

EXTENSIONS OF REMARKS

ROSTENKOWSKI URGES YOUNG
PEOPLE TO GET INVOLVED IN
POLITICS

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CARDIN. Mr. Speaker, we serve in the Congress at a time when politics as a profession, never high in the public's regard, is viewed with greater than usual public cynicism. Not surprisingly, confidence in Government's ability to address the many serious problems facing our country is at a low ebb.

I would like to bring to the attention of my colleagues a recent speech by the chairman of the Ways and Means Committee. The speech was prepared for delivery to the Latin School in Chicago, and its theme was the importance of politics and government in American life.

The chairman advances his belief that "however imperfect it is, the political system is the only mechanism we have to deal with many of our community problems * * * and that government can solve people's problems."

It's a message of optimism, determination, and faith in the American system. I commend the speech to my colleagues:

SPEECH BY HON. DAN ROSTENKOWSKI

I welcome this opportunity to be with you today and return a favor. Back when I was in school, assembly was one of my favorite subjects. If they had awarded a letter for assemblies, I would have won one. Frankly, I don't remember exactly what happened at any of the assemblies. But I do know that they forced us to skip our normal classes, a sacrifice I always made graciously, perhaps even enthusiastically.

So I appear before you today repaying a debt to the people who spoke at assemblies back in the olden days when I went to school.

Let me state my theme clearly at the start. I believe that politics is an important and exciting line of work. I won't be doing it forever. So I'd suggest that some of you who are wondering about career choices think about politics. To steal a slogan, your government needs a few good men and women. There are worse things you could do. Some of them are even legal. So I'm here on a recruiting mission.

That probably strikes some of you as a bit odd. After all, politics is the Rodney Dangerfield of professions. Politicians get no respect. They're viewed as crooked or stupid or both. And some are, if the truth be told.

The working conditions are less than ideal. You have obligations in two cities. The work is seasonal. There are months when very little is accomplished. And then there are weeks when you work round the clock.

You are part of a system where compromise is a way of life. There are so many participants that most legislators can only have influence at the margins. It is surpris-

ing how many hard-working career politicians there are whose accomplishments defy summary. They were just there, helping get the job done.

And while there are always those who will carp at Congressional salaries, the fact is that anyone who is smart enough to do well in Congress can make a lot more money in the private sector. In addition, you get to be a punching bag for members of the press who believe you have an obligation to entertain them.

The payoff is often subtle—it is a belief, a sense that you are helping create a better nation for your fellow citizens. A belief that government can solve people's problems. And a hope that those solutions will be a little bit better because you were there. Somebody once said that all that's necessary for evil to triumph is for good men to do nothing. That's one reason I'm in politics. I want to do something. And I hope what I'm doing is right.

Nearly four months ago I faced one of the toughest votes in my congressional career when I voted to give the President the power to go to war in the Persian Gulf. Had I known then what we know now, that would have been an easy decision. But we didn't know then.

Everyone agreed that Saddam Hussein was a bad actor who should be resisted or even removed. But the strategy for achieving that goal was less than obvious.

I'm not an expert on foreign policy. While I had a chance to visit Saudi Arabia last fall, I am not a student of the region. I don't speak Arabic or understand the politics of the region, if indeed they can be understood. Is Syria America's friend or enemy? What about Iran?

The President was telling me about atrocities committed by Saddam's army. He was deeply offended and I was too. On the other hand, my colleagues were arguing for continuing sanctions that could conceivably ultimately strangle the Iraqi economy.

I voted for war, deciding to spend billions of dollars that could be very well spent on social problems here in this country. I was fully aware that my vote could result in bloodshed. Americans. Chicagoans. Friends from my own Congressional district could be killed in combat as a result of my vote.

It wasn't an easy decision. But there are few decisions more important to our society than whether to go to war. And I was proud to be one of those who had an opportunity to make that decision.

Last year I promoted the so-called Rostenkowski Challenge, a budget proposal designed to convince the President that there was no way to solve our budget problems unless we embraced tax increases.

Six years ago I invested more hours than I can count in creating a new income tax system for America. Despite the usual overpromising that leaves Americans so cynical, that bill made some major positive steps.

It removed more than six million poor taxpayers from the tax system completely. It simplified or eliminated many complex issues that had frustrated taxpayers for years.

It nearly ended a government bias toward certain types of businesses.

There were some highs in the process. I went on television in response to the President and asked people to "Write Rosty" for tax reform. Getting more than 70-thousand letters does wonders for your ego. Especially if you don't have to answer them personally.

There were some low moments. Like the time the members of my own committee—a group which I am alleged to have total control over—rejected my suggestion that we lower the boom on banks and decided instead to give them a more liberal tax break than they already had.

And there were the totally outrageous moments, like when the Time Magazine photographer got to me early in the morning after about three hours of sleep and me to jump like a cheerleader with the capitol in the background to symbolize our victory. I didn't jump. And didn't make the cover of Time either.

When it was all over, I was tired and happy. I felt I had helped lead the nation forward. Of course, legislation is a bit like a sand castle. People have been nibbling away at the tax code ever since in an effort to reinstate their special privileges. And some have succeeded, despite my best efforts.

One of the biggest failures of tax reform was that it didn't raise additional revenues to reduce our federal budget deficit.

If working to enact tax reform was the best of times, service in Congress generally during the Reagan years was the worst of times. Here we had a President—the man who symbolizes our government—telling the American people that the government was their enemy.

There were years of wandering in the wilderness, trying to come up with a strategy that would make the President—and the American people face reality. In 1982, when you were just beginning your schooling, we had the worst depression this country has seen during my adult lifetime. No one seemed to care.

There were two very disturbing trends occurring simultaneously. The first was that the rich were getting richer while the poor sunk more deeply into poverty. The second was that the rich came to believe they had no obligation to help the less fortunate members of our society.

For years, we collected statistics and I made speeches about the polarization of our society. There was no visible response until, as the Reagan years came to a close, people began to get the message.

Now we at least say we're concerned about the plight of the poor, although we seldom manage to bestir ourselves to actually do anything about it. Translating that commitment into meaningful action will be a big job.

My purpose here is not to entertain you with stories on the lifestyle of the allegedly powerful. Rather it is to suggest that decisions made by politicians have an impact on every one of you. And the best way to assure that stupid decisions aren't made is to make them yourself by running for elected office. The second best way is to be an active voter who demands a role in the process.

* 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.

The message is the same regardless of what level of government is involved. If Mayor Daley's efforts to build a third major airport in Chicago succeed, the entire area will prosper.

If Dick Phelan succeeds in rebuilding Cook County Hospital as an institution where the quality of care reflects the heroic efforts made by the staff there, we will all live in a more humane community.

All of these decisions are important. None of them are made by one person alone, but one person can make a real difference.

I don't know what they're teaching you in American history here and whether that lesson would support my view. There are some historians who believe that the story of our past is a tale of trends that are too sweeping to be significantly influenced by any one individual.

If George Washington hadn't been available to become father of our country, someone else equally good would have been found. If Abraham Lincoln hadn't freed the slaves, someone else would have done it eventually. That's what they say.

While there are historical trends that only a fool would dare to buck, I strongly disagree with that perspective on history. Without Lyndon Johnson, there would have been no war on poverty. Perhaps there wouldn't have been a war in Vietnam either.

Ideally the political system is what holds our community together. It adjudicates differences between groups and searches for priorities that are shared by all.

Most of you come from fairly comfortable families. A few miles from here there is a community so different than your environment that it could be on another planet. In a recent book, reporter Alex Kotlowitz describes the life at Henry Horner homes. It is called *There Are No Children Here* and tells the sad tale of kids who are more concerned with staying alive than getting into college.

Yet they are from Chicago just as you are. Despite your differences, there is a need for mechanisms that allow you and them to realize that you come from the same community.

That is the basis of the Chicago political organization that I grew up in. There was a sense that everyone was represented. If you lost today, you could win tomorrow. It was an inclusive rather than exclusive group. It took a while for the Irish to share power with the Poles in Chicago, and a bit longer before blacks were included, but the important thing to remember is not the wait, but that these groups were ultimately included in the power structure.

Unfortunately, that sort of politics doesn't translate at the national level very well. In fact, it doesn't work here the way it used to. You can criticize the old organization all you want—and lord knows, it had plenty of warts—but it was ultimately an organization that allowed us to avoid the interest group politics that now nearly paralyze government at all levels.

