacrifice for their Nation last week during the Persian Gulf war.

Army Sgt. Stanley Walter Bartusiak and 27 of his comrades were killed February 25, 1991, when a Scud missile demolished the barracks they shared in Dhahran, Saudi Arabia.

Sergeant Bartusiak who lived in Romulus, MI, was a longtime resident of Calumet City, IL, which is located in my district. His sister, Phyllis Brizic, still lives there and his two sons, Matthew and Edwin, live in nearby Lansing, IL.

As with all the men and women who have died in service to our country in this war and others, Stanley Bartusiak deserves the full gratitude of this Congress and all Americans. While our Nation celebrates the liberation of Kuwait, let us not forget the sacrifices of Sergeant Bartusiak and his comrades in freeing that country. We should also keep in our thoughts and prayers Stanley Bartusiak's loved ones: His sister; his sons; his wife, Diane; his mother, Irene; his father, Walter; his two other sisters and a brother, and the rest of his family.

Mr. Speaker, let us hope that the pain of Sergeant Bartusiak's family and that of all the families of soldiers killed in this conflict is eased by the knowledge that these brave Americans gave their lives so their fellow men and women could live free from tyranny.

**EMERGING TELECOMMUNICATIONS
TECHNOLOGY ACT OF 1991**

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. OXLEY. Mr. Speaker, today, my colleague, Mr. RITTER, and I introduced our version of the Emerging Telecommunications Technology Act of 1991. This is the same as Mr. DINGELL's H.R. 531, with one important difference—it allows the FCC to conduct a competitive bidding procedure in order to award the licenses, as opposed to the present lottery method.

I don't understand why the Federal Government must subsidize private individuals with no apparent disabilities. The Government does this when they hold private lotteries to allocate the spectrum. This bill changes the method to

a public auction, the proceeds of which go to the U.S. Treasury. After all, in a free market system, if the consumer wants a product and it belongs to someone else, he must first pay the owner for it. These spectrums now belong to the United States. So let's sell them.

These new spectrums represent billions of dollars that do not come from taxes or other programs. The emancipation of these under utilized airwaves promotes the growth of our telecommunications industries in the 21st century, while simultaneously allowing the Treasury to receive the necessary compensation.

HUMAN RIGHTS ABUSES AGAINST SYRIAN JEWS

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SWETT. Mr. Speaker, recently I had the opportunity to attend the screening of "Shadows," a film depicting the extreme human rights violations toward Jews that are presently occurring in Syria. After viewing this film, my heart went out to those 4,500 Jews who are continuously persecuted by Syrian authorities. The Syrian secret police—Mukhabarat—monitor Syrian Jews by reading their mail and tapping their telephones. Jews are denied Government employment, the right to seek adequate religious education, and they are required to report to the Mukhabarat about virtually every transaction that occurs. Their synagogues have been burned, random acts of violence are common, torture is frequent, arbitrary detention and incarceration are routine, and executions are all too common. When a Jew is fortunate enough to escape from Syria, his property is turned over to the Palestinian refugee agency.

These serious injustices have continued unabated for decades. In 1948, Syria became a prison for the Jewish people because Jews were denied the right to emigrate. In 1956, Jewish homes were marked so that every Jew could be killed, and in 1967, Jews were forced to stay in their homes for 6 months so as to be easily monitored by the Syrian Government. Syrian Jews today are described by the film as "lifelong hostages and convenient scapegoats."

Mr. Speaker, I urge my colleagues to take note of the horrible plight of the Syrian Jews and condemn the Syrian Government for its gross violations of human rights against its Jewish minority.

TRIBUTE TO ARMY INFANTRY SPEC. ANDY ALANIZ KILLED IN DEFENSE OF FREEDOM

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. ORTIZ. Mr. Speaker, I rise to pay tribute to a valiant young man from Corpus Christi, TX, who made the ultimate sacrifice for freedom by fighting to liberate Kuwait after Saddam Hussein waged an evil war.

Army Infantry Spec. Andy Alaniz, a graduate of Moody High School in Corpus Christi, TX, has joined the number of brave Americans who have died in defense of freedom around the world.

In a cruel twist of irony, Specialist Alaniz was killed in the final hours of battle, right around the time President Bush declared a cessation of American offensive actions. Alaniz, a freckle-faced, left-handed baseball player is survived by his parents, his new wife, Cathy, and his yet unborn child.

In a November letter to his own father, Andy wrote of becoming a father and expressing thanks to his father for the outstanding job the senior Alaniz had done. I read from the letter:

The news from Cathy about the baby has made me sick to even be here. You did everything possible for us and we never even said thank you * * *. All those times you brought us candies in your lunch box and all we did we grab it and run. All those times you came to my ball games and it always made me play better. Thank you for everything you've done for me. I'm maintaining all right so don't worry about me—worry about the others. I love you, Pop, take care.

The family received a second letter from Andy the day before his funeral, dated just a few days prior to his death. He had enclosed photographs of himself, his companions, and the tank in which they operated—probably the same tank in which Andy died. He told them that he had received his sister's Valentine card and anxiously looked forward to coming home.

This young man's message to his family touches my soul. We will miss Andy, and we will always remember him. His gallant spirit will live on in the precious memories of his family and friends.

I ask my colleagues to join me in a commemoration of this brave young man who died on the battlefield, engaging the enemy in a noble cause. Help me to assure his family that they will always have the appreciation of a grateful nation. We love you, Andy.

HOUSE BIDS FAREWELL TO PASQUALE BONANNI, EXECUTIVE CHEF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. HOYER. Mr. Speaker, I want today to ask my colleagues in the House of Representatives to join me in paying tribute to Pasquale Bonanni, who retired on February 15, after 24 years as our own executive chef of the House.

Mr. Bonanni became executive chef of the U.S. House of Representatives in 1966. He has set a standard of excellence and quality service for the Members and staff of the House which will be hard to match.

Born on February 6, 1927, in Ovindali, Italy, Mr. Bonanni left his native land in 1947 to seek his fortune in America. In 1952, he returned to Italy to marry his childhood sweetheart, Anna. They returned to the United States together and took up residence in Washington, DC. For the last 19 years,

Pasquale has lived in my congressional district, in Kettering, MD.

Before joining the House as executive chef in 1966, Pasquale was for 14 years the banquet chef at the Statler Hilton.

Over the many years, Pasquale has received numerous awards, including Chef of the Year in 1985.

Pasquale and Anna have two children, Mary and Robert, and have six grandchildren.

Mr. Speaker, I am proud to be able to bring to the attention of the House the accomplishments of our retired executive chef, Pasquale Bonanni. I am sure that all of my colleagues join with me in wishing Pasquale and Anna all the best that retirement has to offer, and to be assured that the U.S. House of Representatives will truly miss him.

THE 16TH ANNUAL BROOKLYN IRISH-AMERICAN PARADE

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SCHUMER. Mr. Speaker, it is with great pleasure that I commemorate the 16th annual Brooklyn Irish-American Parade, taking place on March 24, 1991. This fine occasion, begun on the year of America's bicentennial celebration, continues as a reminder of the role the Irish freedom fighters played in America's battle for independence.

The parade will highlight the cultural, historical, and educational accomplishments of Brooklyn's Irish-American community and will encourage the appreciation of ancient Irish traditions. Yet the day is more than a tribute to the Irish-Americans of Brooklyn; it is a celebration of Brooklyn's cultural diversity and richness. The parade will take place in the neighborhood of Prospect Park, the historic site of the Battle of Brooklyn, the battle in which Irish freedom fighters gave their lives to secure American independence. The people of Ireland and America have always shared a common heritage in the struggle of free men and women to govern their own affairs and determine their own destiny. It is in this spirit that the Brooklyn Irish-American Parade is held every year. I am very pleased to announce that Bill Burke, senior vice-president at the Bank of Ireland, will be the grand marshal of the 1991 parade.

This year's parade will remember and commemorate the 75th anniversary of the Easter Rising of 1916. From Wolfe Tone, the father of Irish Republicanism to Padraic Pearse, the President of the Provisional Government of the Irish Republic which was proclaimed on April 24, 1916, the journey continues for a free and united Irish nation. The stirring opening words of the 1916 proclamation, "Irishmen and Irishwomen, in the name of God and the dead generations from which She receives her old tradition of nationhood, Ireland, through us, summons her children to her flag and strikes for her freedom", capture the spirit of the Irish struggle for freedom. This year the parade will gratefully remember the signers of that Declaration of Irish Independence: Thomas J. Clarke, Sean MacDiarmada, Padraic H.

Pearse, James Connolly, Thomas MacDonagh, Eamonn Ceannt, and Joseph Plunkett.

We can draw important parallels between the Easter Rising of 1916 and Ireland's battle for independence commemorated in this year's Brooklyn Irish-American Parade, and the same struggle America underwent to secure its own freedom over 200 years ago. The role the Irish played in the successful American endeavor for freedom should not be forgotten, even as the Irish struggle carries on.

Mr. Speaker, I urge my colleagues to remember the spirit that the annual Brooklyn Irish-American Parade tries to recapture and the critical role that spirit has played in our own history.

CONDOLENCES TO THE FAMILY OF
CPL. BRIAN SIMPSON

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. BURTON of Indiana. Mr. Speaker, I would like to call your attention to Cpl. Brian Simpson, one of the 181 U.S. soldiers who died in Operation Desert Storm. Tragically, Brian was one of those soldiers who died in an Iraqi Scud missile attack on a United States barracks in Saudi Arabia.

Brian enlisted in the U.S. Army in 1986. He was released from active duty early in January. However, he was recalled on January 31, as a refueling specialist for Apache helicopters. Brian had been in Saudi Arabia a mere 5 days before his death.

Last week, I had the opportunity to attend the funeral services for Cpl. Brian Simpson. The death of a soldier takes on a whole different meaning when you meet and see the expressions on the faces of the soldier's loved ones.

Mr. Speaker, I would like to express my heartfelt condolences to Brian's parents, Harold Simpson and Christine Jensen, Brian's wife, Hope Simpson, Brian's brother, Michael Simpson, and Brian's stepfather, James Jensen. The heart of the Nation goes out to you.

THE VETERANS ENTREPRENEURSHIP
PROMOTION ACT OF 1991

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. McDADE. Mr. Speaker, today as we celebrate the restoration of freedom and peace in Kuwait, today as East-West relations move away from confrontation toward cooperation, today as we see more nations march toward democracy under the banner of newfound freedom, let us not forget for a moment those who have secured peace and our way of life for this and preceding generations. We should heed the words of Calvin Coolidge who wisely observed: "A nation which forgets its defenders will itself be forgotten." Isn't it ironic, Mr. Speaker, that when we talk about helping

Americans, we seldom consider the Americans who have helped us—the men and women who have sacrificed, suffered, and bled for us. Mr. Speaker, these are the people I am here to help. Today, I am reintroducing, along with our colleagues, Mr. MONTGOMERY, chairman of the Committee on Veterans' Affairs, and Mr. PENNY, chairman of the Subcommittee on Education, Training and Employment, legislation to help American veterans become more competitive in the world of business.

The United States has benefited immeasurably from the service of the over 27 million veterans who have made great sacrifices in the defense of freedom, the preservation of democracy, and the protection of our free enterprise system. Our country also has been enriched by nearly 3.5 million veteran-owned businesses which are contributing to the vitality and prosperity of the American economy by providing goods and services, revenues, and job opportunities. Despite this progress and a seemingly high number of veteran-owned firms, research shows that veterans, particularly Vietnam-era veterans, have a low rate of business ownership in comparison to other groups. Ventures owned by veterans tend to be newer, smaller, and less secure financially than nonveteran-owned concerns. Although disabled veterans are nearly twice as likely to be self-employed as veterans who are not disabled, their inability to obtain capital results in low income levels and higher rates of business failure.

The conclusion of the Persian Gulf war will create a new generation of war-time veterans. Some of these veterans will confront the daunting task of reestablishing themselves in the civilian workplace during a recession. For many of these veterans, self-employment will provide an avenue of financial security for themselves and their families. Others will see opportunities in the marketplace and pursue careers as independent owners of small businesses. For these veterans, entrepreneurship offers the challenge of owning and operating their own firms and the rewards of developing and marketing innovative products and services. The United States has responsibility to provide the veterans of the Persian Gulf war, as well as other men and women who choose to serve their country through participation in the all-volunteer force, with the tools necessary to succeed as owners of small business concerns.

During this decade and beyond, hundreds of thousands of other veterans are expected to start small businesses. Many of these new business owners will come from among the over 8 million Vietnam-era veterans who are in that age group which generally produces the majority of new business starts. The veteran population is also expected to grow during this period as a result of global developments which will precipitate a reduction in U.S. military personnel around the world. These actions will also necessitate the closing of many domestic and overseas bases and, ultimately, result in the discharge of hundreds of military personnel. It is expected that, as these new veterans make the transition back to civilian life, many will choose the path of entrepreneurship and start small businesses.

It is in the national interest to remove all obstacles to the development and growth of veteran-owned small businesses. The elimination of such obstacles would enhance the economic vitality of the Nation and expand the number of suppliers of goods and services to the Federal Government.

Veterans have and always will merit the appreciation and special consideration of Americans. Our national policies express this. In May 1983, Supreme Court Justice William H. Rehnquist, in a decision reaffirming the special rights of veterans, said this: "Veterans have been obligated to drop their own affairs and take up the burdens of the Nation, subjecting themselves to the mental and physical hazards as well as the economic and family detriments which are peculiar to military service and which do not exist in normal civil life. Our country has a longstanding policy of compensating veterans for their past contributions by providing them with numerous advantages. This policy has always been deemed to be legitimate." The majority of Federal programs to compensate and assist veterans have been focused primarily in the areas of health care, educational benefits, and housing aid. While the Congress has acted to establish programs to assist veterans in many important areas, it has yet to provide them with something even more fundamental—economic opportunity.

Indeed, the role of government is to provide justice, preserve liberty, safeguard individual freedoms, and defend its citizens against tyranny of any kind. Yet, its duties must be viewed in a larger context. For, where possible, it should provide, not guarantee, opportunities to its citizens. Forrest P. Sherman once said this of opportunity: "No man can make his opportunity. He can only make use of such opportunities as occur." The bill I am reintroducing today provides an opportunity that has eluded veterans until now. Specifically, this legislation would create opportunities for veteran-owned small businesses to become suppliers of needed goods and services to the Federal Government through access to contract award opportunities in the \$180 billion Federal market. The purpose of this legislation is to promote and assist the creation, development, and growth of small businesses owned by veterans, including those who are women and minorities.

Mr. Speaker, I have appended to this statement the bill and a section-by-section analysis. However, I believe it important to briefly summarize the main provisions of this legislation for my colleagues. First, it would create the Veterans Business Opportunity and Development Assistance Program, governmentwide procurement program to assist eligible veteran-owned small businesses to receive Federal Government contracts. The bill would establish an annual governmentwide procurement goal for veteran-owned small businesses of 5 percent of the total dollar value of all prime and subcontract awards. Veterans who have served for a specified period of duty and have been honorably discharged and who own and control on a daily basis at least 51 percent of a small business that is at least 1 year old would be eligible to participate in the procurement program. The legislation would empower the U.S. Small Business Administration to enter into contracts with other Federal

agencies to perform construction work or to furnish articles or services needed by the Government. In the capacity of prime contractor, the SBA would subcontract the work to be performed to a veteran-owned small business eligible to participate in the program. A firm would participate in the program for up to 5 years, spending not more than three of these in a developmental stage and not more than two in a transitional stage. During each stage, a firm would receive various types of assistance—financial, technical, managerial, and marketing—to help it achieve its business goals and develop competitive skills. A program participant would be required to submit an annual business report detailing his firm's contract performance capabilities. This profile would be distributed to the various purchasing agencies of the Federal Government to assist in identifying contract opportunities for veteran-owned businesses. A veterans business counselor would be assigned to each program participant to aid in meeting business plan targets and goals.