The decline of our political parties and the rise of narrow interest groups is one of the greatest problems now faced by government. Note that I said narrow, rather than special interests. I think narrow interests are often legitimate. The term special interests sounds corrupt, but that's not the problem.

The real problem is an inability to view things broadly and compromise. The citizen action groups that promise disruption if their priority isn't put at the top of the list are perverting the process. The political action groups that try to defeat a Member of Congress because he or she voted wrong on a

single issue are an impediment to the political process.

Once I get started, I could go on for hours about what's wrong with our political system. It certainly has its share of flaws, but that's not my point today.

However imperfect it is, the political system is the only mechanism we have to deal with many of our community problems. If we become cynical and reject the political process because we consider it dirty, we assign ourselves to the sidelines of community life.

Some say Chicago is the second city. When it comes to politics, though, our city is clearly number one. It is our only all-weather sport. If Chicago truly is the city that works—and I believe it is, relatively speaking—then we must acknowledge that it is only as good as its political system.

That system is not a perpetual motion machine. Invest your interest, perhaps even a part of your life in politics. It will pay ample dividends to us all.

TRIBUTE TO ROY AND FRED JASWELL

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate Roy and Fred Jaswell, of Jaswell Drill Corp. from Greenville, R.I., for being selected as the Rhode Island Small Business Persons of the Year by the Small Business Administration. As Rhode Island winners, the Jaswells have been invited to Washington, DC, for special ceremonies saluting the Nation's 20 million small businesses.

Jaswell Drill Corp. was founded in 1927 by Roy Jaswell, Sr. They began with drilling operations exclusively in Rhode Island. However, today they are accessing markets worldwide. Jaswell Drill's foreign sales amount to 65 percent of the company's business. These markets are primarily in Korea, however, they are beginning to expand into other areas such as Chile, Mexico, and the Soviet Union. Because of the companies global business philosophy, they aim to further expand in the global marketplace.

Jaswell Drill began and remains a family-oriented business. Roy and Fred Jaswell are shining examples of Rhode Island's small business persons. I wish them and Jaswell Drill the best of luck in all their future endeavors.

E. ROBERT GOODKIND: A DISTINGUISHED LEADER

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, tonight the American Jewish Committee will honor E. Robert Goodkind with their National Distinguished Leadership Award. There is no doubt that Bob Goodkind's leadership has made a significant contribution to more people than we will ever know. For 30 years, he has provided the Jewish community with truly thoughtful and dedicated service.

His leadership has been tireless. He has served the AJC as its national treasurer, Westchester County chapter president, chair of the Jewish Communal Affairs Commission, of the advisory board of the William Petschek National Jewish Family Center, of the Family Policy Task Force, and the South Africa Task Force. Currently, he serves as a member of the board of governors and board of trustees, of the administrative board on American Jewish-Israeli relations, and of the executive committee of the National Polish American-Jewish American Council.

In addition to his efforts for the AJC, Bob is the president of the Foundation for Christian Rescuers of the Anti-Defamation League of B'nai B'rith. He is a trustee of the Jewish Museum, chairman of the board of trustees of the American Academy of Dramatic Arts, a director of the International Center for Peace in the Middle East, and a trustee of MAZON, a Jewish Response to Hunger.

No description of Bob Goodkind would be complete without taking note of his commitment to the community in which he lives, and to making a difference at the local level. He served for a decade on the board of trustees of the YMHA-YWHA's of greater New York, and for 15 years on the board of Community Synagogue of Rye. In addition, he has been a cochairman of the Rye JUA-Federation Campaign twice, and has consistently been an active participant in Rye's Israel Bond effort.

In addition to his extensive community service, Bob Goodkind always finds time for his very special family. With his wife, Barbara, he has three wonderful children, Elisa, John, and Peter. He is devoted to them and their support has been instrumental to his unceasing ability to serve others in a multitude of ways.

His family and friends, the American Jewish Committee, and all of the other worthwhile organizations that benefit from the affectionate, generous, and distinguished service of Bob Goodkind are indeed fortunate. They, and all of us, are truly lucky to have this wonderful man, with all of his energy and talent, dedicating himself to making the world a better place. I'm sure that all of my colleagues join me in offering our warmest congratulations on this well deserved honor.

BONNET HOUSE: A STERLING EX- AMPLE OF THE HISTORIC PRES- ERVATION FUND IN ACTION

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SHAW. Mr. Speaker, I rise today in support of an increase in funding for the historic preservation fund [HPF], a program which benefits all Americans by preserving our Nation's cultural heritage. This issue is currently being debated by the House Interior Appropriations Subcommittee, and I urge the subcommittee to fully fund this worthy program.

In Florida, due to a concerned State government and the activism of many Floridians, the State has taken the lead in restoring and rehabilitating many of Florida's historic sites. An adequately funded HPF could make the dif-

ference in saving the structures which preserve America's history for future generations.

One such project, which was partially funded by the HPF, is Bonnet House, located in Fort Lauderdale, FL. Bonnet House is a plantation style house that was built in 1921, when cypress trees and mangroves were abundant in Fort Lauderdale. The house and the surrounding area have a long and varied history. Archeological finds indicate that native Americans roamed and camped there, probably because of a freshwater spring that feeds a lagoon nearby. Remains of European explorers from the 17th century have also been found, and the lagoon was also reportedly a watering hole for pirates.

Bonnet House, which is now a museum, is situated on 35 acres, complete with large gardens of orchids, wild monkeys, and parrots. Nestled among a subtropical forest with an ocean view, Bonnet House is a break from the busy metropolis that is now Fort Lauderdale. It offers the visitor a step back in time that Florida will sadly never see again. I have been to Bonnet House many times, and I never fail to leave the estate uplifted in spirit. I consider Bonnet House but one small example of the good work the HPF can accomplish when properly utilized.

Additionally, I would like to share with my colleagues some observations I made last year during a stay in England for a NATO conference. While there, I gained a new appreciation for historic preservation. Many hamlets and small towns had beautifully restored buildings, homes, and churches, many dating back several centuries. Entire towns were testaments to the values of proper historic preservation, with the benefits being increased tourism or an enhanced quality of life. Haphazard development, which is seemingly so common in America, was practically nonexistent, mainly because of strict zoning laws. I feel our Nation can learn something about this approach from the English, who zealously guard their nation's long and colorful history.

Mr. Speaker, President Bush included a \$35.8 million request in his budget for fiscal year 1992. I am glad the President recognizes the importance of historic preservation, but I urge this subcommittee to do even more, if the budget permits.

CHRISTOPHER GARRETT RECEIVES EAGLE SCOUT

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating a fine young man from San Mateo, FL.

Christopher Garrett recently joined an elite group of individuals when he earned the Eagle Scout, the highest and most prestigious honor in the Boy Scouts of America. Christopher is a member of Troop 223 in San Mateo.

Christopher joined the Scouts in September 1982. During the past 9 years, one thing stands clear: Christopher is a doer and a leader.

He has attended camps at Camp Shands and Daniel Boone in North Carolina. He also took trips down the Santa Fe and Suwannee Rivers.

Christopher was elected into the Order of Arrow in 1988, he has completed the mile swim, attained the 50-miler award, the Arrow of Flight Award, and the God and Country Award. Christopher is a sophomore at Palatka High School where he is active in the choral department.

A local business and community service organization have also been impressed with Christopher's leadership capabilities. In 1989, he received the American Legion School Award and the Georgia Pacific Certificate of Achievement for top scholars in Putnam County. He is also a member of San Mateo Presbyterian Church where he is the Sunday school treasurer.

For his Eagle Scout project, Christopher cleaned and painted the fellowship hall at his local church.

Mr. Speaker, as you can see, Christopher is well deserving of the rank of Eagle Scout. He's made a difference in his community, in his church, and at school. He is a fine young man.

I join Christopher's family and his friends in congratulating him on a job well done, and wish him the best of luck in all of his future endeavors.

SALUTE TO THE FREEDOM TREE ORGANIZATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GALLEGLY. Mr. Speaker, I rise today to honor a group of residents from my hometown of Simi Valley, CA, as they launch an ambitious salute to our Armed Forces.