Second, the legislation recognizes that the availability of adequate capital for business start-up and expansion remains an obstacle to the development and growth of veteran-owned small businesses. It addresses this problem by establishing within the SBA a guaranteed loan program for these concerns. The SBA would also be directed to study methods to reduce costs incurred by veteran-owned small businesses in applying for and securing loans and report its findings and recommendations to the President and the Congress.

Third, veteran-owned small concerns would be eligible to participate in all SBA programs which provide entrepreneurial training, counseling, and management assistance. Funds would be authorized for the SBA to make grants to educational institutions, private businesses, nonprofit organizations, and Federal, State, and local agencies to develop and implement outreach programs for veterans. In addition, an interagency working group would be formed to develop a comprehensive outreach program to assist veterans of the Persian Gulf war and current military personnel affected by manpower reductions. This program would offer business training and management assistance, employment and relocation counseling, and provide information on veterans benefits and entitlements and the new procurement program.

Fourth, the measure requires the Department of Veterans Affairs, the Department of Labor, and the U.S. Small Business Administration to collect and report information on the number of veteran-owned sole proprietorships, partnerships, and corporations, and those that are first-time recipients of Federal contracts. Improving data collection on veterans will help establish a reliable statistical picture of veteran-owned businesses in America. It will also help policymakers and lawmakers pinpoint special needs of veterans and identify areas where policy changes and program improvements are needed.

Fifth, the legislation would create a nine-member National Veterans Business Council made up of high-level Federal officials and private sector representatives appointed by the President. The council would review the role of Federal, State, and local government in as-

sisting veteran-owned small businesses as well as compile data relating to all veteran-owned businesses. The council, based upon its review, would develop detailed multiyear plans, with specific goals and timetables, for both public and private sector actions to promote increased business development and ownership by veterans.

Our Government has a responsibility to help the veterans of this Nation because of the sacrifices they have made in the service of their country. Acknowledging the Nation's special debt to these individuals, Theodore Roosevelt said in 1903: "A man who is good enough to shed his blood for the country is good enough to be given a square deal afterwards. More than that no man is entitled to, and less than that no man shall have." We need to recognize the contributions and remember the sacrifices of our men and women in uniform with more than speeches of gratitude and praise. Let us show our gratitude by giving them something they have never had before—an economic opportunity. Mr. Speaker, this bill provides that opportunity, the square deal that they deserve. I strongly urge my colleagues to join me in guaranteeing this opportunity to all veterans by supporting this bill.

A section-by-section summary of the bill follows:

SECTION-BY-SECTION SUMMARY OF THE VETERANS ENTREPRENEURSHIP PROMOTION ACT OF 1991

SECTION 1. SHORT TITLE

This Act may be cited as the "Veterans Entrepreneurship Promotion Act of 1991."

SECTION 2. FINDINGS, PURPOSES, AND DEFINITIONS

Findings

The Congress finds that the United States has benefitted immeasurably from the service of over 27,000,000 veterans who have made great sacrifices in the defense of freedom, the preservation of democracy, and the protection of our free enterprise system. Nearly 3,500,000 veteran-owned businesses contribute to the vitality, strength, and prosperity of the American economy by providing goods and services, revenues, and job opportunities.

Despite this progress, veterans, particularly Vietnam-era veterans, have a low rate of business ownership in comparison to non-veterans. Businesses owned by veterans are newer, smaller, and less secure financially than businesses owned by non-veterans. Although disabled veterans are nearly twice as likely to be self-employed as veterans who are not disabled, their inability to obtain capital results in low income levels and higher rates of business failure.

The conclusion of the Persian Gulf War will create a new generation of war-time veterans. Some of these veterans will confront the daunting task of reestablishing themselves in the civilian workplace during a recession. For many of these veterans, self-employment will provide an avenue of financial security for themselves and their families. Others will see opportunities in the marketplace and pursue careers as independent owners of small businesses. For these veterans, entrepreneurship offers the challenge of owning and operating their own firms and the reward of developing and marketing innovative products and services. The United States has a responsibility to provide the veterans of the Persian Gulf War, as well as

other men and women who choose to serve their country through participation in the all-volunteer force, with the tools necessary to succeed as owners of small business concerns.

During the 1990's, hundreds of thousands of other veterans are expected to start small businesses. Many of these new business owners will come from among the other 8,000,000 Vietnam-era veterans, who are generally in the 35-45 age category, the age group producing the majority of new business starts.

In all likelihood, global developments during this decade will precipitate a reduction in U.S. military forces and the closing of bases, causing thousands of men and women to join the existing veteran population. It is expected that many of these veterans will pursue the path of entrepreneurship and start small businesses.

It is in the national interest to remove all obstacles to the development and growth of businesses owned and controlled by veterans. The elimination of such obstacles would enhance the economic vitality of the nation and expand the number of suppliers of goods and services to the federal government.

Purposes

The purposes of this Act are: to foster enhanced entrepreneurship among veterans by providing increased opportunities; vigorously promote the legitimate interests of business concerns owned and controlled by veterans; and ensure that those concerns receive a fair share of purchases made by the federal government.

Definitions

The term "Administration" means the Small Business Administration and the term "Administrator" refers to the Administrator of the SBA. The terms "veteran" and "small business concern owned and controlled by veterans" have the meaning such terms have within the Small Business Act.

SECTION 3. SMALL BUSINESS ACT DEFINITIONS

The term "small business concern owned and controlled by veterans" is defined as a concern that is at least 51 percent owned by one or more veterans, or in the case of a publicly owned business, at least 51 percent of the stock of which is owned by one or more veterans, and whose management and daily business operations are controlled by such veterans.

The term "veteran" means an individual who received an honorable discharge and was discharged or released (1) for a service-connected disability; (2) from active duty after having served on duty for a period of not less than 2 years; (3) from active duty for the convenience of the federal government; or (4) following either 180 days of continuous active duty or the period of call-up as an activated member of the Selected Reserve during the Persian Gulf War. The term "Persian Gulf War" means the period beginning on August 2, 1990 and ending on the date prescribed by Presidential proclamation or by law.

SECTION 4. PROCUREMENT ASSISTANCE

The Act requires the President to establish annually a government-wide goal that not less than five percent of the total dollar value of all federal prime and subcontract procurement be awarded to veteran-owned small businesses. The annual government-wide goal for participation by small business concerns is increased from not less than 20 percent to not less than 25 percent. The Act also requires the head of each federal agency, after consultation with the Small Business Administration (SBA), to establish annually

a goal for procurement from veteran-owned small businesses and to attempt annually to increase participation by such businesses in each industry category in procurement contracts of the agency. The goals should realistically reflect the potential of veteran-owned businesses to perform federal procurement contracts and subcontracts. [Note: The Small Business Act already requires such government-wide and agency goal-setting procedures for small businesses and for small businesses owned and controlled by social and economically disadvantaged individuals.]

SECTION 5. REPORTING.

The bill requires the head of each federal agency to submit to the SBA annual reports on the extent of participation in procurement contracts by veteran-owned businesses and to justify failures to meet the goals. The SBA will analyze these submissions and annually prepare a report to the President detailing the extent of participation in federal procurement contracts by veteran-owned businesses. The President will include this information in each annual report to the Congress on the State of Small Business. [Note: The Small Business Act already requires the President's annual report on the State of Small Business to include data on federal procurement contracts performed by small businesses and by small businesses owned and controlled by socially and economically disadvantaged individuals.]

SECTION 6. SUBCONTRACTING.

The Act makes it the policy of the United States that veteran-owned small businesses shall have the maximum practicable opportunity to participate in the performance of contracts and subcontracts let by any federal agency and that prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts with veteran-owned small businesses. To this end, all contracts let by any federal agency, with certain exceptions, will contain a clause requiring prime contractors to agree to carry out this policy in the awarding of subcontracts, to the fullest extent consistent with the efficient performance of the contract. Any procurement contract that exceeds \$500,000 (or \$1,000,000 in the case of construction contracts) must contain a subcontracting plan that provides the maximum practicable opportunity for veteran-owned businesses to participate in the performance of the contract. Each subcontracting plan must include percentage goals for the utilization of veteran-owned businesses as subcontractors and a description of the efforts the bidder will take to assure that veteran-owned businesses will have an equitable opportunity to compete for subcontracts. If a successful bidder fails to submit an acceptable subcontracting plan within the time limit prescribed in the agency regulations, the bidder will become ineligible to be awarded the contract. [Note: The Small Business Act already contains the same subcontracting requirements for small businesses and for small disadvantaged businesses.]

SECTION 7. INFORMATION COLLECTION.

It will be the responsibility of the SBA during each fiscal year to obtain information concerning the procurement practices and procedures of federal agencies and to disseminate upon request such information to veteran-owned small businesses.

The legislation requires the Secretary of Veterans Affairs, in consultation with the Assistant Secretary of Labor for Veterans' Employment and Training and the Adminis-

trator of the SBA, to undertake efforts each fiscal year aimed at identifying veteran-owned small businesses. The Secretary will advise these businesses that information concerning federal procurement is available from the SBA.

The Secretary of Veterans Affairs is directed to collect procurement data from federal agencies on small business owned and controlled by veterans that, beginning with fiscal year 1991, are first-time recipients of contracts.

This legislation requires the Assistant Secretary of Labor for Veterans' Employment and Training to annually collect and make available information on firms owned and controlled by veterans.

SECTION 8. STATE OF SMALL BUSINESS REPORT.

The Act amends the Small Business and Economic Policy Act of 1980 to require that information on small businesses owned and controlled by veterans—including those owned by disabled veterans—be included in the annual State of Small Business Report.

SECTION 9. LOANS TO VETERANS.

This section of the proposed legislation amends the Small Business Act by adding a new section that authorizes the SBA to enter into agreements with banks or other financial institutions to make loans to small business concerns owned and controlled by veterans—including loans to veterans under the Veterans Business Opportunity and Development Program—with SBA guaranteeing to pay part of any loss sustained by the lender.

To be eligible for program participation, the SBA must determine that the type and amount of assistance requested by the veteran-owned businesses are not otherwise available on reasonable terms from other sources. The SBA must also determine that other general eligibility requirements are satisfied.

The proposed bill increases certain loan-guarantee percentages in connection with SBA guaranteed loans to veteran-owned small businesses. Specifically, the guarantee may not be less than 95 percent for loans of \$155,000 or less. For loans that exceed \$155,000, the guarantee may not be less than 80 percent nor more than 90 percent. Under 7(a) general business loan program, the current guarantees for loan amounts are as follows: the guarantee may not be less than 90 percent for loans of \$155,000 or less. For loans that exceed \$155,000, the guarantee may not be less than 70 percent nor more than 85 percent. The federal government exposure may not exceed \$750,000.

The Act permits participating lenders to retain one-half of the fee collected on loans to veterans under this section, including loans in excess of \$50,000.

The legislation requires that within 90 days of the Act's enactment the Administrator of the SBA issue regulations to ensure that loans made under the Veterans Business Opportunity and Development Program are favorable to veterans in terms of maturity and assessing the borrower's collateral. More specifically, the length of the loans is to be the longest feasible commensurate with ability to repay. Subject to certain exceptions, loan maturities may not exceed 12 years.

The Administrator of the SBA will study ways to reduce the costs to veterans of participating in the program, and will within one year submit to the President and the Congress a report of findings together with legislative and administrative recommendations.

SECTION 10. ENTREPRENEURIAL TRAINING, COUNSELING, AND MANAGEMENT ASSISTANCE.

The Administrator of the SBA will facilitate access of business concerns owned and controlled by veterans to SBA's business development and assistance programs, including the Small Business Development Center, Small Business Institute, Service Corps of Retired Executives (SCORE), and Active Corps of Executives (ACE) programs.

SECTION 11. GRANTS FOR VETERANS OUTREACH PROGRAMS.

The Act would permit the SBA to make grants to and enter into contracts and cooperative agreements with various governmental and private organizations in order to establish outreach programs for veterans.

SECTION 12. OUTREACH PROGRAM FOR VETERANS OF THE PERSIAN GULF WAR AND VETERANS AFFECTED BY REDUCTIONS IN ARMED FORCES PERSONNEL.

The Act directs the SBA Administrator, the Secretary of Veterans Affairs, and the Assistant Secretary of Labor for Veterans' Employment and Training to establish an interagency working group to develop a comprehensive outreach program to assist veterans of the Persian Gulf War and veterans affected by military manpower cuts. The program would offer business training and management assistance, employment and relocation counseling, and provide information on veterans benefits, entitlements, and the new procurement program.

SECTION 13. ASSOCIATE ADMINISTRATOR FOR VETERANS PROGRAMS.

The bill creates within the SBA the positions of Associate Administrator for Veterans Programs and Deputy Associate Administrator for Veterans Programs to formulate and execute policies and programs established by this bill, including the Veterans Business Opportunity and Development Program.

SECTION 14. ESTABLISHMENT OF VETERANS BUSINESS OPPORTUNITY AND DEVELOPMENT PROGRAM.

This section of the proposed legislation amends the Small Business Act by adding a new section that establishes within the SBA a government-wide program—the Veterans Business Opportunity and Development Program—to assist certified veteran-owned small businesses to receive federal procurement contracts.

The Act empowers the SBA to enter into contracts with other federal agencies to perform construction work for the Government or to provide articles, equipment, supplies, services or materials. (The bill sets forth procedures by which the SBA can appeal decisions by agency procurement officers not to make available to the program contracts that the SBA certifies itself competent and responsible to perform.) Acting in the capacity of prime contractor, the SBA will subcontract work to be performed to veteran-owned small businesses that have been certified for participation in the Veterans Business Opportunity and Development Program.

Certified firms will be eligible to receive specific contracts if they have been deemed capable of performing the work and if contract awards would not result in costs to the awarding agency that exceed a fair market price. Contracts will be awarded on the basis of competition restricted to certified firms if there is a reasonable expectation that at least two eligible firms will submit offers at a fair market price. The bill specifies procedures for the determination of fair market prices.

To be eligible for program participation, veteran-owned businesses must meet certification requirements contained in regulations to be issued by the SBA. Such regulations will require that firms certify annually that they are owned and controlled by veterans (a business must be at least 51 percent veteran-owned) and that firms have been in business for a period of not less than one year before the date of application. The Administrator may waive the one-year business operation requirement in appropriate cases. Firms must certify that they have not received and will not assert eligibility to receive procurement contracts under the section 8(a) program of the SBA or the section 1207 program of the Department of Defense.

The SBA will issue regulations establishing a limitation on the personal net worth of program participants. Each program participant will annually submit to the SBA a personal financial statement for each owner upon whom eligibility was based. Whenever the SBA finds that owners have withdrawn excessive amounts of funds or other assets from their firms, to the detriment of the business plans of the firms, the SBA can initiate proceedings to terminate the firms from program participation or require the reinvestment of funds or other assets. The computation of personal net worth of owners will exclude the value of investments that veteran owners have in their firms and the equity they have in their primary personal residences.

Program participants must be able, with contract, financial, technical and management support, to perform contracts that they may be awarded. The SBA cannot apply its regulations and procedures in ways that would inhibit the logical business progression of firms into areas of industrial endeavor or not included in their business plans but where they have potential for success.

Program participants have the right to a hearing on the record before the SBA can take certain actions such as denial of program admission or termination of program participation. The bill contains guidelines for the conduct of such hearings.

The SBA is required to develop and implement an outreach program to encourage veteran-owned small businesses to apply for program participation.

To the maximum extent practicable, construction subcontracts are to be awarded within the county or state where the work is to be performed.

The Act requires program participants annually to submit capability statements to the SBA. These statements will be used by the SBA to disseminate information about program participants to appropriate federal procurement officers, who will, in turn, notify relevant veterans business counselors of their contracting opportunities over the succeeding 12-month period.

In the case of contracts for services, program firms must expend at least 50 percent of the cost of contract performance incurred for personnel on their own employees. In the case of contracts for supplies, program firms must perform at least 50 percent of the cost of manufacturing the supplies. Exceptions may be granted under certain circumstances. The SBA will establish similar requirements for construction contracts and contracts for other industry categories not otherwise covered.

Program participants that are primarily engaged in wholesale or retail trade, that are regular dealers of the product to be offered the government, and that agree to supply products domestically produced by small

businesses, will not be denied the opportunity to submit bids for procurement contracts solely because they are not the actual manufacturer or processor of the product to be supplied.

The Act prohibits designated SBA employees from engaging in certain activities or transactions with respect to program firms. These prohibitions continue for two years after SBA employment is terminated. Penalties for violations are specified.

SBA employees involved in the program are prohibited from acting on the basis of the political activity or affiliation of any party. Disciplinary actions are spelled out for infractions of this prohibition.

Program participants must report semi-annually to their assigned veterans business counselors the names of persons other than employees who have received compensation for assistance in obtaining federal contracts, the amount of compensation received, and a description of the services they provided. Reports that raise suspicions of improper activity will be reported by the Associate Administrator for Veterans Programs to the SBA Inspector General. Failure to submit these reports will be cause for termination from the program.

Contracts awarded to program firms must be performed by the firms that were initially awarded the contracts. This requirement can be waived by the SBA under certain specified circumstances, such as if it is necessary for the owners temporarily to surrender partial control in order to obtain equity financing. Firms performing contracts must notify the SBA immediately upon entering agreements to transfer all or part of ownership interests to other parties.

The Associate Administrator for Veterans Programs will manage the veterans business opportunity and development assistance program. The program will assist certified firms to develop and maintain comprehensive business plans; provide other services such as loan packaging, financial counseling, marketing assistance and management assistance; assist firms to obtain equity and debt financing; regularly monitor firms' compliance with their business plans; analyze and report the causes of success and failure of program firms; and assist firms to obtain surety bonds.

The term of participation in the program is set at five years from date of certification, unless terminated or graduated earlier.

Promptly after certification, program participants will submit business plans for review by their assigned veterans business counselors. The business plans must be approved by the counselors before firms can be awarded contracts. The business plans will analyze firms' prospects for profitable operations during the term of program participation and thereafter, and analyze firms' strengths and weaknesses with particular attention to conditions that might impede firms from being awarded contracts from non-program sources. The business plans must also contain specific targets, objectives and goals for business development during the next and succeeding years, specific management steps to be taken to assure profitable operations after graduation, and estimates of contract awards from the program and other sources that will be required to meet the targets, objectives and goals of the plan.

Program firms will annually review their business plans with their veterans business counselors and modify their plans as necessary. Modified plans must be approved by the counselors. Firms will annually forecast

their needs for contract awards under the program for the next year and the succeeding year to establish their "section 28(a) contract support levels," which will be included in the business plans. These forecasts will include the aggregate dollar value of contract support to be sought under the program, the types of contract opportunities being sought, and any other relevant information requested by the counselors.

Certified firms will be denied all program assistance if they voluntarily elect not to continue participation, if their participation exceeds the prescribed time limits, if they are terminated from the program, or if they are graduated from the program. The act specifies actions by firms that would provide good cause for termination, and outlines steps that must be taken to terminate firms.

The terms "graduated" or graduation" mean that firms have successfully completed the program by substantially achieving the targets, objectives and goals contained in their business plans.

The five-year period of program participation is divided into two stages: the developmental stage, which will last no more than three years, and the transitional stage, which will last no more than two years. During the developmental stage, firms will take all reasonable efforts to attain the targets contained in their business plans for the awarding of non-program contracts, referred to in the Act as their "business activity targets."

During the transitional stage, firms will be subject to SBA regulations regarding business activity targets. The Act requires that these regulations establish business activity targets expressed as a percentage of total sales for the award of non-program contracts. Program firms will be required to attain their business activity targets and to certify that they have complied with the regulations regarding business activity targets during the transitional state of program participation. The regulations will require the SBA periodically to review each firm's performance regarding attainment of business activity targets and will authorize the SBA to take appropriate remedial measures in cases where firms have failed to attain their required business activity targets.

Any veteran who is eligible for program participation can assert eligibility for only one firm. Previous program participants cannot be readmitted to the program. Firms that undergo a transfer of ownership and control to other veterans can remain in the program for the duration of the prescribed period of five years.

A Division of Program Certification and Eligibility will be established within SBA's Office of Veterans Programs and will be responsible for receiving, reviewing and evaluating applications for certification; advising each applicant within 15 days after receipt of an application as to the completeness of the application; making recommendations on applications to the Associate Administrator for Veterans Programs; reviewing and evaluating financial statements and other submissions to ascertain continued eligibility of firms to receive subcontracts; making requests for termination or graduation proceedings; deciding protests from firms denied certification; deciding protests regarding whether a firm is owned and controlled by veterans; and implementing policy directives of the Associate Administrator for Veterans Programs.

Applicants cannot be denied admission to the program solely because contract opportunities are unavailable unless the govern-

ment has never bought and is unlikely to buy the types of products or services offered by the concern, or unless the purchases of such products or services by the federal government will not support all of the program applicants and participants providing the same or similar items or services.

The Director of the Division of Program Certification and Eligibility is required to conduct annual reviews of the firms admitted during the previous year to ascertain the number of entrants, their geographic distribution and industrial classifications. These annual reviews will include estimates of the expected growth of the program during the next fiscal year and the number of additional veterans business counselors required to meet this growth. Based on these reviews, the Associate Administrator will annually issue policy and program directives to solicit applications from underrepresented regions and industry categories, and to allocate program resources to meet program needs. A goal of these annual reviews will be to achieve an equitable geographic distribution of firms and a distribution of concerns across all industry categories, emphasizing areas where federal purchases have been substantial but participation by veteran-owned concerns has been limited.

Subcontracts can be awarded only by small business concerns. If the SBA receives credible information that a program participant is no longer eligible, an eligibility evaluation will be conducted. If the information is found to be true, the SBA will initiate termination proceedings.

The program is divided into two stages: a developmental stage and a transitional stage. The developmental stage is designed to assist firms to access their markets and strengthen their financial and managerial skills. The transitional stage is designed to prepare them for graduation from the program.

Firms in the developmental stage are qualified to receive the following assistance: contract support; financial assistance under the SBA's section 7(a) loan program; and training assistance to help program participants develop principles and strategies to enhance their ability to compete successfully for contracts in the marketplace.

Firms in the transitional stage of program participation are qualified to receive the following assistance: contract support; financial assistance under the SBA's section 7(a) loan program; joint ventures, leader-follow arrangements and teaming agreements between program participants or with outside firms with respect to contracting opportunities for the research, development, full-scale engineering or production of major systems; and transitional management business planning training and technical assistance.

Program firms will spend not more than three years in the developmental stage and not more than two years in the transitional stage.

The SBA will develop and implement a process for the systematic collection of data on the program. The SBA will submit an annual report to the Congress that will include, among other items specified in the legislation, a breakdown of the personal net worth of program participants, a listing by region, race or ethnicity of such participants, the costs and benefits to the economy from the program, an evaluation of firms that have exited the program during the immediately preceding three years, and a description of resources needed to operate the program over the succeeding two years.

The legislation authorizes the SBA to utilize the services and facilities of federal

agencies, States and localities without reimbursement, to accept gifts and bequests for the benefit of the program, to accept voluntary services, and to hire experts and consultants in accordance with the requirements of law.

SECTION 15. NATIONAL VETERANS BUSINESS COUNCIL.

This section creates the National Veterans Business Council. The Council will review the role of federal, state and local governments in assisting veteran-owned small businesses. It will also gather and compile data relating to veteran-owned businesses, veteran-owned small businesses, small businesses owned by disabled veterans, and veteran-owned small disadvantaged businesses. In addition, the Council will provide information on other government initiatives relating to veteran-owned businesses, including those relating to federal procurement. The Council, based upon its reviews, will recommend to the President and the Congress new private sector initiatives to provide management and technical assistance to veteran-owned small businesses, ways to promote greater access to public and private sector financing and procurement opportunities for such businesses, and detailed multi-year plans, with specific goals and timetables, for both public and private sector actions to promote increased business development and ownership by veterans. Such recommendations shall be provided annually.

The Council is composed of nine members, appointed by the President after consultation with the chairman and ranking minority member of each of the Committees on Veterans' Affairs and Small Business of the House of Representatives and the Senate. The Council will have the following ex-officio members: the Administrator of the Small Business Administration, the Secretary of Veterans Affairs, the Secretary of Labor, the Secretary of Commerce, the Secretary of Defense, and the Administrator of the General Services Administration.

Appointments from the private sector will be made from among individuals who are specially qualified by virtue of their education, training and experience, who are recognized authorities in the field of business and small business and who are not officers or employees of the federal government or Congress. At least two members appointed by the President must be veterans and at least two members must be small business owners. Appointees will be selected to achieve a balanced geographical representation and will serve for the life of the Council except for those that become officers or employees of the federal government or of the Congress. A vacancy on the Council will be filled in the manner in which the original appointment was made.

Members of the Council will serve without pay, except that they will be entitled to reimbursement for travel, subsistence and other necessary expenses incurred in carrying out the functions of the Council.

Two members of the Council will constitute a quorum for the receipt of testimony and other evidence, and a majority of the Council will constitute a quorum for the approval of recommendations or reports submitted to the President and the Congress. The Chairman and Vice Chairman of the Council and their terms of office will be designated by the President. The Council will meet not less than two times a year at the call of the Chairman.

The Council will have a Director and not more than four additional personnel appointed by the Chairman. The Director and

staff of the Council can be appointed outside of the competitive service at rates of pay not to exceed the basic annual rate for GS-18 of the General Schedule. The Council can procure temporary and intermittent services at rates not to exceed the daily equivalent of the maximum annual rate payable for GS-18. The head of any federal department or agency can detail, on a reimbursable basis, personnel to assist the Council upon request of the Chairman.

The Council can meet, hold hearings, take testimony, receive evidence and consider information such as it considers appropriate. The Council can authorize its employees to act on its behalf. The Council is authorized to obtain information from any federal department or agency, except as otherwise prohibited by law, including technical and advisory assistance from the SBA. The Council can use the U.S. mails in the same ways as other federal departments and agencies. The General Services Administration will provide to the Council, on a reimbursable basis, administrative support services.

The Council will transmit to the President and to each House of Congress an annual report on its activities during the preceding fiscal year, its findings and conclusions, and its recommendations for legislative and administrative actions.

The Council will terminate not later than three years after its first meeting.

SECTION 16. AUTHORIZATION OF APPROPRIATIONS.

The legislation authorizes \$4,000,000 for each of fiscal years 1992, 1993, and 1994 to carry out the Veterans Business Opportunity and Development Program. In addition to this amount, up to \$350,000 is authorized for fiscal year 1992; up to \$200,000 for fiscal year 1993; and up to \$175,000 for fiscal year 1994 for training and education of personnel in the Office of Veterans Programs and its divisions. For each of fiscal years 1992, 1993, and 1994, up to \$1,250,000 per fiscal year would be available for the SBA to carry out veterans outreach activities.

The legislation makes clear the intent of Congress that appropriations authorized by this Act to carry out various programs and activities within various departments and agencies should not raise from current amounts the aggregate appropriations to such department or agency.

JUDGE JAY W. MYERS HONORED FOR 20 YEARS ON THE BENCH

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to a fine jurist, Judge Jay Myers, who is retiring from the Court of Common Pleas of the Commonwealth of Pennsylvania after 20 years.

Judge Myers was born in Nescopeck, PA, and graduated from Berwick High School. After serving with the U.S. Marines during World II, Judge Myers graduated from Penn State in 1949 and then completed his J.D. from Duke University Law School in 1952.

Soon thereafter, he entered private practice. Involved in the local community, Judge Myers acted as solicitor for the Bloomsburg Area Industrial Development Corp. from 1963 to 1971. He also served as Columbia County

Public Defender from 1969 to 1971, president of the Columbia-Montour Bar Association and solicitor of the Columbia County Planning Commission from 1965 to 1971.

In 1971, he was elected presiding judge of the Court of Common Pleas of Columbia and Montour Counties, where he has served in that capacity until his retirement.

A devoted husband and father of three, Judge Myers is the past president and honorary member of the Bloomsburg Rotary Club, past president of the Bloomsburg Area Chamber of Commerce, a member of the Pennsylvania Trial Judges Association and was recently inducted into the Berwick High School Academic Hall of Fame.

I would like to take this opportunity to thank Judge Myers for his dedicated service to the people of northeastern Pennsylvania. I know my colleagues join me in wishing him well in his retirement.

MIAMI'S COMMITTEE ON BEAUTIFICATION AND THE ENVIRONMENT

HON. ILEANA ROSLEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, the city of Miami has designated the month of April as "Fight Litter Month." Fighting the problem of solid waste in our cities is an ongoing offensive, but this month is set aside to bring special emphasis to the problem. In addition to shedding light on the problem, "Fight Litter Month" in Miami will show that we can make a difference, that we can reclaim our cities from creeping pollution and decay.

The leadership of E. Albert Pallot, chairman of the city of Miami's Committee on Beautification and the Environment, helped bring about "Fight Litter Month." Also responsible were: First vice chairman, Roger Barreto, and vice chairpersons, Chief Perry Anderson, Hon. Philip Bloom, Margaret Burton, Chief C.H. Duke, Elaine Rheney-Fischer, Kathy Gaubatz, Thelma Gibson, E.R. Gomez, Joseph Ingraham, Alfred Browning Parker, Ralph Renick, Richard Schulman, Betty Waldor, Charles A. Whitcomb, Edna Downey, and Administrator, Morty Freedman.

Much valuable counsel and support for this litter fighting initiative also came from the board of directors, made up of: Marie L. Balban, Pablo Canton, David R. Couch, Peggo Cromer, Clarence Dickson, W. Trent German, Lewis T. Harms, Beverly Harris, Milton Harry, Nancy B. Hogan, Nevin Isenberg, Adan Jimeno, Ruth Kassewitz, Joy Finston-Landy, Joseph C. Lorenzo, Carmen Lunetta, Francis Mayville, Milton Mizell, Delia Muckinhaupt, Van Myers, Rev. John Paul Nagy, Ruth Neinken, Ivan Osorio, Suzanne Pallot, Stephen Pearson, Jorge Pupo, Suzanne Salichs, Guy Sanchez, Marjorie Serrales.

Together, these citizens of Miami have determined to fight the problem of litter head on. Only by taking on the problems of society as our own and solving them courageously will we grow as a society. Mr. Speaker, I com-

EXTENSIONS OF REMARKS

mend the city of Miami and in particular the committee on beautification and the environment for their efforts at home to make our Nation a better place to live in with "Fight Litter Month."

On April 19, the committee will be holding an important meeting where the members will discuss the results of their efforts in "assisting Miami to maintain its position as one of the clean cities of America." I commend Chairman Pallot for his valuable leadership on this clean-up effort.

A SALUTE TO CLARENCE E. DEPPE, JR.

HON. HAROLD L. VOLKMER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. VOLKMER. Mr. Speaker, I rise today to recognize an individual who has carried on a family tradition by demonstrating true allegiance to his employer. Clarence E. Deppe, Jr., began working at the Harbison-Walker Refractories in Vandalia, MO, on December 17, 1940, following his father, the late Clarence Deppe, Sr., and his brother, Ed Deppe. Together the Deppes have accumulated some 138 years in service at Harbison-Walker.

Just recently, Mr. Speaker, Mr. Deppe was recognized by the company on his 50th anniversary. And equally as important to note here, sir, Mr. Deppe is not retiring. He plans to continue his work in the plant's machine shop section.

I do not know of any other person who can boast of such an accomplishment in my district. In fact, having a company that has continued operations that long is a milestone in Missouri's Ninth District.

Mr. Speaker, I know you join me in congratulating Mr. Deppe for his 50 years of service and Harbison-Walker which just celebrated its anniversary also. It has been in business 125 years.

INTRODUCTION OF THE ALLARD-SCHAEFER COLORADO WILDERNESS BILL

HON. DAN SCHAEFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SCHAEFER. Mr. Speaker, I rise today to make some comments about the bill introduced today by my colleague from Colorado, WAYNE ALLARD, and myself, which would designate over 850,000 acres of public lands as wilderness in the State of Colorado.