The Freedom Tree Organization hopes to plant or dedicate 500,000 trees—10,000 in each State—as permanent markers dedicated to past, present, and future members of the Armed Forces. Each tree would have a plaque commemorating it as a freedom tree.

The group, led by Mary C. McCurdy, will formally begin its efforts on May 11 with the dedication of the first 50 trees at a park in Simi Valley, and hopes to soon expand to other areas. Among those areas is Kuwait, where group members hope to soon plant 50 trees.

Mr. Speaker, these volunteers have launched an ambitious plan, but one that with public and corporate support can become a reality—freedom trees standing proud, constant reminders of the men and women who have fought for freedom for more than 200 years.

I ask my colleagues to join me in saluting the Freedom Tree Organization as it begins its work, and in wishing its members success in reaching their goal.

SACRED HEART ALUMNAE ASSOCIATION OF CUBA ANNUAL SCHOLARSHIP LUNCHEON

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, on Saturday, November 23, 1991, the Sacred Heart Alumnae Association of Cuba will hold its annual luncheon at the Radisson Hotel in Miami, FL, to raise funds for its scholarship fund and other worthy causes.

The scholarship will be given to Carrollton School, the Miami School of the Sacred Heart, to give a deserving young girl a good start in life.

The Society of the Sacred Heart was founded in France by Madeleine Sophie Barat, RSCJ, on November 21, 1800. Since then, the school has been committed to the education of girls in the elementary and high school level. The absence of Christian education after the French Revolution was the force that stimulated the foundation of the Society of the Sacred Heart, so that the students could take part in the renewal of faith.

Mother Barat's aim for the society was the perfection of its members and the salvation of others through education in both boarding and day schools and schools for the poor. She focused on the value of the individual and individual training, worth of character, strength of principles, and an anchorage in faith. Mother Barat believed that these young women should be able to judge wisely of persons and things in questions of literature, art, taste, conduct, and manners.

Her mission was carried to the New World in 1817 by Philippine Duchesne, RSCJ, and South America by Mother du Rousier, RSCJ, both of whom have been canonized.

Strong ties exist between the girls of Sacred Heart and their mentors. An apparent family likeness develops, evident among all nationalities, with the variety of expression which is proper to each.

Recognition must go out to Mrs. Tensy Gimenez, president of the Delegacion de Antiguas Alumnas del Sagrado Corazon de Cuba, for keeping those important ties alive and well. The Sacred Heart Schools produce women which become valuable assets to the community.

CONGRESSMAN KILDEE PAYS TRIBUTE TO NURSES OF FLINT OSTEOPATHIC HOSPITAL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the dedicated nursing professionals of Flint Osteopathic Hospital in my hometown of Flint, MI.

The nurses of Flint Osteopathic Hospital never forget that the most important part of nursing is the patient. They are responsible for the patient's care from the initial assessment

to developing the care plan to planning the discharge. They are committed to treating the patient and the patient's family with compassion. Nurses strengthen communication between the patient and the physician. They treat every patient with dignity, oftentimes in the midst of overwhelming, heartbreaking crises. As a group, the nurses of Flint Osteopathic Hospital evaluate and care for every patient with ethical integrity.

These nurses never forget that they practice their profession within a larger community. They understand that nursing extends far beyond the bedside. They have accepted the awesome responsibility of providing care to the physically and emotionally traumatized with compassion and commitment. Their dedication has immeasurably enriched the Flint area.

Nurses are valuable and essential part of the health-care provider community. They meet the challenge of working in a sophisticated medical environment every day. In an atmosphere of fast changing ideas and procedures, nurses have consistently remained at the center of quality patient care.

Mr. Speaker, as we celebrate National Nurse Week, I would like to take this opportunity to thank these dedicated professionals for the work they do. Their commitment is an inspiration to everyone who serves the public and they deserve our gratitude.

TRIBUTE TO ALAYNA E.
PAQUETTE

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Alayna E. Paquette, of Portsmouth, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Portsmouth High School, in Portsmouth, RI.

This award is presented to the student chosen by Portsmouth High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Alayna Paquette has certainly filled this criteria. She is graduating with a grade point average of 3.8, which is especially impressive on account of her rigorous course load. She also was a member of the Spanish, Rhode Island, and National Honor Societies. She participated on the track team and was the team captain of the soccer team. In addition, Alayna has been director of the Rhode Island Students Protecting Our Environment.

I commend Alayna Paquette for her outstanding achievements and wish her all the best in her future endeavors.

UNITED COMMERCIAL TRAVELERS
OF AMERICA

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to the United Commercial Travelers of America for their outstanding charitable efforts that project their caring and giving heritage.

United Commercial Travelers of America has a laudable Ten Star Outreach Program, that includes being proud sponsors of local, grand, and International Special Olympics. In fact, UCT of America contributed a quarter of a million dollars to the 1987 International Special Olympics.

UCT is involved in scholarship programs, junior golf competitions, drug-free awareness programs, cancer projects, safety programs, and stresses the family as the most important resource in our society for happiness and peace.

I want to salute the Pennsylvania chapter of United Commercial Travelers of America, and I am very glad that they are able to host UCT's 88th Annual Grand Session in Williamsport, PA, from May 8 through 11.

The supreme counselor of UCT of America, Peter Sworin, should also be commended for making UCT's theme this year "Reach for a Star," in keeping with President Bush's Thousand Points of Light Program.

I ask my colleagues to join me in paying tribute to United Commercial Travelers of America for all their efforts in helping to make our world a better place to live.

TRIBUTE FOR THE REDEDICATION
OF THE SHIAWASSEE COUNTY
COURTHOUSE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CAMP. Mr. Speaker, I rise today in honor of the rededication of the Shiawassee County Courthouse in Corunna, MI. The people of the Shiawassee County community are to be commended for their time, effort, and perseverance in making this dream become a reality.

The courthouse, first dedicated on May 4, 1904, has been restored to its original condition at the time of its construction 87 years ago. However, the elements of time began to take their toll on this monumental structure and a few years ago, the Shiawassee County Courthouse Preservation Committee was formed. Its members, the Honorable Gerald Lostracco, George Hoddy, Kaye Seward, Barb Clatterbaugh, and Arnold Dunchock, have toiled many hours on this project. They are joined by many in the community who have contributed their time and money to make this project happen.

Mr. Speaker, it is with a great sense of pride that I am able to recognize all these men and women who have made this courthouse what

it is today. Long from now, this courthouse will stand as a symbol for future generations to look back to and share in the pride and commitment their ancestors displayed for their community.

GORHAM HIGH SCHOOL WINS NEW
HAMPSHIRE BICENTENNIAL COM-
PETITION

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SWETT. Mr. Speaker, I take great pride in announcing that Gorham High School, located in Gorham, NH, is the New Hampshire State winner of the We the People * * * National Bicentennial Competition on the Constitution and the Bill of Rights.

The national bicentennial competition is an outstanding education program developed by the Center for Civic Education, and cosponsored by the Commission on the Bicentennial of the U.S. Constitution. This advanced program provides high school students with a course of instruction on the development of our Constitution and the basic principles of a constitutional democracy. In both the instructional and the competitive segments of the program, students work together to strengthen their understanding of the American constitutional system.

I would like to commend Ray Neeland, who is responsible for implementing and supervising the national bicentennial competition in my district. Also deserving of recognition is the State coordinator, Carter Hart, Jr., who is responsible for the administration of the program at the State level.

I especially want to congratulate the teacher, Mike Brosnan, who did an outstanding job of working with these students to prepare them for this competition.

The names of the outstanding winning class from Gorham High School are:

Kristen Boucher, Jennifer Burill, Marcia Chamberlin, Patrick Cloutier, Emily Danforth, Sean Gilligan, Adam Henne, Nathan Lavertue, Jacqueline Metz, Daniel Paake, Kyle Parent, Christine Partenope, Christie Rainville, Angie Reichert, Lynda Renes, Brien Riff, Jennifer Terew, Catherine Toth, and Pamela Winturi.

This class from Gorham just completed a national competition held here in Washington, DC. They displayed a strong understanding of our Government and its foundation and performed admirably against difficult competition. As I spoke with these students on the Capitol steps on May 1, 1991, I found them to be extremely knowledgeable and impressive.

Mr. Speaker, the instructional materials developed by the Center for Civic Education which prepare students for the competition are being used throughout our Nation. While the competitive part of the program advances the winning teams at various levels, the benefits of this excellent educational project are extended to every student who participates. In this respect all the students are winners, because they gain valuable civic and intellectual skills enabling them to make informed and reasoned political decisions in today's society.

APPOINTMENT OF LARRY J. WILKER, CHIEF OPERATING OFFICER, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. OAKAR. Mr. Speaker, it is my distinct honor and privilege to announce to my colleagues the appointment of Mr. Larry J. Wilker as chief operating officer of the John F. Kennedy Center for the Performing Arts. Presently, Mr. Wilker serves as president and chief operating officer of Playhouse Square Foundation in my district, Cleveland, OH. He will assume his new position on July 1, 1991.

Even though the Cleveland arts and business community will be losing a valued and trusted friend, the Kennedy Center, our national cultural center, will be gaining an individual ready to create, nurture, and present the best in performing arts.

With an undergraduate degree in economics, a master's degree in acting and directing, and a Ph.D. with a major in theater and an emphasis on theater administration, Larry joined the Playhouse Square Foundation in 1982. In this capacity, he was responsible for the largest theater restoration project in the world. Mr. Wilker was instrumental in helping to raise \$40 million to finance this construction and renovation. Due in large part to Mr. Wilker's selfless determination to see this project succeed, the performing arts experienced a renaissance in the Cleveland community.

Managed by Larry Wilker, Playhouse Square Foundation owns and operates three theaters with a seating capacity of more than 7,000 seats and 750,000 annual patrons. The theaters host and/or produce more than 500 performances annually, covering music, opera, ballet, and theater. The foundation has had great success with its musical incubator program, which develops and produces new American musical theater works and the revival of lesser known works. In fact, two of them, "The Secret Garden" and "Song of Singapore" are currently in major production in New York. The annual operating budget for the theater is \$10 billion of which 87 percent is derived from box office, shops, parking, and concessions.

Additionally, Mr. Wilker has been responsible for implementing the vision for the Playhouse Square Foundation, which was developed by civic and business leaders in Cleveland. Mr. Speaker, it is obvious that Mr. Wilker is an outstanding professional in the performing arts field.

Larry Wilker spent the first years of his career at the University of Delaware in various capacities, including that of assistant professor. During his tenure there, he managed and directed a touring company for children and was also responsible for organizing and managing a statewide festival of theater, dance, and music.

From 1971 through 1977, he was executive director of the Grand Opera House in Wilmington, DE. He was instrumental in saving and

restoring this historic theater, which subsequently became the Delaware Center for the Performing Arts.

From 1977 to 1980, Mr. Wilker served as vice president of the Eugene O'Neill Memorial Theater Foundation, which supported a variety of performing arts institutions and projects throughout the United States.

Prior to joining the Playhouse Square Foundation, he spent 2 years with the Shubert Organization as director of properties, responsible for all facilities, which included 23 theaters and extensive commercial real estate holdings in six cities across the United States.

Mr. Speaker, let me conclude by saying we all wish Mr. Larry Wilker success, and the best of luck in his future endeavors at the John F. Kennedy Center for the Performing Arts.

TRIBUTE TO DAVID WILLIAM DAME

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate David William Dame, of Pawtucket RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Charles E. Shea Senior High School, in Pawtucket, RI.

This award is presented to the student chosen by Shea High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

David William Dame has certainly met these criteria. He has consistently performed well academically, including first place in the National Mathematics League in geometry. He has also participated all 4 years on the basketball team and the baseball team, which he captained his senior year. In addition, David has been an Evening Times Honor Carrier and participated in In-Site Rhode Island.

I commend David William Dame for his outstanding achievements and wish him all the best in his future endeavors.

A TRIBUTE TO THE KEY WOMEN OF MOUNT VERNON

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, the Key Women of Mount Vernon, part of a nationwide network of women concerned about children and senior citizens, are holding their annual scholarship and awards luncheon this Saturday. I would like to take this opportunity to congratulate this marvelous organization and the individuals who they are recognizing.

The Key Women provide a number of exemplary services that have been very important to the Mount Vernon community. Under the leadership of Blanche Woodley, their current president, they continue a long history of service. Every year, they give two \$1,000

scholarships to graduates of the Mount Vernon school system and send five local children to summer camp for 2 weeks. In addition, they provide Thanksgiving baskets for senior citizens and host a seniors Christmas party at the Doles Center in Mount Vernon. Last year, over 200 people attended that festive event.

At the awards luncheon on Saturday, the guest speaker will be a man who has seen close up the good work that the Key Women do. Andrew Jones is a product of the Mount Vernon public school system. Now he is its high school principal. He knows the importance of commitment to the community, the kind of commitment that both he and the Key Women bring to bear in making their city a better place to grow up in.

Another man who has done a great deal for Mount Vernon youth will be present on Saturday. Edward Williams is retired now, but for years he was a stalwart of the Mount Vernon school system, teaching its children both in the classroom and out. This weekend he will receive the Key Women's Humanitarian Award. Receiving the Community Service Award will be two members of the Key Women: Margaret Gant and Araminta Miller. Without their tireless efforts, none of the wonderful programs that the Key Women provide could happen. The city of Mount Vernon is indeed fortunate to count these women among its citizens.

Perhaps the most fortunate award recipients on Saturday are the two Mount Vernon High School graduates who are receiving the Key Women's annual scholarships. Cleveland Pearce and Nicole Grant have earned their scholarships through hard work and dedication, and deserve every bit of praise that can be given them. The same is true of Karen Baker, a Mount Vernon student who is receiving the Louise Richardson Award, given by the Key Women in memory of the mother of one of their members.

Mr. Speaker, community service is one of the highest values of our society. The Key Women of Mount Vernon, and all of the people that they are honoring, know that well. For that, they deserve our sincere and lasting appreciation.

PRESS SALUTED BY NEARBY FRATERNAL CONGRESS

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. BENTLEY. Mr. Speaker, on Saturday, May 18, 1991, at the Sheraton Inn in Hagerstown, MD, the Maryland-District of Columbia Fraternal Congress will be holding its 84th annual session.

The Maryland-District of Columbia Fraternal Congress is composed of over 30 fraternal societies which have a long and distinguished record of charitable and benevolent works. Over the years, more than one-third of the presidents of the Maryland-District of Columbia Fraternal Congress have been women so in one sense, the congress is inconsistent in using the term "fraternal"—but what's in a

name when it comes to helping others and avoiding sexual biases in selecting officers?

Throughout the years, the congress has sponsored programs designed to upgrade family living standards, prevent the spread of diseases, aid victims of disaster, help the indigent, and to assure good practices in regulating the insurance industry in Maryland and the District of Columbia.

This year, under the leadership of Paul Fenchak, a director of the congress and a life-long scholar of cultural groups in America, the congress is sponsoring an innovative program, "Salute to the Ethnic Press." As fraternal associations are among the leading publishers of ethnic newspapers, journals, and books, the congress is drawing upon two long-time ethnic publishers: The First Catholic Slovak Union of the United States and Canada and the Ukrainian National Association, Inc.

The Slovak Jednota (Union), a weekly newspaper in both Slovak and English, is celebrating 100 years of publication during 1991 while the Ukrainian language daily Svoboda (Liberty) has appeared for 94 years and is complemented by the Ukrainian Weekly in English.

Dr. Edward Tuleya, curator/archivist of the Slovak Museum and Archives in Middletown, PA, and emeritus professor of history at Millersville University of Pennsylvania will describe this fraternal's publishing endeavors while Ukrainian activities will be related by Eugene Iwanciw, supreme adviser and director of the Washington office of the Ukrainian National Association, Inc. Both fraternal will be recognized for their various publications and the congress plans to recognize two more ethnic presses next year.

Many of the 900-plus ethnic newspapers and journals in the United States are sponsored by fraternal groups and serve as a kind of nervous system of the world in writing and disseminating ethnic analyses. The ethnic press in often ahead of the general press in explaining world affairs.