Wilderness areas, and the unique recreational opportunities available in them, have been a focal point of attention and controversy in our outdoors-minded State for a number of years. This legislation would designate over 30 new areas as wilderness, but would do it in a careful and responsible manner.

This proposal is a comprehensive approach to the question of wilderness. We have taken the recommendations of land managers with

the Bureau of Land Management and the Forest Service, along with the recommendations of thousands of Colorado residents, in crafting a bill which contains carefully scrutinized areas and boundaries. We have combined both the Forest Service and the BLM wilderness recommendations into a single package, taking a holistic approach to wilderness designation.

Close attention was paid to the rights of individual property holders—private lands, water rights, and mineral claims. We have seen in the past how our actions in this body have trampled the rights of individuals for the common good: This bill attempts to minimize these impacts.

The bill also includes language to protect the rights of water owners in our State. Water is the lifeblood of the Western United States, and as our western drought continues, the importance of protecting individual water users becomes even more imperative. This legislation attempts to do that. It protects Colorado water users while still allowing a framework for the Government to obtain water for wilderness areas, hopefully settling the decades-long debate on federally reserved water rights.

In short, this is a responsible bill with manageable boundaries that protects private rights. I look forward to its consideration by the House of Representatives and the people of Colorado.

NEW HAMPSHIRE SALUTES THE EMPLOYEES OF TEST SYSTEMS, INC.

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SWETT. Mr. Speaker, I am extremely proud to call the attention of my distinguished colleagues to the herculean effort made by a small New Hampshire company, Test Systems, Inc., of Hudson, in developing its antifratricide identification system, or friendly fire device, for use in Operation Desert Storm.

The problem of friendly fire—casualties incurred when forces from the same army mistakenly open fire on their own soldiers—has long haunted military campaigns. Several servicemen were killed in the early days of Operation Desert Storm when a coalition helicopter pilot fired into a group of Allied ground forces that he had mistakenly identified as the enemy.

Seeing that there was a desperate need to prevent such casualties, Test Systems, Inc., began working on a practical solution to prevent them.

In a matter of only 21 days, the technicians, researchers, manager, and production people at Test Systems, Inc., took an idea for a device to prevent friendly fire casualties and turned it into reality.

On February 4, 1991, Robert Walleston, an engineering technician at Test Systems, Inc., came up with the idea of mounting infrared beacons on armored vehicles to provide allied aircraft with a means of clearly identifying the equipment as friendly.

Twenty-one days later on February 25, a day after the ground war portion of Operation Desert Storm had begun, the first anti-fratricide devices [AFID] were being delivered to Saudi Arabia for installation on tanks and armored vehicles involved in front-line conflict.

By March 3, Test Systems, Inc., had produced and delivered 196 units to the Persian Gulf. Four days later, a total of 2,000 more units had been produced and were awaiting Department of Defense instructions concerning shipment.

I am very pleased that my office was able to play a role in making the production of the AFID units a reality by helping to put the people at Test Systems, Inc., in touch with the proper officials at the Department of Defense.

Fortunately our forces are no longer fighting in the gulf. However, if we find ourselves in the position of going to war again, our servicemen can feel safer now that these AFID units are being installed on our tanks and armored vehicles.

Mr. Speaker, the fact that this small New Hampshire company was able to move from creation to production of a lifesaving military device in only 21 days is almost unbelievable. And it would be unbelievable, were it not for the tremendous combination of hard work, technological know-how, and gritty determination displayed by the workers of Test Systems, Inc., over an incredibly hectic 21-day period.

Their ability to make this project happen is a shining example of the American spirit at work. In the middle of the Persian Gulf conflict, the employees of Test Systems, Inc., were able to rise to the occasion and deliver these devices to the front-line troops in Operation Desert Storm.

I am proud that Test Systems, Inc., is located in the district that I represent. I like to think that the determination and can-do mentality displayed by the employees of Test Systems, Inc., is indicative of the people of New Hampshire.

Mr. Speaker, the Department of Defense was so impressed by the quality of workmanship and speed of the delivery by Test Systems, Inc., that earlier this month it negotiated a new contract with the company for 3,000 more units at a cost of \$3.2 million.

In addition, a representative from the Joint Chiefs of Staff recently presented Test Systems, Inc., with a plaque inscribed with the words "Great Effort."

I would like to echo that sentiment and ask that my colleagues join me in paying tribute to this outstanding company, Test Systems, Inc.

NOTCH REFORM

HON. CASS BALLENGER

OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. BALLENGER. Mr. Speaker, since my election to Congress, the Social Security notch issue has been a point of contention between my senior constituents and me. Time and again I have stated that I would like to have this issue settled once and for all by having an up or down vote on notch reform legislation. In fact, in the 100th and 101st Congress, I

signed a discharge petition so that the House would have the opportunity to vote on this issue. As you know, these efforts have been to no avail.

Again in the 102d Congress, notch reform legislation has been introduced, and again, I have been contacted by seniors asking for my support of the bill. This year, Congressman EDWARD ROYBAL (D-NJ) introduced so-called consensus legislation (H.R. 917) that combines the efforts of several Members of Congress in reforming the notch. The proposal attempts to balance several proposals introduced last year by combining provisions.

H.R. 917 would include as its centerpiece a new 10-year transitional formula for persons born between 1917 and 1926. The new formula would add to current benefits a declining percentage of the difference between what would be benefits under the old flawed 1971 formula and the 1977 law's permanent formula.

I maintain the current system is fair, and the most fiscally sound. Proponents of the change argue that this new proposal to fix the notch would only cost \$5 billion a year for the first 4 years of enactment; however, with our current budget deficit of \$280 billion, spending \$5 billion is impossible.

In my view, it would be unwise to place an added burden on the budget in order to initiate a change that does not need to be made—especially when other entitlements are being cut. For example, the Medicare budget has been cut by some \$3.7 billion in fiscal year 1991, and the administration is calling for an additional cut of about that much for fiscal year 1992. Doctors, hospitals, and beneficiaries are being adversely affected by these cuts. I cannot support spending \$5 billion a year on this legislation when other valuable programs, such as Medicare, continue to be slashed.

While I plan to continue my opposition to proposal to reform the notch, I would like to take this opportunity to urge you Mr. Speaker, and the leadership, to seriously consider bringing this matter to the full House for consideration—once and for all.

DIABETIC RESEARCH INSTITUTE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, diabetes is the leading cause of blindness and a major cause of heart disease, kidney failure, and stroke. In the face of this serious disease, the Diabetes Research Institute of the University of Miami/Jackson Memorial Medical Center remains undaunted in its efforts to provide better care for diabetes patients, to educate the public and the medical community about the disease and ultimately, to find a cure. In January, 1992, the Diabetes Research Institute will open a new building. This important new facility will move the Diabetes Research Institute a great step forward toward its goal of defeating this disease.

When completed, the University of Miami/Jackson Memorial Medical Center will be home to the world's largest and most com-

prehensive diabetes research, treatment and education facility. While this facility will be located in South Florida, it will have far-reaching impact, not only for the 1 million Floridians with diabetes, but also on the estimated 20 to 30 million diabetics throughout our country. Daniel Mintz, M.D., scientific director of the Diabetes Research Institute and Nobel Prize candidate for his work with diabetes, Ronald B. Goldberg, M.D., chief associate director at the institute, Myron A. Berezin, executive director and Gary Kleinman, director of public affairs should be noted for their efforts to make this research facility a reality.

The successful completion of the new Diabetes Research Institute facility will also be credited to many community and state-wide leaders and a great number of dedicated volunteers, especially with their efforts to support the institute financially. One example is the Dennis Gallagher Memorial Dinner established by Doug, Kevin, Dean and Tom Gallagher in honor of their brother who died from the complications of diabetes. Each year, this event honors individuals who have made outstanding contributions to the Diabetes Research Institute. Also, the DAD's—Dollars Against Diabetes—Program is one of America's top 10 single-day fund raisers. For the past 4 years, thousands of fathers in all 50 States have joined together in an unprecedented grassroots effort to help those afflicted with diabetes. An event which President Bush has called "a shining example of voluntarism in action."

Mr. Speaker, I commend all of those dedicated people involved with the Diabetes Research Institute and its continuing efforts to bring about a cure to the third most deadly disease facing our Nation. We all hope that the new Diabetes Research Institute facility proceeds on schedule to its very promising opening in January 1992.

MINORITY BUSINESS INVOLVEMENT IN THE RECONSTRUCTION OF THE CIVIL INFRASTRUCTURE OF KUWAIT

HON. HAROLD E. FORD

OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. FORD of Tennessee. Mr. Speaker, the struggle for the liberation of Kuwait has come to an end. Kuwait awaits recovery and reconstruction efforts and, once again, has requested American assistance. Companies are lining up to aid in reconstructive efforts in the gulf.

African-Americans are disproportionately represented in the Armed Forces; they made up 23 percent of the troops in the gulf. We are, however, underrepresented in the business force. Opportunities for us are more limited than the opportunities available to traditional companies and traditional constituencies.

The rebuilding of Kuwait is a perfect opportunity to grant greater opportunity to African-Americans. Unfortunately, the Kuwait emergency and recovery program does not want to deal with minority-owned companies.

American soldiers were asked—no, begged—by the Government of Kuwait to

save their country and to save their freedom. African-American soldiers did not refuse to fight, to die, our soldiers went willingly and readily for the people of Kuwait. They died for the people of Kuwait.

Now, the Kuwaiti Government is saying, "We'll let you die for free on our soil, but you can't have a bit of our oil." The Kuwaiti Government is closing the door to minority participation in the rebuilding of Kuwait, and President Bush is standing idly by.

If this continues, our worst fears will have been realized: That the Persian Gulf war was not a war fought by free men and women to free a friendly nation, but it was just another war fought by poor people to free the oil of rich people.

why. The scope of the problem is enormous. The United States leads all Western countries in teenage pregnancy rates, teen abortions and teen childbearing rates. American girls under 15 years of age are five times more likely to give birth than girls in any other developed country and are at 2½ times greater risk of dying from childbirth complications.

But health risks are not the only troubling aspect of early childbearing. Teen mothers comprise 61 percent of all women receiving AFDC. Of women under age 30 receiving AFDC, 71 percent had their first child as a teenager. And what of the children of these children? The overwhelming majority of them are raised in poverty, unlikely to finish school, likely to be abused and likely to become parents before they reach adulthood.

The Nation desperately needs a comprehensive approach to enable those cities and towns that face this problem to deal with it effectively. We need a national program that discourages the formation of these often problem-plagued families and helps those that develop to become strong emotional and economic units. This is what the Leland Act does. Along with family planning services, counseling, and comprehensive maternal and child health care, the Leland Act plan includes parenting education and other services for teen fathers as well as teen mothers. Both teen girls and boys would be eligible for counseling and referral services for employment, employment training, nutrition, and substance abuse treatment. In addition, the legislative language clearly states that no funds are available for abortion.

Moreover, while this bill is a comprehensive, national policy to deal with teen pregnancy, it does not force communities to create family planning services for teens. It does, however, provide resources for cities that face this problem and want to address it, and allows wide local discretion in tailoring programs to problems.

Helping teenagers avoid pregnancy or develop strong families will significantly affect the approximately \$21 billion we spent in 1989 in AFDC payments, food stamps, and Medicaid benefits to assist families begun with a birth to a teenager. Early childbearing bankrupts young lives as well as drains the Treasury. It is time that we said to at-risk teenagers that we care enough to give them the tools to take charge of their lives and replace despair with hope.

Indeed, it is the least we can do for our children who are becoming parents at a rate that boggles the mind and breaks the heart.

tion of individuals who are creative enough to see the needs of the country and the needs of its people, individuals with the stamina to pursue their goals and make them a reality. One of these individuals is Senator Jennings Randolph.

The next time you ride down an interstate highway, think of Jennings Randolph, the man who led the fight to develop this modern system of transportation.

The next time you see a handicapped child, think of Jennings Randolph, a man who cared so much for others that he led the way in providing educational and rehabilitation services for these individuals.

The next time you go to the polls, remember that the right to vote is one of the most cherished rights and privileges that goes with living in our great democratic Nation. No one knew this better than Jennings Randolph, who authored the 26th amendment to the Constitution to extend this precious right to our 18-year olds.

Today, in 1991, we hear again and again that it's time to stop America's dependence on foreign oil. Jennings Randolph was already working toward this goal in 1942. He introduced legislation that paved the way for turning coal and its products into energy, and made a flight from Washington DC, to Morgantown, WV, that same year with fuel made from coal.

Jennings Randolph cared about labor standards. He championed the enactment of the first black lung compensation act, helping coal miners dying from this respiratory disease.

Jennings Randolph has left his mark in education, health, energy, labor, the environment, and in so many other ways, both on the Senate floor and off. Throughout his career in government he was a man of integrity, and such a man he continues to be. Above all, Jennings Randolph cares about the individual. He never hesitates to stoop and help another human being in need. We need more citizens in this country with the character, integrity, and vision of Jennings Randolph. We need more citizens who are willing, as Jennings Randolph always has been, to stand up and fight for change.

I wish only the best for Jennings Randolph on his birthday. I thank him for his example and for a life dedicated to public service.

THOUGHTS FROM THE PERSIAN GULF

HON. ARTHUR RAVENEL, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. RAVENEL. Mr. Speaker, these comments were given to me by my constituent, Mr. Wilbur Brown on behalf of his son, Captain Shawn Brown of the South Carolina National Guard 24th field artillery unit. I submit to you this excerpt taken from a letter home:

" * * * Right now, my unit is north near the Iraqi border. That's all I can tell you * * * I am ready to fight. There is no more fear. I think my faith took away all that, faith along with some strong family support. This crisis has made me a better man, I believe. I'm beginning to see something I've never seen before. I've also developed a consciousness for human life. In quoting Martin Luther King, Jr., 'A man who won't die for something is not fit to live.' I don't want y'all to grieve. Mom and Dad, y'all brought me up well, and I couldn't ask for better parents. God is guiding my path in this ordeal. I always pray and talk to him. He eases my anger with love and takes away my sorrow with joy. I have no regrets on how I've lived my life. I did not live for perfection because I'm not perfect. But I do live a happy life. If I am to die, then I can say that I died for what I believe it—duty and commitment. Love, Shawn."

THE MICKEY LELAND ADOLESCENT PREGNANCY PREVENTION AND PARENTHOOD ACT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mrs. JOHNSON of Connecticut. Mr. Speaker, I am pleased to introduce today, along with Congressman Ed TOWNS and 18 of our colleagues, the Mickey Leland Adolescent Pregnancy Prevention and Parenthood Act.

The author of this visionary legislation, our late colleague Mickey Leland, considered the eradication of teen pregnancy to be as important to our collective future as a drug free, crime-free, educated America. It is easy to see

HAPPY BIRTHDAY JENNINGS RANDOLPH

HON. ROBERT E. WISE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. WISE. Mr. Speaker, I rise today to wish a belated Happy Birthday to a distinguished former Member of this institution, Senator Jennings Randolph. Senator Randolph turned 89 on Friday, March 8.

Significant improvements in our country do not just happen. Change requires the dedica-

THE CITY OF HIALEAH SUPPORTS THE UNITED STATES PERSIAN GULF POLICY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, it is unprecedented that so many countries could come together in global unity to speak out against Iraq's brutal aggression. As the President has stated, we have come together with our allies to ensure "peace and security, freedom, and the rule of law" in the Middle East. It truly makes me proud to see the communities of my district voicing their unified support for the United States' political and military position in the Persian Gulf.