In promoting expanded cultural, religious, and historical awareness among its members the congress concurrently helps to preserve values central to the development and strength of our Nation. Over the years, the following groups have been affiliated with the Maryland-District of Columbia Fraternal Congress: Aid Association for Lutherans, Artisans Order of Mutual Protection, Ben Hur Life Association, Catholic Family Life Insurance, Catholic Knights of St. George, Catholic Order of Foresters, Croatian Fraternal Union of America, CSA Fraternal Life, First Catholic Slovak Union of the United States and Canada, Greater Beneficial Union of Pittsburgh, Greek Catholic Union of the U.S.A. Hungarian Reformed Federation of America, Independent Order of Foresters, Knights of Columbus, Life Insurance Society of America, Loyal Christian Benefit Association, Lutheran Brotherhood, Modern Woodmen of America, Mutual Beneficial Association of Rail Transportation Employees, National Fraternal Society for the Deaf, North American Benefit Association, North American Union Life Assurance Society, Polish Beneficial Association, Polish Roman Catholic Union, Polish Women's Alliance of America, Royal Arcanum, Royal Neighbors of America, Sons of Norway, Travelers

Protestive Association of America, Ukrainian National Association, Inc. United Transportation Union Insurance Association, William Penn Association, Woodmen of the World, and the Workmen's Benefit Fund of the U.S.A.

Mr. Speaker, my fellow colleagues, I request that you join me in congratulating the Maryland-District of Columbia Fraternal Congress on the occasion of its 84th session, and in commending their loyalties and contributions to America and to their particular communities as they deliberate and plan for the future under the leadership of President William Harris of the Aid Association for Lutherans.

THE ELECTRIC POWER FAIR ACCESS ACT OF 1991

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MARKEY. Mr. Speaker, I am pleased today to introduce, along with Representatives MOORHEAD, BOUCHER, STUDDS, and DAN-NEMEYER, the Electric Power Fair Access Act of 1991. This important legislation will help promote competition in the \$170 billion-a-year electric power industry, providing enormous potential benefits for consumers nationwide.

In the past decade competition has grown tremendously in the generation of electricity, already providing lower rates for consumers. But, despite this heightened competition in the generation sector, in the electric industry monopolistic power is maintained through the control of transmission lines. Transmission is the highway—the rail line—the pipeline of electric flows and of competitive opportunities. But transmission lines have too often remained in monopoly hands, with utilities often using the lines in an anticompetitive manner.

The Electric Power Fair Access Act of 1991 will improve the competitiveness of our electric utility system by providing for more equitable access to transmission lines and transmission services by electric utilities, independent power producers, and others. As the Nation continues to reduce dependence on imported oil, renewable energy resources such as wind, solar, geothermal, biomass, and hydropower, which are available only at fixed sites, need to be encouraged through better access to markets. In order to economically exploit these resources, as well as other independently developed powerplants, their developers must have access to transmission facilities to move the power to utilities that most need additional sources of power.

The current situation has led many participants and observers in the electric industry to conclude that the transmission system needs reform. President Bush's national energy strategy states that "although competition is developing in electricity generation, electricity transmission remains a monopoly service." The NES also states that "greater access to transmission facilities also would increase competition in wholesale markets and ensure that the Nation's industries, shops, and residences have access to electricity at the lowest reasonable cost." Moreover, the "Annual Report of the Council of Economic Advisors," in the

1991 Economic Report of the President recommends that "steps should be taken to ensure that access to the high-voltage transmission networks in not controlled in a manner that restricts competition."

But, unfortunately, neither the Federal Energy Regulatory Commission [FERC] nor any other Federal agency has authority to require utilities to provide fair access to the companies' transmission systems. FERC has made some modest progress recently to encourage utilities to provide greater access to their transmission systems. But FERC can only do so when a utility comes to FERC asking for something else that requires Federal approval—such as a merger or permission for special market-based rates.

The Electric Power Fair Access Act of 1991 takes a two-tiered approach to clarify FERC's authority and codify the recent FERC decisions in this area. First, this bill will give FERC the authority to order transmission, on a case-by-case basis. Second, the bill will establish a new standard: If a utility chooses to sell power at market-based rates that are above its own regular rates, or, if a utility voluntarily enters into certain mergers or acquisitions, then that utility must provide transmission services to all qualified applicants, on a nondiscriminatory basis. In all cases, the owners of the transmission facilities will be fully compensated for the use of their lines.

In issuing transmission orders under this legislation, FERC must be certain not to impair system reliability or to economically disadvantage the transmitting utility's customers. Furthermore, the bill authorizes FERC to require the enlargement of transmission facilities, subject to environmental approvals, and encourages FERC, the Department of Energy, and the States to conduct interstate transmission planning.

It is important to note that this bill will allow for transmission for wholesale transactions only—it will not allow retail wheeling. Unlike wholesale transmission activities, the wheeling of electric power directly for retail customers can lead to undue uncertainty in the planning for generation facilities and in some cases to stranded utility investments.

It is also important to note what the bill is not. This bill is not an open access bill, that would require all utility companies to transmit power for all comers. Additionally, this bill does not call for the joint ownership of transmission lines, but only for greater contractual access to utility lines. Instead of major changes in the regulation of utility companies, this bill builds on recent FERC decisions and activities in the electric utility industry to promote evolutionary progress for the industry as a whole.

I would also like to point out that this bill amends only the Federal Power Act. As such it does not address issues associated with the administration's proposal to rewrite the Public Utility Holding Company Act [PUHCA]. During the consideration of any legislation to reform PUHCA, the issue of transmission access will be at the forefront, and transmission policy will be addressed again in that setting.

Consumers nationwide—from homeowner to the largest industrial firms—will benefit from the Electric Power Fair Access Act of 1991. I encourage other Members of the House to

joint us in cosponsoring this important legislation.

ELECTRIC POWER FAIR ACCESS ACT OF 1991
(Amendments to the Federal Power Act)

1. Short Title (Sec. 1) and Findings (Sec. 2).
2. FERC Authority to Order Interconnections or Transmission on a Case-by-Case Basis (Sec. 3-4).

Amends Sections 210 and 211 of the Federal Power Act to clarify FERC's authority with respect to interconnections and transmission services, establishing the following authority:

FERC can order transmission and provide for compensation, on a case-by-case basis, for wholesale transactions only, in cases meeting certain specified standards. In exercising this authority, FERC may order the filing of general transmission tariffs and/or may order the enlargement of transmission capacity.

3. Voluntary Provision of Transmission Access by Utilities (Sec. 5).

This section establishes the following standard:

IF a utility (or its affiliate) chooses to sell power on a non-cost-of-service basis, or, IF a utility enters certain mergers or acquisitions:

THEN that utility shall file a general tariff providing rates, terms and conditions for transmission services for wholesale transactions (meeting the standards described in #4 below).

Participating in this section is up to each utility company; this provision provides FERC no authority to mandate transmission access nor to require that this section is used.

4. Standards for Transmission Tariffs and Orders (Sec. 5).

Any general transmission order (#2) or transmission tariff (#3) shall meet the following standards:

- a. Transmission access only when it does not impair system reliability, does not impair adequate service to customers, and does not economically disadvantage ratepayers of the host utility.

- b. Transmission rates shall be based upon the cost of providing the transmission services.

- c. Retail wheeling may not be ordered under this bill.

5. Additional Provisions.

- a. Filing of an access to information about transmission capacity. (Sec 6).

- b. Encouragement of inter-state transmission planning. (Sec. 7).

H.R. 2224—ELECTRIC POWER FAIR ACCESS ACT OF 1991

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MOORHEAD. Mr. Speaker, I am pleased to cosponsor the Electric Power Fair Access Act. This bill clarifies and assures the Federal Energy Regulatory Commission's jurisdiction over transmission, an important step for Congress to take in ensuring that competition in the electricity industry advances efficiently and fairly.

Increased transmission access for wholesale electricity sellers and buyers will enhance competition in several ways. It will facilitate efficient use of existing power plants by providing larger markets for low-cost power suppli-

ers. It will also provide additional supply options for wholesale buyers. A vigorously competitive wholesale market will force utilities to compete more strenuously not only to retain their current wholesale customers but also to expand their sales to other wholesale buyers. Over time, regional wholesale power prices will be driven down by this competition.

Additionally, increased transmission access will encourage construction of the best combination of new generating units. Access will enhance competition in bidding solicitations for new generating capacity, because a utility seeking additional capacity will not be limited to prospective suppliers located in its service territory. Potential suppliers will be able to locate power plants at the overall best locations in a large region, rather than just the local utility's service area. More open transmission service will also enable independent power producers to sell to several utility buyers. By doing so, IPP's can build larger plants and take advantage of economies of scale, thereby lowering the cost per kilowatt of new capacity.

CONGRESSMAN KILDEE HONORS MS. AILENE BUTLER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today before my colleagues in the U.S. House of Representatives to pay tribute to an outstanding individual in my hometown of Flint, MI, Ms. Ailene Butler.

Ailene Butler was born in Americus, GA, and moved to Flint as a child. She is a graduate of Flint Northern High School, Sienna Heights College, and obtained a degree in mortuary science from Wayne State University. As Flint's first female funeral director, she was also the first female to own and operate her own funeral home. She has been awarded the Annual Business Award from the Flint Club of the National Association of Negro Business Professional Women as the outstanding Business Woman of the Year. She has also received the Women of Wayne Headliner Award and the Zeta Phi Beta Sorority Woman of the Year Award. She has received recognition from the Governor of the State of Michigan, the common council of the city of Detroit, the Michigan Department of Education, Mott Community College, the Internal Institute, the Genesee Area Skill Center as well as a special tribute from the Michigan House of Representatives.

Ailene Butler has been a pioneer for the African-American community in Flint, MI. She was the first, and only, African-American female elected to the Flint City Council. Elected to office in November 1973, Ailene was chairperson of the social programs committee. Through her tireless efforts on this committee she was able to obtain assistance for day care centers, the Opportunities Industrialization Center, and the Urban League On-The-Job Training Program among others. She was on the forefront of leading the effort to combat drugs and crime, long before the current efforts were undertaken. She was appointed to

the original Flint mayor's advisory committee which established the Flint Human Relations Commission. Ms. Butler helped establish and was elected first chairperson of the open occupancy committee whose work made Flint the first city in the United States to pass a fair housing law by popular vote. She was founder and first chairperson of the National Black Women's Political Leadership Caucus of the State of Michigan.

Ailene Butler was also the first African-American Girl Scout leader and helped to integrate the Flint Young Womens Christian Association Summer Camp. She was the first woman elected as vice president and board member of the Flint chapter of the National Association for the Advancement of Colored People and assisted in the creation of the NAACP Credit Union as well as serving as the first loan officer.

Ms. Butler was also affiliated with many public service-oriented organizations such as the Flint Branch of Child and Family Services of Michigan, Genesee County Funeral Director's Association as well as many, many other fine organizations. There is no question that Ailene Butler has been one of the most inspirational leaders of the Flint community. She has left an indelible imprint on the citizens of this community.

Mr. Speaker, it is indeed an honor and a pleasure to rise before my colleagues in this august house to pay tribute to a pioneer, Ailene Butler. Ailene Butler has served as an inspiration to me and to other elected officials in Michigan. She is truly unique and is deserving of all the tributes that may come her way. I pay tribute to her and wish her continued success.

A GREAT LEADER

HON. MARY ROSE OAKAR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. OAKAR. Mr. Speaker, it is my honor and pleasure to stand before the House today to honor a man who truly embodies service to the great State of Ohio: Speaker Vern Riffe. Since he was first elected to be the State Representative of Ohio's 89th House District in 1958, Mr. Riffe's career has been distinguished by achievements that have genuinely benefited all Ohioans. In January of this year, Mr. Riffe took office for his 17th consecutive 2-year term; a record in my home State of Ohio. Indeed, Mr. Riffe holds the record for serving as speaker of the Ohio House of Representatives longer than any other speaker in Ohio's history. I am proud to commend Speaker Riffe and to celebrate his ninth term as speaker this year.

Vern Riffe often cites his father, Vernal Riffe, Sr., as his role model in both politics and life. For more than 20 years, Vernal Riffe, Sr., served his community of New Boston, OH, as mayor. It was during these years that Vernal, Jr. learned the true value of serving and working with his fellow man. It is evident that this training in public life has helped make Speaker Riffe the distinguished man he is today.

In the Ohio House of Representatives, Vern Riffe has brought an untiring work ethic and sense of fairness to the speaker's chair. As chairman of the rules committee, he has demonstrated uncommon leadership in advancing key legislation which has helped literally millions of Ohioans. Speaker Riffe has a proven track record of operating closely with all State representatives and officials in Ohio, regardless of party affiliation. His extraordinary ability to work with his colleagues earned him a citation by Republican Gov. James Rhodes, in 1980, as "One of the leaders who gets things done in Ohio." As the leader of the Ohio State House's majority party, Speaker Riffe has toiled selflessly for all Democrats throughout the State. On the national level, he is presently serving as a member of the Democratic National Committee. Democrats in Ohio and across the Nation—myself included—look to Speaker Riffe for his expertise and guidance on the critical issues facing our State and country.

The number of accolades that have been deservedly accorded Speaker Riffe over his distinguished career are almost too numerous to mention. Fittingly, the groups who have chosen to honor him are as varied and diverse as Ohio itself. He has been named Legislator of the Year by the Disabled American Veterans, Ohio Sportsmen, State Press Corps, Ohio Association of Local School Superintendents, and Community Mental Health and Retardation Association, just to name a few. Other groups which have honored Speaker Riffe for his commitment to Ohio include the AFL-CIO, Veterans of Foreign Wars, Prosecuting Attorneys Association, Public Relations Society, National Conference of State Legislatures, Jewish National Fund, Ohio Farm Bureau, and literally scores of others. He has received honorary degrees from distinguished educational institutions in Ohio such as Ohio University, the Ohio State University, Rio Grande College, University of Akron, Kent State University, Miami University, Central State University, University of Cincinnati, and Shawnee State University. The list could truly go on and on.

At home, Vern Riffe and his loving wife Thelma have been married for 43 years. They are blessed with four outstanding children—Cathy, Verna Kay, Mary Beth, and Skip (Vernal III)—and seven grandchildren. A lifelong resident of Scioto County, Speaker Riffe is still active in his local community. In New Boston, OH, he acts as president of the Riffe and Bennett Insurance Agency. He is a member of the Portsmouth Area Chamber of Commerce, Kiwanis Club, American Legion, Veterans of Foreign Wars, Shriners, and other vital community organizations.

On May 16, 1991, ceremonies will be held in Columbus, OH, to dedicate a bust of Vern Riffe. Speaker Riffe is one of those rare people in public service who are true living legends. While the bust of Speaker Riffe will stand as a symbol of his accomplishments and his deserved place in Ohio's history, it is only prologue. For Speaker Riffe and all Ohioans, the future holds promises of even greater achievements.

I am pleased to be able to stand before this House and mark the occasion of this dedication. Speaker Riffe's judgment and experience

is unmatched in the Ohio House, and his presence continues to pay dividends for all citizens of Ohio. As we honor Vern Riffe's career and contributions to our great State of Ohio, I look forward to his continuing excellent public service to our great State and to the Nation.

TRIBUTE TO JENNIFER WALKER

HON. RONALD K. MACHTLEY

OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Jennifer Walker, of Pawtucket, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Bishop Keough Regional High School, in Pawtucket, RI.

This award is presented to the student, chosen by Bishop Keough High School, who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Jennifer Walker has more than fulfilled this criteria. She is a National Honor Student and a member of the Rhode Island Honor Society. She also participated 3 years on the tennis team and 4 years on the softball team. In addition, Jennifer is her school's yearbook editor and her classmates elected her junior class president.

I commend Jennifer Walker for her outstanding achievements and wish her all the best in her future endeavors.

THE EARTH OBSERVING SYSTEM AND ITS IMPORTANCE TO GLOBAL CHANGE RESEARCH PROGRAM

HON. JOHN J. RHODES III

OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. RHODES. Mr. Speaker, The complex issues of global change will not disappear overnight or even in the lifetime of the current generation of scientists. Among these are a diminishing supply of water of adequate quality, a greenhouse effect caused by increasing concentrations of atmospheric trace gases, reduction in the stratosphere's ozone concentration, and feedbacks in the biosphere that perhaps reduce its ability to help cleanse the atmosphere of trace gases.