The President's praise of the American people in his address last week to a joint session

of Congress most surely applies to the city of Hialeah, FL. In January 1991, the city passed resolution 91-05 supporting the decision of President George Bush and Congress to implement Operation Desert Storm:

RESOLUTION

Whereas, the nation of Kuwait, an ally of the United States, was invaded 5 months ago by Iraq under the leadership of Saddam Hussein; and

Whereas, the United Nations, supported by our allies, imposed a January 15th deadline for Iraqi withdrawal from Kuwait; and

Whereas, even after intense negotiations between representatives of the United States and the United Nations with representatives of the Iraqi government, Iraq refused to withdraw its forces from Kuwait; and

Whereas, President Bush, backed by the United States House of Representatives, and Senate, implemented Operation Desert Storm after the January 15th United Nations-imposed deadline for Iraqi withdrawal; now, therefore, be it

Resolved by the Mayor and City Counsel of the City of Hialeah, Florida, That:

Section 1: The Mayor and the City Council of the City of Hialeah, Florida, strongly support the decision of President Bush and Congress to implement Operation Desert Storm.

Section 2: The Mayor and the City Council of the City of Hialeah, Florida, express their support for the brave men and women of the United States and the coalition forces who are running the operation.

Passed and adopted this 22nd day of January, 1991.

The City also expressed its support for the United States political and military position regarding the Persian Gulf crisis, and its solidarity with our members of the United States armed services, the allied troops and the State of Israel by passing resolution 91-08:

RESOLUTION

Whereas, despite months of efforts by the United States to negotiate the amicable withdrawal of Iraqi troops from the Country of Kuwait, the military dictatorship of Iraq, led by Saddam Hussein, defiantly ignored all attempts to end the illegal occupation of the nation he invaded; and

Whereas, in response to the savage and brutal occupation of Kuwait, the United States and the Allied Coalition have refused to allow the dictator of Iraq to continue on a destructive course of global dimensions; and

Whereas, we, as a community, express our heartfelt support and solidarity for our brothers and sisters in Israel and we stand firmly behind the State of Israel and the Allied Coalition; and

Whereas, as a loyal ally of the United States, and the only country in the Middle East who represents the democratic principles of liberty and self-government, Israel has demonstrated tremendous restraint, in spite of the fact that they have the right to retaliate, by not staging a preemptive strike against Iraq; and

Whereas, we are grateful for the further restraint which has been demonstrated by the Israeli government after the attacks by Iraq against Israeli civilians, and we commend the citizens of Israel for their brave and composed respect of the requests made by the United States Administration; and

Whereas, the City of Hialeah, Florida commends President Bush and the men and women of the Armed Forces and the Allied Forces for their courage and the sacrifices they are making for world peace; and

Whereas, the City of Hialeah, Florida extends complete support to the policies of the American Administration and to the brave Allied Forces who are fighting in the Persian Gulf as we pray for peace and the prompt resolution of this crisis; now, therefore, be it Resolved by the Mayor and the City Council of the City of Hialeah, Florida, That:

Section 1: The City of Hialeah, Florida expresses its complete support for the United States political and military position regarding the Persian Gulf Crisis, condemns the Iraqi government, Saddam Hussein and Iraq's malicious attacks on Israel, and we affirm our solidarity with the State of Israel and the members of the United States Armed Forces who are fighting valiantly to free the nation of Kuwait.

Section 2: That a true copy of this resolution be sent to all members of the Florida Congressional Delegation and the President of the United States.

Passed and adopted this 22nd day of January, 1991.

These resolutions were adopted with the approval of Mayor Julio J. Martinez, and a unanimous vote of the councilmembers: Herman Echevarria, council president, Natacha S. Millan, council vice-president, Salvatore D'Angelo, Evelio Medina, Alex Morales, Paulino A. Nunez, and Roberto "Bob" Ruiz.

In such hard times, we should view Hialeah as an example of strength through unity. The international community has acted in a similar and unprecedented fashion, and in doing so has been able to turn back Iraq's unprovoked and brutal aggression against Kuwait.

INTRODUCTION OF THE FAMILY PLANNING PARENTAL NOTIFICATION ACT OF 1991

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. DANNEMEYER. Mr. Speaker, today I am introducing the Family Planning Parental Notification Act of 1991. This legislation would require the Secretary of Health and Human Services to review all of the services offered by title X grantees and determine whether, with respect to each service offered, a parental notification would:

First, be in the minor's best interests;

Second, strengthen the stability of families;

Third, strengthen the authority and rights of parents in the education, nature, and supervision of their children; or

Fourth, enhance the relationship between adolescent behavior, personal responsibility, and societal norms.

Where a notification is appropriate, one or both parents would have to receive notice from the title X grantee at least 48 hours in advance of the receipt of the service in question. A waiver would be available where the minor faces a life-threatening medical emergency or where a State court determines that such a notification would be inappropriate, that is, where there is a history of parental abuse of the child.

That legislation attempts to address the fundamental question of whether parents should be involved in decisions concerning the sexual development of their children. What happens

to a 14-year-old-girl when we allow her to bypass her parents completely and obtain prescription contraceptives or an abortion referral from a federally-funded intermediary?

Data from States with laws requiring parental involvement before a minor can obtain an abortion indicate that these laws have actually reduced the overall level of teenage births and abortions. As the authors of one recent, peer-reviewed study noted:

Data presented in this study are compatible with the hypothesis that . . . parental notification facilitated pregnancy avoidance in 15-17 year-old Minnesota women. Abortion rates fell markedly in this age group relative to older women . . . One possibility is that when minor women are restricted from abortion without notifying parents or seeking court approval * * * they are more likely to take measure to avoid pregnancy.

Indeed, researchers have concluded that making these services readily available to teenagers with no parental involvement does nothing to reduce the overall teen pregnancy rate and, tragically, results in higher teen abortion rates.

Other researchers have shown a strong correlation between free access to contraceptives and higher rates of teenage pregnancies, out-of-wedlock births, and abortions. As Asta M. Kenney of the Guttmacher Institute acknowledged, "The evidence that sex education leads to a reduction in teen pregnancies is not compelling."

I urge my colleagues to cosponsor this timely and necessary legislation.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Family Planning Parental Notification Act".

SEC. 2 ESTABLISHMENT OF REQUIREMENT OF PARENTAL NOTIFICATION REGARDING PROGRAM OF VOLUNTARY FAMILY PLANNING SERVICES UNDER TITLE X OF PUBLIC HEALTH SERVICE ACT.

Section 1001 of the Public Health Service Act (42 U.S.C. 300) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection:

"(c)(1) Subject to paragraph (3), in the case of a method or service under subsection (a) that is included on the list established by the Secretary under paragraph (2), an entity receiving a grant or contract under such subsection may not provide the method or service to an unemancipated minor unless—

"(A) the entity notifies 1 or both parents of the minor that the entity has been requested to provide the method or service to the minor;

"(B) the notification specifies the type of method or service involved; and

"(C) not less than 48 hours elapses after making the notification.

"(2)(A) The Secretary shall—

"(i) review the methods and services authorized to be provided with grants and contracts under subsection (a); and

"(ii) on the basis of the extent of applicability of the criteria specified in subparagraph (B), establish a list of the methods and services with respect to which a parental notification is required to be made for purposes of paragraph (1).

"(B) The criteria referred to in subparagraph (A) are that providing parental notifications for purposes of paragraph (1) with respect to a method or service under subsection (a)—

"(i) is in the best interests of unemancipated minors;

"(ii) strengthens the stability of families;

"(iii) strengthens the authority and rights of parents in the education, nurture, and supervision of their children; or

"(iv) enhances the relationship between adolescent behavior, personal responsibility, and societal norms.

"(3)(A) The requirement established in paragraph (1) regarding parental notifications shall not apply if a medical emergency exists in which the life of an unemancipated minor would be endangered by the failure to provide the minor with the method or service involved under subsection (a), and a parental notification for purposes of paragraph (1) is not practicable as a result of the medical emergency.

"(B) The requirement established in paragraph (1) regarding parental notifications shall not apply with respect to an unemancipated minor if a State court of competent jurisdiction certifies to the Secretary that—

"(i) the court has conducted a hearing at which the minor appeared; and

"(ii) the court has determined through the hearing that the criteria specified in paragraph (2)(B) do not sufficiently apply to the circumstances of the minor.

"(4)(A) For purposes of this subsection:

"(i) The term 'minor' means an individual who has not attained the age of majority.

"(ii) The term 'unemancipated' means, with respect to a minor, that the minor is not emancipated.

"(iii) The term 'emancipated', with respect to the legal relationship between a minor and the parents of the minor, means that the rights and duties arising solely as a result of such relationship have in the case of the minor and each parent been terminated.

"(iv) Except in the case of clause (iii), the term 'parent', with respect to a minor, means an individual who has a legal duty to provide support to the minor.

"(B) With respect to making legal determinations that are necessary for applying the definitions provided in each of clauses (i) through (iv) of subparagraph (A), the legal determinations shall be made under the law of the State in which the entity involved under subsection (a) makes available methods or services under such subsection to the individual involved.

"(5) The Secretary shall issue regulations for carrying out this subsection."

SEC. 3. EFFECTIVE DATE.

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

The first of these is the Medicaid Infant Mortality Amendments of 1991, which would implement President Bush's 1988 campaign promise to extend Medicaid coverage to all pregnant women and infants with incomes below 185 percent of the Federal poverty level. I am joining Mr. HYDE and 22 other Members in sponsoring this legislation, which would raise the mandatory eligibility standard for pregnant women and infants from the current 133 percent of poverty to 185 percent of poverty, effective July 1, 1992.

As the National Commission to Prevent Infant Mortality, chaired by Governor Lawton Chiles, concluded several years ago, extending Medicaid coverage for prenatal and maternity care to high-risk pregnant women is among the most cost-effective investments that the Federal Government can make. I am aware that a number of the States feel that they do not have the resources to cover this population at this time. However, we as a nation cannot afford to allow a debate about which level of Government should finance prenatal care to deny access by low-income pregnant women to proven preventive services and technologies that minimize the likelihood of a poor birth outcome. The cost in terms of low birthweight births is simply too high.

To accommodate State fiscal concerns without compromising access to prenatal care, the bill would provide 100 percent Federal financing of the costs of services to pregnant women and infants with incomes between 133 and 185 percent of poverty. This will ease the financial pressure on those States that do not now cover this population as well as those which do.

The second of today's initiatives is the Medicaid Child Health Amendments of 1991, on which I am joining Mr. SLATTERY and 23 other colleagues. The bill would give States the option, at regular Federal matching rates, to extend Medicaid coverage to all children under age 19 with family incomes at or below 185 percent of the Federal poverty level. For the hundreds of thousands of poor and near-poor children with no private health insurance, this option could result in coverage for preventive and acute care services that will improve their health status and their ability to succeed in school.

The third initiative is the Medicaid Breast and Cervical Cancer Amendments of 1991, which I am cosponsoring with Mrs. COLLINS and 42 other Members. It would extend coverage now available to women eligible for Medicare to low-income women eligible for Medicaid. Specifically, it would require the States to offer Medicaid coverage for screening mammography and screening pap smear services, proven technologies that will permit the early detection and treatment of breast and cervical cancer. To ease the financial burden on the States, the bill would provide for Federal assumption of 100 percent of the cost of providing these services, even in those States which now cover them.

The final initiative is the Medicaid AIDS and HIV Amendments of 1991. Sponsored by Mr. SCHEUER, myself, and 16 of our colleagues, this bill would, among other things, give States the option of offering Medicaid coverage for early intervention services to low-income individuals who are infected with the HIV virus

and who are at imminent risk of contracting opportunistic infections like pneumonia or developing life-threatening lymphomas or other conditions. Under current law, HIV-infected people generally can't qualify for Medicaid until they have developed AIDS, no matter how poor they are. Of course, by that point, early intervention services to forestall AIDS and its complications are of little use. This bill would end this Catch-22 by allowing States to give immune-compromised people access to the prescription drugs and other services that will delay or prevent altogether the onset of AIDS and its complications. We have spent millions of dollars on research to develop these drugs; surely we can find the resources to make them available to the poor who need them.

Some will ask why, given the fiscal problems which many States are facing, should the Congress continue to expand Medicaid? I would be the first to concede that Medicaid is not the perfect solution to the infant mortality crisis, the HIV epidemic, or the unacceptably high breast and cervical cancer rates among women. Indeed, next month I plan to introduce a broad health care reform bill along the lines of the Pepper Commission recommendations that would respond to the needs of the more than 31 million uninsured Americans by building upon our existing employment-based system. Among other things, this reform initiative would federalize the acute care portion of the Medicaid Program, separating basic health care coverage from the welfare system, upgrading reimbursement, and replacing a strained Federal-State financing arrangement with a purely Federal one. In the long run, I am convinced, this will enable our country to make the necessary investment in material and child health, cancer prevention, and early intervention services.

However, we do not live in the long run. While we debate health care reform, babies will continue to be born, children will continue to grow, people will continue to become infected with the HIV virus, and low-income women will continue to be at high risk of breast and cervical cancer. We simply cannot ignore these problems while we restructure the system. We have to do what we can with the tools we have at hand. The fact is that Medicaid is the only program now in place which can finance these compelling needs when they need to be met: today.

The four bills I am introducing today propose investments targeted to the country's most urgent health care needs. Although they represent only a small fraction of the investment needed to address this Nation's access crisis, it is clear that each of them will increase Federal Medicaid outlays over the next 5 years. I am requesting cost estimates from both the Congressional Budget Office and the Office of Management and Budget. I recognize that under the new "pay-as-you-go" rules, these bills would have to be accompanied by offsetting savings or revenue increases in order to avoid a sequester of non-exempt entitlements. I intend to work with Chairman PANNETTA and others to find a solution that will allow enactment of these critical initiatives.

MEDICAID INITIATIVES FOR THE 102D CONGRESS

HON. HENRY A. WAXMAN
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. WAXMAN. Mr. Speaker, today I am joining colleagues on both sides of the aisle in introducing four initiatives to make modest but essential improvements in Medicaid.

A TRIBUTE TO THE NATIONAL
JEWISH COMMUNITY RELATIONS
ADVISORY COUNCIL'S 1991 PLE-
NARY SESSION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, it gives me great pleasure to pay tribute to the National Jewish Community Relations Advisory Council [NJCRAC]. As the events of the day unfold, Israel needs our support more and more. There are many groups across the country dedicated to the support of Israel. However, they do need a guiding force to coordinate their efforts toward large-scale goals. NJCRAC complements these constituent organizations through program planning.

On February 17-20, NJCRAC held their 1991 plenary session at the Omni International Hotel, in Miami, FL. There were many dedicated and serious professionals involved in the planning of this event, and their commitment to keep Israel strong and secure helped make the discussions informative and enlightening for the attendees.

The hospitality committee, credited with a job well done, also included Hon. Amy Dean, chair; Charlotte Held and Gertrude Kartzmer, cochairs; Rachel Neuman, Ellen Mandler, and Miriam Zatsinsky.

Recognition also must go to Vice President DAN QUAYLE, the Honorable DANTE FASCELL, chair, Foreign Affairs Committee, the Honorable Zalman Shoval, Ambassador of Israel to the United States, and the Honorable Miles Lerman, Chairman, International Relations Committee, United States Holocaust Memorial Council, for their wonderful presentations and speeches.

The community relations committee of the Greater Miami Jewish Federation was involved in various activities of the plenary session. The members were strong advocates of the United States helping Israel, our true democratic ally in the Middle East.

The Jewish community should be proud to be served by such an organization. Many important and timely topics were discussed at the sessions, including international concerns, such as the resettlement of Soviet Jews, the new Germany's obligation to Holocaust survivors, and arms control. The topic of the Middle East peace process was a timely issue, as well as democracy and pluralism in Israel. The church-state relationship in the United States was discussed, and social concerns, such as poverty and health care were key topics of interest.

I congratulate the south Floridians involved in making this event a successful one, especially Donald E. Lefton, NJCRAC southern regional vice chair; Bernice Balter, executive director, Women's League for Conservative Judaism; Alan S. Smith, executive director, Jewish Community Federation of Louisville; and Myra Farr, past chair, CRC, Greater Miami Jewish Federation, and hospitality committee member. Also, Gene Greenzweig, executive director, Central Agency for Jewish Education; Samuel J. Dubbin, chair, CRC, Greater Miami Jewish Federation, and hospitality committee

member; Nan Rich, National Council of Jewish Women and cochair, NJCRAC Plenum Program Committee; Abe Resnick, commissioner, city of Miami Beach; and Judy M. Gilbert, NJCRAC Plenum Program Committee and hospitality committee member.