Policy measures are required today, so that we may adapt to or mitigate environmental changes at extensive regional and global scales. These require improving our understanding of the dynamics of the Earth system. NASA's Earth observing system [EOS] will advance the Global Change Research Program through the study of global-scale problems and global environmental change in an integrated, interdisciplinary approach covering the atmosphere, oceans, snow and ice masses, terrestrial vegetation, smaller water bodies, and the solid Earth. EOS supports investigations of the Earth system with four distinct mission objectives:

Creation of an integrated scientific research program that will support the study of the Earth's climate system, hydrologic cycle, and biogeochemical cycles, requiring observations of the atmosphere, oceans, land surface, snow and ice masses, and solid Earth;

Acquisitions and assembly of a global data base of established quality and reliability, mainly from remote sensing measurements, over a 15-year period to support the research program;

Development of a comprehensive data and information system to serve the needs of scientists from a variety of disciplines studying planet Earth; and

Improvements of our predictive models of the Earth system that involve interaction of system components—such as air-sea coupling or biological effects on climate—a longer-term goal only attainable if the other objectives are successfully achieved.

The U.S. Global Change Research Program will not succeed unless there is a working and vital EOS at its core. The global measurements of the Earth that can only be provided by satellite observations are absolutely essential to understanding the Earth's environment and predicting its future course. Without the continuous, distributed measurements and the coordinated scientific interpretation of those measurements that EOS is designed to give, the U.S. commitment to global-change research, including components such as hydrology and biogeochemistry that are of particular importance to the arid western United States, will be sorely lacking.

Global-change research in the United States, Europe, and Japan addresses critical questions on the interconnected processes of the Earth systems, rather than simply focusing on the issue of whether or not global warming is occurring. For example, in the western United States where our water resources facilities have been designed based on historical, stationary climatic conditions. At this point, we lack a sufficient understanding of how the relevant hydrologic and biogeochemical processes work, severely limiting our ability to evaluate future modifications to our infrastructure and management practices. EOS will provide us information needed to do solid, physically based assessments that are global and regional as well as local in scale.

The Mission to Planet Earth, with EOS at its core, and other agencies' global-change research programs are not undertaken to satisfy our intellectual curiosities; rather, they are cohesive elements designed to enable informed, reasoned decisionmaking regarding the future of our global environment and our lives in it. We must make every effort to ensure that NASA's EOS Program remains a vital element of our Nation's global-change research.

Mr. Speaker, in summary, I urge Members of this body as well as those on the Commerce, Science, and Transportation Committee in the other body to carefully examine the importance of NASA's EOS Program in light of its role in our national global-change research. The result of such an evaluation will inevitably lead to a recognition of EOS's importance to the Global Change Research Program.

THE RETIREMENT OF CHESTER
CASE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MILLER of California. Mr. Speaker, at the conclusion of the 1991 academic year Los Medanos Community College in Antioch, CA, will say goodbye to its president, Chester "Chet" Harold Case after 6 years of strong leadership and dedication to the school and student body. I would like to take this time to share with you the remarkable accomplishments of Mr. Case during his 37-year career in education.

After receiving his general secondary credential from the University of California, Berkeley, in 1954, Mr. Case undertook his first position at Sacramento High School in Sacramento, CA, teaching history, government, and English. Realizing a desire to achieve excellence in teaching and to further his education and studies to higher degrees, Mr. Case obtained both his masters in history and doctorate in higher education from the University of California, Berkeley. Meanwhile, Mr. Case continued to teach history and social sciences, from 1956-62 at Los Lomas High School in Walnut Creek, CA, and 1963-69 at Chabot Community College in Hayward, CA, and devoted 4 years to director and supervisor positions in community college education at University of California, Berkeley, before joining the staff at Los Medanos College.

In 1973, Mr. Case began what would evolve into two decades of commitment and contribution to Los Medanos College. During his time with the college, and as its president, Mr. Case demonstrated innovative ideas for the student community. Mr. Case was always in the forefront of promoting a healthy and well-rounded environment by encouraging faculty and student involvement in campus and community affairs.

Mr. Speaker, on May 10, 1991, the faculty and students of Los Medanos College will join with Mr. Case's family and friends to pay tribute to the many achievements that dominate his career. Mr. Case will be missed by his staff and students as he is so much a part of the college. I know that they join me and my colleagues in the House of Representatives in wishing him well in his retirement.

AMERICAN HISPANIC LITERATURE
MONTH

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SERRANO. Mr. Speaker, I rise today to introduce a joint resolution to designate the month of May 1992 as "American Hispanic Literature Month" in celebration of the Hispanic writers of the United States.

Among the earliest explorers and settlers of the United States, Hispanics have greatly contributed to the literary heritage of this Nation, in folklore, travel memoirs, and epic poetry. In

addition, with an understanding of the recent 1990 census, we see that Hispanic-Americans in the United States, now numbering 25 million, are an increasingly powerful voice in our Nation. As this population continues to grow, fertile ground for a new generation of American literature is created. These authors add to the canon of American literature by merging Latin American themes—diverse in thought, culture, ideas and religion—with North American settings.

Mr. Speaker, during the past 25 years, the popularity of many Latin American writers, such as Gabriel Garcia Marquez, Mario Vargas Llosa, and Carlos Fuentes has been firmly established in the United States. Major publishers successfully offer the works of such authors to the general public. However, unlike their Latin American counterparts, Hispanic writers in the United States have not achieved such success outside their own communities.

For example, how many of us are aware that Oscar Hijuelos, a Cuban-American, won the 1990 Pulitzer Prize for fiction for his work "The Mambo Kings Play Songs of Love?" This truly is an accomplishment worthy of congressional recognition. Mr. Speaker, this resolution serves to recognize all the Hispanic authors of the United States who have so eloquently created a vision of the American way of life through words.

Having just celebrated National Library Week it is appropriate to emphasize the importance of the written word and the strength of its power on our society. The written word is powerful because of its evolution over time through a host of mediums such as the theater, literature, and even closer to home, the press. Literature is used not only to educate our youth but also to reach out to our neighbors to express thought and understanding and to speak out for our rights. The forefathers of this great democracy eloquently and forcefully affirmed, through the first amendment, the significance of not only that which is spoken, but that which is written as well.

Mr. Speaker, I think it important that this Congress encourage the broadening of all horizons of this great Nation and its multicultural citizens by recognizing and lauding the Hispanic writers of the United States and their everlasting contribution to our society.

A TRIBUTE TO DR. PHYLLIS A.
PENNEY

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to congratulate Dr. Phyllis A. Penney for being selected to receive a 1991 Cable in the Classroom Educator Award. Dr. Penney is a teacher at the Douglas Anderson School of the Arts in Jacksonville, FL.

Dr. Penney is receiving this award because of her efforts to bring life to yesterday's world by utilizing today's technology. In her classroom, Dr. Penney used an Arts & Entertainment Network presentation, "The Tribal Eye: Sweat of the Sun," to develop a history-social studies lesson using the arts.

With Dr. Penney's guidance, 32 students took the different art forms of dance, traditional folk music, and visual arts, and used them to develop an expressive dance piece based on the Aztec-Inca culture. The students designed costumes and stage props reflecting the motif of animal totems.

Using A&E's programming as a catalyst, the students expanded their knowledge of history, developed new choreography skills, and experienced a keener understanding and appreciation of the Aztec-Inca culture.

Dr. Penney's innovative teaching methods, and commitment to excellence deserve to be recognized by the U.S. Congress. She is the kind of teacher that every parent wants teaching their children.

IN HONOR OF ELIZABETH
ROSSELL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I would like to take this opportunity to honor an outstanding constituent of the Seventh Congressional District, Elizabeth Rossell of Flushing, MI, who will be recognized next week by the International Institute of Flint in my hometown.

On Tuesday, May 7, the institute will be conferring on Elizabeth Rossell the Golden Door Award. This coveted award honors a foreign-born citizen who has made a significant contribution to bettering the life for others through educational, cultural and community work designed to assimilate those of different racial and cultural backgrounds into the democratic life enjoyed by American-born citizens.

Mr. Speaker, I can think of no one who is more deserving of this award. Elizabeth Rossell has initiated a number of innovative programs in my community that have helped the International Institute to help others. She has volunteered untold hours, days, and years to the institute and has served in numerous official capacities with it, including president of the board of directors.

As a teacher, she also has been a strong, influential proponent of education as a continuing commitment not only for our youth but for adults.