INTERNATIONAL INVESTMENT
POLICY MUST BE BASED ON
RECIPROCITY

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. CAMPBELL of California. Mr. Speaker, unfair treatment by our trading partners toward our efforts to invest abroad must stop. I am thus reintroducing a bill, the Reciprocity in Foreign Investment Act with 40 of my colleagues. I am also pleased to announce that Senator HARRY REID is reintroducing a companion bill in the Senate. These bills would amend section 301(c) of the Trade Act of 1974 (19 U.S.C. 2411(c)) to authorize reciprocal responses to foreign acts, policies, and practices that deny national treatment to U.S. investment.

Owing to the support that this bill received during the last session of Congress, we are hopeful that it will once again influence the debate on foreign investment. Last session, over 100 of our colleagues cosponsored this bill even though it had been introduced during the waning days of the first session of that Congress. We are particularly encouraged by the fact that the House passed a sense of the Congress resolution, attached to the Export Administration Act, that requests the President to insist on reciprocity in questions of foreign investment during international trade negotiations. Given the support that this bill has received in the past, we think that additional hearings should be held on this measure and that swift action should be taken to sign it into law.

Our legislation would help make the United States more competitive. While our markets have remained open to foreign investment, many countries that freely invest in our country do not give our investors the benefit of similar treatment. For example, in South Korea, where the United States trade deficit is currently \$9.9 billion, the Government can use a discretionary case-by-case investment approval process that can delay or place trade-distorting conditions on individual investment projects for periods of 2 months to 3 years. During this investment approval process, unfair trade-related investment measures may be used as an informal condition of approval to accomplish Korea's industrial policy objectives. South Korea prohibits foreign investment in 28 of its industries among which are farming, publishing, and radio and television broadcasting. In addition, foreign investment is restricted in a number of other industries, including engines, optical fibers, autos, and motorcycles, where foreigners can participate only through joint ventures with Korean firms. Foreign investment is also severely restricted in service industries such as banking, insurance, and advertising.

In France, America, and other non-European Community [E.C.] investors receive neither most-favored nation nor national treatment in their investment endeavors. The French Government requires that non-EC investors obtain approval from the French Finance Ministry to acquire firms with at least 10 million French francs in assets. Approval to invest in France is sometimes linked to specific requirements such as maintaining a positive balance of trade. Recent cases have demonstrated that U.S. firms have had difficulty in obtaining such approval.

In Japan, cultural and Government-imposed barriers are major obstacles to our investment efforts. Representatives from Motorola assert that the most frequently encountered cultural barriers to our attempts to buy Japanese firms stem from the requirement that acquisitions must receive 100 percent approval by the targeted firm's board of directors and from the widespread practice of interlocking directorships between many Japanese firms. In addition, the Japanese Government has the authority "to block any investment which might adversely affect Japanese businesses engaged in similar efforts, or which might otherwise disrupt the smooth performance of the Japanese economy". A recent Booz-Allen survey for the American and European chambers of commerce in Japan shows that more than one in four foreign businesses operating in Japan cite Government-imposed discriminatory investment practices as a major concern.

The Commerce Department estimates that total foreign investments in the United States now exceed \$1.5 trillion, reflecting a U.S. net debtor international investment position of approximately—\$368.2 billion. Inflows of foreign direct investment—ownership or control of 10 percent or more of a U.S. company—to the United States have risen from \$19 billion a year in 1985 to \$41 billion a year in 1987. Foreign direct holdings in the United States now total over \$262 billion. Since 1977, foreign ownership of U.S. factories, banks, businesses, and buildings has more than quadrupled.

Opinion polls show that our citizens fear the increasing level of foreign investment; they believe that it represents one of the greatest threats to our standard of living. According to leading academics, these fears are well-founded. Dr. Pat Choate, a well-known trade expert, has correctly pointed out that foreign ownership comes with a price tag attached—the price of control, something that can only be mitigated by an investment policy that is based on reciprocity.

The opportunity for Americans to invest abroad must be expanded. Foreign investment helps U.S. companies gain market access, expand their market shares, and develop more flexibility to respond to changing international economic conditions. An investment policy that is based on reciprocity would thus help preserve our ability to compete globally by putting our firms on an even playing field with their competitors.

Our bill would direct the U.S. Trade Representative to open our markets in real estate, stocks, manufacturing, banking, agriculture, and so forth, precisely to the degree that our trading partners open their investment markets to us. In effect, access to U.S. markets would

be used as a bargaining chip to open foreign markets for U.S. businesses. Our marketplace is one of the few areas of leverage that we have to encourage other nations to end discriminatory practices against U.S. firms.

Our bill would not impose broad, protectionist restrictions on foreign investment. We would continue to provide an open door to countries that, in turn, grant us reciprocal investment opportunities. It is because we support free and fair investment opportunities for all countries that we are introducing this bill.

The one-way street of foreign investment must end. An insistence on reciprocity for direct foreign investments will only enhance our ability to obtain further concessions in our effort to establish truly free and fair trade for all nations. I hope that my colleagues will support this bill and help us create an international investment environment that will enable the world economy to grow at a prodigious rate—a goal that will help all nations, whether rich to poor maximize their economic and social potential.

THE ONE-YEAR ANNIVERSARY OF THE LITHUANIAN REAFFIRMATION OF INDEPENDENCE

HON. C. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. COX of California. Mr. Speaker, yesterday—Monday, March 11—marked 1 year since the Supreme Council of the Republic of Lithuania declared the resumption of an independent Lithuania. Last month—almost a year after the Parliament's vote—90.5 percent of Lithuanian voters cast a resounding vote reaffirming their independence and in favor of an end to Soviet occupation.

These people are more determined today than ever before to reclaim the God-given freedom that is rightfully theirs. Make no mistake: Lithuania will be free. The United States must continue to stand shoulder to shoulder with the free people of Lithuania. And this anniversary of Lithuania's reaffirmation of independence will be a lesson to America and the world about the struggle for human freedom. When this historic chapter of the world's history is ended, it will be written that the people of Lithuania and the Soviet republics led the world out of darkness by proving that Marxism didn't work, but that freedom does.

The American Society for the Defense of Tradition, Family, and Property—TFP—has conducted a petition drive in support of Lithuania's independence. On December 4, 1990, a TFP delegation presented Lithuania's president Vytautas Landsbergis petitions bearing 5.2 million signatures worldwide. I ask that a copy of TFP's report on the petition drive be printed in the RECORD, and I ask my colleagues to join me in remembering the brave Lithuanian patriots who have died for the restoration of a free nation.

THE FREE WORLD SUPPORTS LITHUANIA—A REPORT OF THE AMERICAN TFP ON HISTORY'S LARGEST PETITION DRIVE

5.2 MILLION SIGNATURES WORLDWIDE IN SUPPORT OF LITHUANIA'S INDEPENDENCE
History's Largest Petition Drive

On December 4, 1990, a delegation from the 15 Societies for the Defense of Tradition, Family and Property (TFP) from Europe, Africa, Oceania and the Americas met with President Vytautas Landsbergis and distinguished members of the Lithuanian parliament in the President's office in Vilnius, they presented Pres. Landsbergis with petitions in support of Lithuanian independence bearing more than 5.2 million signatures (a figure exceeding the population of Lithuania itself). The TFPs collected the largest number of signatories to a single petition in history.¹

The following United States Senators and Congressmen joined 833,575 of their fellow Americans, from all walks of life, from Main Street to Manhattan, conservatives and liberals alike, in lending their names to this public declaration of solidarity with freedom-loving Lithuanians and of opposition to the barbaric repression of the Soviet regime:

Senator Bill Armstrong (CO), Senator Dan Coats (IN), Senator Alfonse D'Amato (NY), Senator Connie Mack (FL), Senator Steve Symms (ID), and Senator Malcolm Wallop (WY), Rep. Richard Arme (TX), Rep. Thomas Bliley (VA), Rep. Dan Burton (IN), Rep. Tom Campbell (CA), Rep. Jim Courter (NJ), Rep. Christopher Cox (CA), Rep. Larry Craig (ID), Rep. Philip Crane (IL), Rep. William Dannemeyer (CA), Rep. Michael De Wine (OH), Rep. Robert K. Dornan (CA), Rep. John Duncan (TN), Rep. Benjamin Gilman (NY), Rep. Newt Gingrich (GA), Rep. Bill Grant (FL), Rep. Mel Hancock (MO), Rep. Joel Hefley (CO), Rep. Wally Herger (CA), Rep. John Hiler (PA), Rep. Clyde Holloway (LA), Rep. Henry Hyde (IL), Rep. James Inhofe (OK), Rep. Jon Kyl (AZ), Rep. Robert Lagomarsino (CA), Rep. Bob Livingston (LA), Rep. Bill McCollum (FL), Rep. Bob McEwen (OH), Rep. Frank Pallone (NJ), Rep. Don Ritter (PA), Rep. Dana Roberbacher (CA), Rep. Ilena Ros-Lehtinen (FL), Rep. Toby Roth (WI), Rep. Gerald Solomon (NY), Rep. Cliff Stearns (FL), Rep. Guy Vander Jagt (MI), and Rep. Barbara Vucanovich (NV).

The outpouring of gratitude of the Lithuanian people for this visible manifestation of support by the people of the Free World was of the same exceptional caliber as was their courage in the face of communist intimidation.

Expressions of appreciation came from representatives of the Lithuania's independent government and of her patriotic movements, as the following letters received during the TFP campaign reveal:

JUNE 19, 1990.

In with gratitude that we received your letter of support in name of the TFP organizations. Please convey special thanks to Prof. Plinio Correa de Oliveira, president of the National Council of the Brazilian TFP, on behalf of Mr. V. Landsbergis and myself for his support in our struggle for the independence of Lithuania. Your work is very timely and inspiring for us in this difficult moment for our country.

It has been called to my attention that these same organizations have promoted a petition in support of Lithuanian independ-

¹The 15 TFP's petition drive exceeds the registered world record, 3,107,000 signatures. (Cfr. Guinness Book of World Records, London, pg. 194, ed. 1989.)

ence and that more than one million people have already signed it. This is one of the most important initiatives of moral support we have thus far received from Western nations. We thank you also for this action.

Yours sincerely,

ALGIRDAS SAUDARGAS,
Minister of Foreign Affairs.

DECEMBER 10, 1990.

DEAR FELLOW FREEDOM FIGHTERS: On behalf of the people of Lithuania, we wish to express our deep gratitude for your tireless efforts in collecting 5,218,520 signatures in support of Lithuania's Independence.

You have demonstrated that there is world wide support for the rights of Lithuanians to freedom and democracy.

Please know that this great gift that you have given to the people of Lithuania will always be appreciated and remembered, as will the memory of those² whose lives were lost in this great effort.

JUOZAS TUMELIS,
President, The Lithuanian Movement Sajudis Council.

Launched on May 31, the TFP petition campaign lasted some five months, amassing the equivalent of a million signatures a month. Had the campaign continued, many more people would have signed. But realizing, the urgency of the crisis and in accord with the desires of the government of Lithuania, the petitions were delivered on December 4, 1990, as described above.

Shortly thereafter, Soviet tanks and troops invaded Vilnius butchering unarmed Lithuanian patriots and arresting youths refusing to enlist in the Red Army.

On January 9, Antanas Racas, member of the Foreign Affairs Commission of the Supreme Council of the Republic of Lithuania, sent the following facsimile message to the American TFP: "Military vehicles can be seen in the streets of Vilnius and in front of the Parliament. Mass fascist-soviet provocations are frequently repeated. Lithuania is in danger; the help of the world is needed."

However, Lithuania did not surrender . . .

DEMOCRACY—THE VANGUARD OF FREEDOM

HON. RICHARD H. STALLINGS

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. STALLINGS. Mr. Speaker, the Veterans of Foreign Wars recently sponsored the "Voice of Democracy" contest in my State. Entered in that contest was a young man with remarkable ability.

Marcus Mumford is a senior at West Side High School in Dayton, ID. He is an excellent student and a talented athlete. Marc is not only admired for his academic and sports ability, however, but for his courageous fight to accomplish in spite of a speech disability, a problem going back for many years. His great desire to overcome his problem and his courage and tenacity in refusing to let the problem stop his participation in any facet of life

²Mr. Fred Porfilio and Mr. Daryl Huang, of the American TFP, were killed in an automobile accident in Tennessee on September 3, 1990, while participating in the Lithuanian independence campaign.

are admired by his schoolmates and his teachers. He is an example of courage under pressure and a winning attitude which strengthens all of us who associate with him.

Marcus is the son of Ron and Carol Mumford who are justifiably proud of their oldest son. I would like to present his speech for the Voice of Democracy contest which received a special recognition award from the Veterans of Idaho:

DEMOCRACY—THE VANGUARD OF FREEDOM
CHANGE TO FREEDOM

At last, Immigrant has crossed the border. He inhales the air—the free air. He is finally free of the reasonless guilt deposited on him by his former totalitarian government. His struggle is not over, as he now finds himself part of a nation whose challenge is self control within self-government.

The country he left claimed to be a democracy also. Why? The leaders knew full well their system—to call "democratic" that which is actually despotic. Why do they seek to shadow their intentions under the false title of "Democracy" or "People's Republic?" Freedom of assembly is "permitted," but not at Tianamen Square! "Individual rights" becomes a deception. No matter the degree of repression, in all human beings, race regardless, education irrelevant, there burns an instinctive longing for God-given inalienable rights: to live life, to treasure liberty, to pursue happiness.

Here, in genuine democracy, Immigrant will acquire his equality, his personal dignity this nation strives to provide. The struggle of democratic government is to instill this democratic ideal within its people—within its society. If Immigrant accepts this opportunity and magnifies his new-found potential, he will obtain peace, at least within himself and hopefully with others. This new democracy is his. His to abide by, to encourage, to inspire and embrace, and to change. True freedom is beautiful.

Does democracy achieve perfection? No, for the media will bluntly attack to facilitate the opposite. The citizens of a democracy know this and utilize their democracy's due process to activate change, either temporary or permanent, as they see fit.

Immigrant only now begins to realize the magnitude of what lies before him. He begins to feel himself a part of Woodrow Wilson's quote, "I believe in democracy because it releases the energies of every human being." This new freedom is his. He will partake.

THE COMPREHENSIVE VIOLENT
CRIME CONTROL ACT OF 1991

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. MICHEL. Mr. Speaker, today, I am introducing the Comprehensive Violent Crime Control Act of 1991, the President's plan to fight the scourge of crime in America. Mr. Speaker, we have debated these issues before and it is time to act.

Clearly, this legislation is needed by law enforcement officials and desired by the majority of Americans. In fact, the major provisions, habeas corpus reforms, a modified exclusionary rule, and enhanced death penalty procedures, have passed either in the House or Senate by large bipartisan majorities. That is one reason

this bill should be considered promptly by the House.

Additional provisions in this package provide a host of other reasons to support this legislation. The equal justice section codifies current case law and assures that discrimination will not occur in each individual case. The firearms section contains various provisions to strengthen Federal firearms laws by enhancing penalties against criminals who violate firearms laws. The gangs and juvenile offenders section broadens the availability of records of serious juvenile offenses, which will help in the prosecution of juvenile offenders. Other sections cover terrorism, sexual violence, and child abuse.

The President's crime bill takes an important step in the fight against crime. It deserves the support of those willing and ready to fight crime in our society.

THE COMPREHENSIVE VIOLENT CRIME CONTROL
ACT OF 1991
A SUMMARY

Death Penalty (Title I): Establishes constitutionally sound procedures and adequate standards for imposing federal death penalties that are already on the books (including mail bombing and murder of federal officials); and authorizes the death penalty for drug kingpins and for certain heinous acts such as terrorist murders of American nationals abroad, killing of hostages, and murder for hire.

Almost identical to the 1989 violent crime initiative

Equal Justice Act (Title X): Strengthens assurances of equal justice regardless of race, particularly with regard to the imposition of capital punishment; Includes, e.g., prohibition of racial quotas and other statistical tests for imposing the death penalty or other penalties, safeguards against racial discrimination through examination on voir dire and change of venue, requirement, in federal cases, of jury instructions and certifications guarding against considerations of race in capital sentencing decisions, and makes the capital sentencing option consistently available for racially motivated murders in violation of the federal civil right laws.

Habeas Corpus (Title II): Proposes reforms to curb the abuse of habeas corpus by federal and State prisoners by establishing a one-year time limitation, requiring deference to full and fair State court adjudications, appointment of counsel in state capital cases, and restricting repetitive habeas petitions.

Combines the best of various proposals from last Congress

Exclusionary Rule (Title III): Establishes a "good faith" exception to the exclusionary rule; clarifies that federal law does not require the exclusion of evidence obtained in "good faith" circumstances; and renders the exclusionary rule inapplicable to seizures by federal officers of firearms which are to be used as evidence against dangerous offenders. Alternative safeguards against Fourth Amendment violations are provided involving administrative and legislative oversight and compensation of victims of unlawful searches and seizures.

Firearms (Title IV): Contains various provisions to strengthen federal firearms laws, e.g., ten-year mandatory prison term for using a semiautomatic firearm in a drug trafficking offense or violent felony, five-year mandatory sentence for anyone who possesses a firearm after a conviction for a

violent crime or serious drug offense, new offenses of theft of firearms or smuggling firearms in furtherance of drug trafficking or violent crimes, and increased penalties for a materially false statement in connection with a firearm purchase; Also contains general ban on gun clips and magazines that enable a firearm to fire more than fifteen rounds without reloading.

Obstruction of Justice (Title V): Provides increased penalties for serious acts of violence against witnesses, jurors, and court officers in federal proceedings, and explicitly extends federal protection to state and local law enforcement officers assisting federal officers.

Gangs and Juvenile Offenders (Title VI): Broadens availability of records of serious juvenile offenses; broadens adult prosecution of gang leaders and other serious juvenile offenders; and increases penalties for certain violent crimes frequently associated with gang activities.

Terrorism (Title VII): Creates new criminal offenses to implement a Protocol directed against acts of terrorist violence at airports; creates new criminal offenses to implement the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation and a Protocol directed against terrorist acts against maritime platforms and contains other provisions strengthening protections against maritime terrorism and violence; provides effective procedures for removing aliens involved in terrorist activities from the United States; and authorizes sharing of electronically intercepted communications with foreign law enforcement agencies.

Sexual Violence and Child Abuse (Title VIII): Provides general rule of admissibility for evidence of commission of other similar crimes by a federal defendant in sexual assault and child molestation cases; and increases penalties for drug distribution to pregnant women, for many sex offenses against victims below the age of sixteen, and for recidivist sex offenders.

Drug Testing (Title IX): Generally requires drug testing for federal offenders released on probation, parole, or post-imprisonment supervised release; and requires drug testing programs in State criminal justice systems as condition of federal justice assistance funding.

HIALEAH OPPOSES ADMINISTRATION'S
PLAN TO SHIFT FEDERAL
FUNDING FROM CITIES TO
STATES

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, the city of Hialeah, FL, which is in my congressional district, has recently passed a resolution opposing the administration's proposal to shift spending away from cities and to the States by 1992.

Their resolution is in accordance with the U.S. Conference of Mayors' position that the administration's plan would dilute the amount of Federal support to cities. The resolution reads as follows:

RESOLUTION

Whereas, the United States Conference of Mayors has denounced the Bush administra-

tion's plan as a dilution of the amount of federal support to cities; now, therefore, be it

Resolved by the Mayor and the city council of Hialeah, Florida, That:

Section 1: The Mayor and the City Council of Hialeah, Florida hereby expresses its opposition to the Bush administration's plan to direct funding of federal programs away from cities, and to the States.

Passed and adopted this 12th day of February, 1991.

The city feels strongly on this issue and is united in its efforts. This resolution was adopted with the approval of Mayor Julio J. Martinez, and a unanimous vote of the councilmembers: Herman Echevarria, council president; Natacha S. Millan, council vice-president; Salvatore D'Angelo, Evelio Medina, Alex Morales, Paulino A. Nunez, and Roberto "Bob" Ruiz.

THE J.R. EWING APPROACH

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. STUDDS. Mr. Speaker, yet another daily newspaper in my district has taken the administration to task for its "produce-more, conserve-little" energy plan. I urge my colleagues to read this editorial, which appeared in the Patriot Ledger on February 22.

[From the Patriot Ledger, Feb. 22, 1991]

WHY WE MUST CONSERVE ENERGY

President Bush's produce-more, conserve-little energy plan falls far short of the policy the United States needs in the 1990s for a more secure energy future.

Here we are, fighting a war in the Persian Gulf, at least in part to keep the region's vast oil resources in friendly hands and supplying the needs of industrial economies. Here we are, in a recession, concerned about keeping energy prices stable. Here we are worried about the damage to the global environment from the use of oil and other fossil fuels.

Yet the White House basically adopts the J.R. Ewing approach: Well, we'll just have to pump a little more oil, won't we?

Bush's supply-side plan won't reduce America's dangerous dependence on foreign oil that now supplies more than 40 percent of our demand. It won't prevent see-sawing oil prices or gasoline lines when someone tampers with the Mideast tap. It won't protect the environment from combustion pollution, or from oil and gas exploration in environmentally delicate areas. And a produce-more policy without a serious conservation effort is self-defeating because it encourages Americans to use up finite oil and gas resources more quickly.

The president's program does include some modest measures to encourage use of alternate energy sources and promote efficiency. They include requiring "cost-effective" energy efficiency standards to be used in new federally assisted construction, and extending a tax credit for investments in solar, geothermal and ocean thermal energy.

But it rejects what should be the centerpiece of a real energy conservation program—increasing the fuel efficiency of automobiles.

Cars and trucks now burn up 40 percent of the oil consumed in this country. Yet in-

stead of exerting presidential leadership to require automakers to raise gas mileage above the present fleet-average federal standard of 27.5 miles per gallon, Bush proposes a measure that could subvert efforts to cut fuel consumption of new cars.

As it is now, in an effort to promote usage of alternate fuels, carmakers are allowed a small exemption from the fuel-economy standard is they build cars that run on fuels other than gasoline. That's a sound policy. However, the president now proposes to abolish the limits on credits manufacturers can earn by building alternate-fuel vehicles. This policy could backfire, though, by encouraging the manufacture of inefficient cars.

Of course there should be some incentives for alternate-fuel vehicles. But as long as the standard fuel is gasoline, stricter fuel-economy requirements should be imposed, too. Last year, the Senate passed a bill that would have raised the standard to about 40 miles a gallon by the beginning of the century. Its sponsor claims it would save 2.8 million barrels of oil a day by 2005—more than a third of the daily amount of petroleum the U.S. is now importing. Even if the savings were half as much, it would be worthwhile.

There are other ways the government should be promoting energy savings—by reinstating tax incentives for industry to invest in cogeneration plants, for example, and for home insulation and weatherization.

New sources of energy take time and technology to develop—and they must be pursued. But nothing can avoid another energy crisis as much as conservation. It is the cheapest source of energy.

INTRODUCTION OF THE USED OIL RECYCLING ACT OF 1991

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SKELTON. Mr. Speaker, once again, I am proposing we take a small step toward energy conservation and reducing our dependence on foreign oil but a very significant step in protecting our environment. Today, I am introducing the Used Oil Recycling Act of 1991 along with 51 of our colleagues who have joined as original cosponsors. The purpose of this bill is very straightforward—it is to establish a national policy to encourage the proper handling and recycling of used oil so that it will not be disposed of in ways that are harmful to our environment.

Specifically, this bill directs the Environmental Protection Agency [EPA] not to list or identify recycled used oil as a hazardous waste, but without further delay to develop sensible management standards. By sensible I mean management standards that impose sound environmental safeguards without destroying the market for used oil.

Used oil, when properly managed, is a valuable resource. Currently 60 percent of the more than 1.3 billion gallons of used oil generated each year is disposed of properly. Unfortunately, the remaining 400 million gallons of used oil are disposed of in ways that endanger public health and the environment—such as into the sewer, into the trash or into the backyard. Our goal is to bring those re-

maining 400 million gallons of used oil into the recycling system. However, I am convinced if we list recycled used oil as hazardous, the current recycling system will break down and more midnight dumping will occur.

Small Business Subcommittee hearings, in May 1986, held by our colleague CHARLIE STENHOLM, established that this country's oil recycling systems would be severely undermined if unrecycled oil is listed or identified as a hazardous waste under the Resource Conservation and Recovery Act. Our conclusion was subsequently supported in November 1986, when EPA decided not to list used oil recycled oil as hazardous. One reason given in support of EPA's determination was that listing would impair our ability to recycle used oil which would, in turn harm the environment. In October 1988, the U.S. Court of Appeals for the District of Columbia handed down a ruling holding that while the EPA's decision not to list recycled used oil may well be right for the environment, it is contrary to statute. It was left to Congress to clarify and resolve the priorities between waste management and recycling. Our bill would state specifically the Nation's policy on used oil and intelligently chart a new course.

In the 101st Congress, we introduced the Used Oil Recycling Act of 1989, an effort which was eventually joined by 130 of our colleagues. The subcommittee with jurisdiction over this issue, the Energy and Commerce Subcommittee on Transportation and Hazardous Materials, adopted the concept of our bill and included it in their recommended Resource Conservation and Recovery Act reauthorization package which received a favorable recommendation in September 1990. Likewise, the Senate committee reported out a package that directed the EPA not to list used oil. Unfortunately, time ran out for further action on the proposal, however, as passage of the Clean Air Act absorbed the time and attention of the Energy and Commerce Committee in the waning moments of the 101st Congress.

A key premise of this bill is the need to encourage recycling and educate generators of used oil about proper management practices. The generators' basic duty is to make certain that used oil has not been contaminated by solvents, PCBs, pesticides, gasoline or other hazardous wastes. Once clean used oil is turned over to recyclers who are subject to annual inspections, it becomes the recyclers' obligation to conduct careful testing to be certain that no contamination is present, to make sure that used oil is handled, transported, and stored safely by trained employees, that the recycling facility is fully prepared to handle spills and other emergencies, and in the case of fuel oil, that the product sold only to facilities which EPA determines are qualified to burn used oil fuel.

The promulgation of management standards would have another consequence. It would trigger the Superfund used oil liability exemption. That provision, as most of you know, will provide certain generators of used oil, such as service stations, truck stop operators, automobile dealers, car rental agencies, with an exemption for off-site liability under the Superfund statute if the generator: does not mix used oil with any hazardous substances; provides a collection tank for do-it-yourselfer

used oil; transfers the used oil to a legitimate recycler or to a transporter who has an agreement to transfer the used oil to a legitimate recycler; and complies with EPA's management standards.

When this bill is enacted, EPA will be directed to get moving on the development of management standards. Once those standards are in place, the incentives for a large class of generators to handle their own used oil carefully and provide a channel for do-it-yourself used oil would be clearly established. A crucial element of a workable recycling system is the existence of collection centers for the do-it-yourselfers. This crucial service is dependent on the voluntary efforts of service station owners or operators, truck stop operators, and other such facilities to accept used oil from the public. If the service station operator, for example, who is complying with tank requirements and inadvertently accepts contaminated used oil from a do-it-yourselfer and the oil is nonrecyclable, the management standards would require the service station dealer to dispose of the tainted load as a hazardous waste. However, his facility will not become subject to regulation under the hazardous waste provisions under the Resource Conservation and Recovery Act [RCRA].

It should be emphasized that education is a key element in this bill to encourage safe, proper recycling. The public at large, and small businesses across the country, need to have a much better appreciation of the importance of used oil recycling system. After all, virtually everyone generates used oil. It may be a cliché to say that "if you are not part of the solution, you are part of the problem," but it is absolutely true in this case. It is time for a nationwide educational campaign involving the resources of Federal, State, and local governments and the private sector, trade associations, civil organizations, as well as individual businesses. This campaign should stress the harmful effects of indiscriminate disposal and mixing used oil with hazardous wastes and, at the same time, the availability of used oil collection centers.

I would like to mention another factor which I think deserves to be included in this equation, the role of Government as both a generator and a consumer of used oil. If EPA were to list recycled used oil as hazardous waste, it would have to be managed as such and the cost of proper disposal would skyrocket. Since Federal, State, and local governments are of course, major generators of used oil, guess who would pay for the extra cost of management and disposal under RCRA? The taxpayer. In an era of massive budget deficits, does it really make sense to impose on the public an unnecessary multimillion dollar burden of RCRA management? The hazardous waste treatment and disposal system in all probability does not have the capacity at the present time to handle actual hazardous wastes, why impose the additional burden of more than 1 billion gallons a year of used oil, particularly when we can set an example by recycling?

With respect to the Government's role as a consumer of recycled oil, much more needs to be done. EPA has promulgated specifications for lubricants made from recycled oil. Federal agencies are required to give preference to

these products wherever possible. These procurement policies should be implemented much more quickly. Also, the policies should not be limited to lubricants. The Federal Government operates numerous high efficiency furnaces and boilers in which used oil can be safely burned. Instead of paying top market dollar for virgin fuel, we should expand the market for used oil fuel and help trim the deficit in the process. This is not a new idea. In fact, in 1986 in the conference report of the Superfund amendments, Congress told EPA to get moving on this project.

Finally, I would point out that while the pressures to recycle waste oil for energy conservation and economic purposes have temporarily eased, our recent actions in the Persian Gulf prove how fragile our foreign oil lifeline can be. Furthermore, the need to dispose of the waste oil safely to protect our environment is ever-growing. Please join me in sponsoring this bill which takes a very significant step in protecting our environment.

These common sense safeguards included in our bill, if enacted and implemented, would go a long way to carrying out Congress' original objectives. It is time to resolve the used oil issue once and for all and to do so in a way that makes sense economically and environmentally.

CONCERN FOR PALESTINIANS

HON. JAMES P. MORAN, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. MORAN. Mr. Speaker, an eye witness writing for the Washington Post reports that 6,000 Palestinians are being held in Kuwait without charges on the authority of the local militia and in conjunction with United States Forces.

I am concerned about the welfare of the Palestinians and other non-Kuwaitis who have been detained in Kuwait by these forces. Although unsubstantiated at this time, I am deeply troubled by the reported violence used against non-Kuwaitis during this time of turmoil. Our forces should not assist in what could be reprisals against people who suffered during the occupation as the Kuwaitis did.

Our State Department must notify the involved governments and our military of this concern. I also want to say to the full House that our Government did not act against one tyrant and his brutal repression of Kuwaiti citizens' human rights to allow Kuwaiti citizens to subject innocent people to violent suppression.

Let the Government of Kuwait be aware that the Congress is watching how it conducts itself as it reestablishes authority.

ADDRESS OF MAJ. GEN. DANIEL SCHROEDER AT THE ARMY ENGINEER CENTER AT FORT LEONARD WOOD

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SKELTON. Mr. Speaker, on October 20, 1990, at the Army Engineer Center at Fort Leonard Wood, MO, Maj. Gen. Daniel R. Schroeder addressed the first unit from Fort Leonard Wood, MO, to be deployed in the support of Operation Desert Shield.

I would like to join with General Schroeder in commending these soldiers as they proudly serve the United States of America. The hopes and prayers of Missouri's Fourth Congressional District as well as the rest of the Nation are with them.

These comments were made before the escalation of hostility began. I include his remarks herewith:

FAREWELL TO 5TH ENGINEERS

(Remarks by Maj. Gen. Daniel R. Schroeder)

It's a great day for the Army! A great day for Fort Leonard Wood! A great day to be an engineer!

Men, you look great! Ooh-Rah!

Ladies and gentlemen, today we've gathered to wish Godspeed to the 5th Engineers. They are the first unit from the Fort Leonard Wood family to deploy in our Army's support of Operation Desert Shield.

The Army provides our great Nation with unique rapid-action forces that are versatile in nature and global in scope.

Operation Desert Shield is an example of strategic forces projecting into a troubled part of the world.

Let me remind everyone present that U.S. troops currently serving in Saudi Arabia are not there to drive the Iraqis out of Kuwait; the economic sanctions imposed by the United Nations are designed to accomplish that goal. We are there to deter any further Iraqi aggression.

America does not seek conflict, nor does it seek to chart the destiny of other nations, but America will stand by her friends. Our mission is wholly defensive.

To use the words of Winston Churchill, "We are conscious of the rightness of our cause * * * we are determined that at whatever cost, whatever suffering, we will not fail mankind."

The Fifth Engineers will become only one small segment of an unprecedented joint multi-national force which includes personnel from Saudi Arabia, Great Britain, France, Syria, Egypt and other countries who share a respect for national sovereignty. The force is an international response to threats to worldwide vital interests. The mission of the Fifth Engineers is that of other forces in the region: (1) To set up defensive positions in Saudi Arabia; (2) to train and work with the Saudi forces to improve their military and defensive capabilities; and (3) should deterrence fail, to defend Saudi Arabia against attack.

The Fifth Engineers BN (combat) is well suited by tradition and training for this job. During World War II, it was the Fighting Fifth that wrote another valiant chapter in the history of the Engineer Corps. From the Butler Air hangers in Great Britain and the beaches of Normandy, to Ardennes, the

Rhineland and the bridge over the Meuse River in Holland, the Fifth's Warfighters did their duty as they saw it, and never lost faith in their mission or their country.

Today's Fighting Fifth, stands ready to meet any challenge that presents itself. During the past year this unit has demonstrated its combat readiness as a vital member of the combined arms team in exercises at the National Training Center, Pinion Canyon, Fort Chaffee and Fort McCoy.

(To the soldiers): Like the soldiers you'll soon join, you are members of a trained and ready force. I have no doubt that whatever the mission, you will succeed.

However, there is no truth to the rumor that the real purpose of this exercise is to give us an excuse to update your shot records!

Then again we've tested your mettle by making you "go through basic again" at clothing issue.

Don't let anyone here forget that soldiers are human beings fraught with the same concerns of us all. If you're worried about how the wife and the kids are, you won't be able to perform effectively. The Army is committed to meeting your families needs while you are deployed.

You have my personal pledge that your families will get the support back here that they need. I think that the family orientation sessions that you've all been attending are an indication of this post's commitment to taking care of our own.

I am pleased that representatives from our neighboring communities are attending today's review. They represent the support you enjoy from all Americans for your peace-keeping mission.

Two thousand years ago, one far more eloquent than I, described your final reward when he said, "Blessed are the Peacekeepers for Theirs is the Kingdom of Heaven."

Fifth Engineers, you are today's peacekeepers. Be aware of your motto, it summarizes the mettle needed for a successful mission, "Courage, skill and strength."

Be mindful, therefore, of your rich heritage—as Americans and as engineers. Be proud of it, you are the pride of Fort Leonard Wood. You represent the finest combat engineers in the world.

Godspeed. Essayons.

MEDICAID CHILD HEALTH AMENDMENTS OF 1991

HON. JIM SLATTERY

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. SLATTERY. Mr. Speaker, access to health care for all citizens is basic to any civilized society and particularly fundamental when it comes to children. Children are every nation's most important resource.

Yet in the United States, the guarantee of basic health care for all children is still a dream deferred, and the burdens of illness, disability, and death fall disproportionately on the Nation's poorest children. Unless we reverse current patterns, countless children will be lost to preventable death and disability.

Investing in children's health also saves money. In a nation with skyrocketing health expenses, denying preventive health care to children is particularly costly. Denying health care to children also hurts our long-term na-

tional achievement. Children with poor health have less chance of becoming productive workers. If this country is to compete internationally in the years ahead, every child must grow up healthy and contribute fully to the labor force.

During 1990, I introduced H.R. 3932, the Medicaid Child Health Amendments of 1990. A similar bill was introduced by Senator LLOYD BENTSON of Texas. Both bills were amended and included in Public Law 101-508, the Omnibus Budget Reconciliation Act of 1990.

The result was a very modest victory in an effort to extend basic health care services to poor children in America.

Current Federal law requires all States to provide Medicaid benefits to pregnant women, infants, and children under age 6 with family incomes below 133 percent of the Federal poverty line. However, States have the option of going beyond these mandates and providing Medicaid benefits to pregnant women and infants with family incomes up to 185 percent of the poverty line.

The changes approved by Congress last year provide that, as of July 1, 1991, States will also be required to extend coverage to poor children age 6 and older who were born after September 30, 1983. This requirement will phase in Medicaid coverage over the next 12 years for poor children from the ages of 6 through 18. By October 1, 2002—when this requirement will be fully phased in—virtually all poor children less than 19 years of age will be eligible for Medicaid.

Even with these mandates, however, a substantial number of low-income children will still lack health insurance coverage. These include children age 6 and older whose families have incomes between 100 percent and 185 percent of the poverty line, as well as children below age 6 whose families have incomes between 133 percent and 185 percent of the poverty line.

Mr. Speaker, today I am introducing legislation which I believe will build upon the important progress achieved last year for this country's poorest children and which will give States the option to fill these gaps.

The centerpiece of the Medicaid Child Health Amendments Act of 1991 would give States the option to increase income eligibility limits to provide Medicaid for children with family incomes below 185 percent of the Federal poverty line.

We cannot afford to ignore the urgent health care needs of poor children any longer. Skimping on Medicaid for children is short-sighted public and economic policy. If we don't find a way to pay now, we will pay 3 to 4 times more, later, when many of these children show up in emergency rooms much sicker. I believe Medicaid coverage for children is among our best investments in poverty prevention for adults.

I recognize that as a country we must address a fundamental problem in our health care system regarding access to health care. It is an unfortunate fact that millions of American families and children are forced to go without necessary care because they cannot afford it. Many, especially lower income working families, are not covered by either private or public insurance. The President and Con-

gress must find a workable and economically feasible comprehensive solution to this crisis.

I simply believe we must start with the poorest children first. The children who will benefit from the legislation won't receive "Cadillac" health care services but hopefully they will receive enough basic services and attention to keep them in school, able to learn and grow into healthy, productive, taxpaying adults.

The current Medicaid program should be improved through the following provisions incorporated in the Medicaid Child Health Amendments of 1991:

PROPOSED MEDICAID CHILD HEALTH AMENDMENTS OF 1991

Optional Coverage of Children Up to Age 19 With Incomes Below 185 Percent of the Poverty Level. Under current law, States are required to cover all children born after September 30, 1983, up to age 6, in families with incomes at or below 133 percent of the poverty level. This provision allows States the option of extending Medicaid to children up to age 19 with family incomes at or below 185 percent of the poverty level. Effective January 1, 1992.

Optional Extension of Medicaid Transition Coverage. Allows States, at their option to provide an additional 12 months of Medicaid coverage to families who leave cash welfare due to earnings and who continue to work. (Under current law, States are required to cover these families for 12 months after leaving cash assistance). Also repeals the sunset of this benefit in current law. Effective January 1, 1992.

Payment for Medically Necessary Services in Disproportionate Share Hospitals to Children under 18. Under current law, with respect to children under age 6, receiving medically necessary inpatient hospital services from disproportionate share hospitals, States may not limit the number of medically necessary inpatient hospital days they will cover, and, if they reimburse on a prospective basis, must make outlier adjustments for exceptionally high-cost or long-stay cases. These current law provisions would be extended beyond children under age 6 to all children under 18, effective July 1, 1992.

Required Coverage of Disabled Children in "209 (b)" States. Requires States that apply more restrictive eligibility standards under their Medicaid programs to low-income individuals who receive cash assistance under the Supplemental Security Income (SSI) program to extend Medicaid coverage to disabled children who qualify for SSI. Effective July 1, 1991.

Mandatory Continuation of Coverage for Children Otherwise Qualified for Benefits Until Redetermination. Prohibits States from terminating Medicaid coverage for a child under 18, who, due to a change in family income or resources, is determined to be ineligible, until the State has determined that the child is not eligible for Medicaid on some other basis. Effective July 1, 1992.

Optional Medicaid Coverage for Foster Children. Allows States, at their option, to offer Medicaid coverage to foster children whose incomes are above State cash assistance levels but below the Federal poverty level. Effective July 1, 1992.

Optional Medicaid Coverage of Migrant Children, Pregnant Women, and Their Families. Allows States to enter into interstate compacts to issue Medicaid cards to low-income migrant children and their families which will be recognized by all of the States that are parties to the compact through

which the child and his or her family move during the harvesting season. Effective January 1, 1992.

THE INTRODUCTION OF THE COMPREHENSIVE WETLANDS CONSERVATION AND MANAGEMENT ACT OF 1991

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 12, 1991

Mr. TAUZIN. Mr. Speaker, today, I and 50 of my colleagues introduce the Comprehensive Wetlands Conservation and Management Act of 1991 to address the enormous problems created by a well-meaning but grossly misdirected program enacted not by Congress but by employees of various Federal agencies. This program was greatly expanded last year not through rulemaking under the Federal Administrative Procedures Act, but by guidelines and memoranda of agreement which were adopted without prior public comment. This program is the Section 404 Permit Program under the Clean Water Act.

Section 404 of that act authorizes the Secretary of the Army to issue permits for the discharge of dredged or fill material into the navigable waters of the United States at specified disposal sites. This general authorization to issue permits for the discharge of dredged or fill materials has been expanded by the courts and the Corps of Engineers to include not only navigable waters of the United States but millions of acres of private lands which may be periodically inundated with water but which are otherwise dry. The regulations which cover the conduct of activity on wetlands derive their authority from this short statement requiring permits for the discharge of dredge and fill material.

Congress has not specifically authorized the Federal Government to regulate the use of wetlands. The four Federal agencies which have been regulating wetlands use have gone far beyond the original intent of the statute. It is past time for Congress to speak to this issue and to establish a wetlands policy which accomplishes the laudable goal of protecting our vanishing wetlands, but which recognizes that most wetlands are privately owned. We must undertake to insure that the constitutional protections afforded to the ownership of private property in this country are preserved while seeking to conserve and replenish our wetland treasures.

I want to make it clear that I favor the protection of true wetlands which serve a valuable wetlands function. However, during the past year we have been shocked by the policies adopted by the Corps of Engineers and EPA, which expand the definition of wetlands to include millions of acres of land which we have historically and practically believed to be dry and usable for many purposes, such as farming, housing, industry, and other commercial uses. In addition to greatly expanding the definition, the corps and EPA adopted a policy requiring mitigation for any land which is used. Both of these far-reaching policies were adopted, unfortunately, without going through the

rulemaking procedures provided in the Administrative Procedures Act and without allowing for full and fair public comment.

This mitigation policy allows for certain uses of these lands, but sometimes exacts a high price by requiring the expenditure of funds for mitigation projects. Mitigation projects have included requirements that the landowners purchase and rebuild wetlands in other areas to replace the wetlands being lost.

This sounds at first glance like a laudable goal. However, it fails to consider the economic impact on regions of the country such as Louisiana, which contain millions of acres of land which have recently been reclassified as wetlands. This includes most of south Louisiana which is where the majority of our population lives. Therefore, all economic development in the southern part of our State must factor in the added cost of the permit process and mitigation projects. The Corps of Engineers now proposes to charge exorbitant fees for telling you whether your property is a wetland and then for processing the permit application. This means that individuals and small businesses are priced out of the market for the use of land in our area. It is conceivable that this policy, if carried out, could bring our small business activities to a halt.

This new policy as presently applied will mean the redistribution of wealth and resources from those areas surrounded by wetlands to those areas where no wetlands exist. For my district, this means economic stagnation and the loss of a tax base from which to derive funds for basic public services, such as schools, roads, medical care, and other infrastructure needs. However, the problem is not unique to Louisiana, but now is found in every State in the country.

Therefore, to address this complex and difficult issue, I have in prior Congresses introduced several bills to attempt to bring about a rational approach to wetlands protection. I have been a champion of wetlands protection since the mid-1970's. In an effort to deal with this issue, I and my colleagues, Congressman JIMMY HAYES and Congressman TOM RIDGE, have been working for many months to draft a wetlands protection bill that addresses the issues of wetlands values and private property protections. I believe that if we are to find a satisfactory means of protection of these wetlands, we must involve the owners of these lands in that effort by providing incentives for wetlands protection, while insuring that the constitutional rights of the landowners are also protected.

There are those who oppose this concept of providing compensation to landowners whose lands are set aside as wetlands. The concept of providing compensation for taking property is a cornerstone of our system of government. We presently compensate landowners when their land is taken for roads and other public works projects. A taking for wetlands protection purposes should be treated no differently. Private landowners should not be required to bear all of the cost for this very public purpose. I do not believe that any Member of this Congress would favor allowing our Government to take private property from any individual without just compensation. This bill seeks to address this difficult and complex issue.

This bill is the result of many meetings and discussions among Members of Congress from States with substantial wetlands resources. We are from both parties, we are from north and south, east and west, and we represent districts with many diverse interests. Our one common concern is that all of us wish to protect wetlands. However, we are witnessing the enactment of new, far-reaching wetlands policies by unelected individuals in the Federal bureaucracy without adequate opportunity for the public to participate in the process. We believe that the Congressional role in setting national wetlands policy has been usurped by the bureaucracy with the assistance of the Federal courts. We believe that it is the role of this Congress to set wetlands policy for this country and that is what this bill does.

This bill provides a new strict regulatory program to protect the true wetlands without unduly restricting the use of those lands which have some wetlands characteristics, but which have little or no wetlands values and functions. Wetland values and functions include use of the wetlands for wildlife habitat, fisheries propagation, hurricane protection barriers, water quality management, recreational activities, and flood protection. However, the bill contains new and creative solutions to many of the valid criticisms of the existing wetlands program.

Under our bill, wetlands which meet the scientific and technical criteria for wetlands will then be further classified into wetlands categories. The most valuable wetlands which require the greatest protections and where activities of man should be the most restricted will be classified as type A wetlands. Those wetlands which have many of the same values but which will tolerate some activities as long as mitigation is carried out will be classified as type B wetlands. Those wetlands which have little or no wetland values and which are already highly developed will be classified as type C wetlands. Type C wetlands meet the scientific test for wetlands, but they don't meet what many of us call the commonsense test for wetlands. Therefore, these wetlands will be subject to very little regulation.

One important feature of the legislation will be to provide for advanced mapping showing how land within a given area will be classified. This advanced mapping is tendered to provide notice to potential landowners that they may be purchasing a wetland. It is a tragedy to hear a landowner tell of saving for or borrowing money for the purchase of property to be used for some important project, only to find out that the land cannot be developed or that a wetlands permit is required. The permit process is very time-consuming and expensive and is frequently conditioned upon the construction of expensive wetlands mitigation projects.

One goal of the legislation is to insure a greater role for the general public in the development of wetlands policy. Therefore, the Corps must go through the rulemaking process in developing both the definition of wetlands and the permitting process. Also the public will be given an opportunity to comment on the advanced mapping. I believe a strong public involvement in this process will be one of the significant provisions of the bill.

Another concept of the legislation is to force our Government to come to terms with the impact of wetlands policy on private landowners. If the wetland is so valuable that it is classified as a type A wetlands, the bill gives the owner of the land the option of seeking compensation from the government under the takings clause of the U.S. Constitution. When land is classified as a type A wetland, it will be so well protected that its use will be severely lim-

ited. Therefore, the value to the landowner is so diminished that it will constitute a taking of the property. Therefore, we believe that the landowner should, if he desires, be able to receive compensation in return for surrendering title to the land. This is not intended to be used to force landowners to leave their land. However, we must not allow our Government to expropriate lands for use as wetlands without compensating the landowner.

The bill continues those activities presently exempt from section 404, such as farming and continues the present policy of exempting prior converted croplands. It will also allow the delegation of the program to the States.

I urge the members of this body to join in the effort to develop a sensible and compassionate approach to protecting our Nation's wetlands. We believe this concept can achieve that goal.