Elizabeth Rossell was born in Italy. Today, she resides with her husband Ralph and children Lisa and Nicholas in Flushing. She has been and continues to be a tremendous inspiration to many, and a credit to the International Institute and its work.

Mr. Speaker, it is a pleasure to honor someone who has done so much to improve the quality of life for the residents of the 7th District. Elizabeth Rossell has upheld the highest tradition of civic service and I urge my colleagues in the U.S. House of Representatives to join me in congratulating her for her tireless devotion to the betterment of her community.

TRIBUTE TO SHANNON FECTEAU

HON. RONALD K. MACTLEY

OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 2, 1991

Mr. MACTLEY. Mr. Speaker, it is my distinct pleasure to rise today and congratulate Shannon Fecteau, of Seekonk, MA, this year's recipient of the Congressman Ronald K. Mactley Academic and Leadership Excellence Award for St. Mary Academy Bay View, in Riverside, RI.

This award is presented to the student chosen by St. Mary Academy Bay View who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Shannon Fecteau has more than fulfilled this criteria. Despite being afflicted with a serious illness, she has maintained high academic standing. In addition, Shannon has been a great asset to St. Mary Academy Bay View's tutoring program. She serves as an inspiration to many.

I commend Shannon Fecteau on her outstanding achievements and wish her all the best in her future endeavors.

ANTI-CROATION TERRORIST
ACTIVITIES MUST CEASE

HON. DICK SWETT

OF NEW HAMPSHIRE
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 2, 1991

Mr. SWETT. Mr. Speaker, the United States has always stood firmly in support of democracy; however, often times we have been caught "behind the eight ball" as events on the ground out pace the U.S. willingness to lend a helping hand.

In this instance, I fear that the fledgling democracies of Slovenia, Croatia, Bosnia-Herzegovina, and Macedonia will be subjugated by the insidious tactics of the Communist's determination to maintain their strong centrist government. Just this morning I received disturbing news that anti-Croatian terrorists groups have killed two Croatia policemen and engaged throughout Croatia in bombings of civilian buildings, machine gun fire upon civilian buildings, and heightened activities of like nature.

Mr. Speaker, the United States needs to strongly condemn such terrorist activities. We must be seen as promoting dialog and peace. It is not the United States role to unwittingly see its tri-partite policy of democracy, peace and unity in Yugoslavia being utilized by the Communists to support a strong centrist government at any cost.

If the United States does not act swiftly and with certainty, we can be assured that the events in Yugoslavia will deteriorate to a point where it may be unlikely that democracy can survive.

Mr. Speaker, I urge the Members of the House of Representatives to join me in strongly condemning these terrorist activities. I urge the Secretary of State and the President to

convey to appropriate officials throughout Yugoslavia our condemnation of these acts, and I urge the State Department to provide whatever assistance might be appropriate to apprehend and punish those responsible.

SALUTE TO GEORGE
MONTGOMERY

HON. ELTON GALLEGLY

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 2, 1991

Mr. GALLEGLY. Mr. Speaker, I rise to honor the latest inductee into the Walk of Western Stars in Newhall, CA.

On June 22, noted actor George Montgomery will be honored for his contributions to our western heritage. This genial leading man, former boxer, stuntman, and World War II veteran has had a long career in the entertainment industry, and has established himself as a maker of fine furniture and as a sculptor.

Beginning in 1939 with "The Cisco Kid and the Lady," he has starred in more than 70 movies, including "The Gentleman from West Point," "Belle Starr's Daughter," "Dakota Lil," "Davy Crockett—Indian Scout," "The toughest Gun in Tombstone," and "The Daredevil."

In addition, he started a successful fine furniture business and has become a well-known sculptor, with works including "The Golden Boot," created for the motion picture industry.

Mr. Speaker, the reality and the myth of the Old West helped shape our Nation, and that heritage is worth celebrating. I ask my colleagues to join me in saluting George Montgomery for his contributions to that heritage as he is inducted into the Walk of Western Stars.

URGING THE INTERIOR APPROPRIATIONS
SUBCOMMITTEE TO
CONTINUE TO PROTECT FLORIDA'S
COASTS

HON. E. CLAY SHAW, JR.

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 2, 1991

Mr. SHAW. Mr. Speaker, I would like to bring to my colleagues' attention an issue that the House Interior Appropriations Subcommittee will be considering, which is of particular importance to me and my constituents. The issue I refer to is oil and gas drilling off of Florida's coasts.

As many members may be aware, the entire Florida delegation is extremely concerned over the renewed possibility of offshore oil and gas drilling off of Florida's coasts. In the past, the Interior Appropriations Subcommittee has responded to the Florida delegation's requests and assisted us in this effort. Last year, President Bush wisely declared the area south of 26 degrees north latitude off limits until the year 2000 for oil and gas exploration. I commend the President for this decision and leadership in this area. However, it would be highly desirable for the Interior Appropriations Subcommittee to again include a 1-year moratorium on oil and gas leasing and drilling in that area.

Additionally, to further protect our coasts and marine environment, I believe that the Interior Appropriations Subcommittee should also impose a 1-year ban for Sale 137 and Sale 151 in the eastern Gulf of Mexico, and a ban on the issuance of drilling permits for any existing leases in that area.

Since Congress has banned oil drilling only in certain areas off of Florida's coasts, I also think it is time to substitute this piecemeal approach and consider instituting a 100-mile buffer zone around the State of Florida.

Although this issue has been extensively studied and documented, one need not be an expert in the field to support a ban on offshore drilling off of Florida's coasts. After seeing photographs of the oil spilled in the Persian Gulf deliberately by the madman Saddam Hussein, and imagining what an oil spill even a tenth the size of that one would do to south Florida's fragile ecosystem—an ecosystem irreplaceable and unique to our hemisphere—the only prudent and logical conclusion is a complete ban. What price does one put on the mangroves, the beds of seagrasses, or the only living coral reef in North America? Is destroying these environmental wonders worth paying the price for the estimated fifteen days of energy such oil and gas fields might yield? I say the price is too high.

Mr. Speaker, I was born and reared in south Florida. I have raised my family in south Florida. My family swims in the blue waters off of Florida's coasts and we enjoy hiking through the Everglades—the very places at risk from offshore drilling. I urge the Interior Appropriations Subcommittee to continue to protect Florida's coasts from the dangers of oil drilling.

A TRIBUTE TO THE
PROFESSIONAL PHOTOGRAPHERS

HON. ILEANA ROS-LEHTINEN

OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 2, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, when photography was discovered in 1835, it opened new horizons in the human mind. Photography created a new profession and has become a necessity for society and modern science. To honor this tremendous discovery, the Florida Professional Photographers and the Professional Photographer's Guild of Florida has designated August 19 as "Professional Photographer's Day" in the State of Florida.

Within time, photography became an art form but many felt that it did not receive the proper recognition as the established arts did. Many felt that photography received little, if any artistic quality, but always shone in the greatest moments, capturing important times in history.

Many historical events, for example, are vivid in our minds because of photographs taken at these critical times. The image of the members of the Armed Forces raising the U.S. flag at Iwo Jima will always be remembered as capturing the essence of battle and the wave of patriotism during World War II. The little Vietnamese girl hysterically running after an attack of napalm is a photograph that is

forever etched in our minds as a reminder of the brutality of war. The shot of the solitary young man standing in front of the huge tanks in Tiananmen Square reminds us of the strength of the human quest for freedom. Without photography, these stirring memories may fade from our consciousness.

Realizing that photography records today's events for the future, the Florida Professional Photographers and the Professional Photographer's Guild of Florida began working on the idea to have a national day proclaimed to honor those who have dedicated their lives to the photographic profession. It was August 19, 1835, in France, that Louis Dagerre presented his new discovery.

With the cooperation of the Hialeah City Government, Mayor Julio Martinez, and support from other Florida cities, August 19 has been declared "Professional Photographer's Day" in the State of Florida. The city of Hialeah has approved the construction of Professional Photographer's Park to be located in there. The park will be dedicated with the unveiling of a 20-foot statue honoring the professional photographer by sculptor Rafael Consuegra.

I congratulate Nestor Pino, Alex Gort, Jesus Cabrera, Adria Cabreara, and all the citizens involved in taking the time to create this worthy cause. I wish them much success as to seeing Professional Photographer's Day become a reality.

THE EARTH OBSERVING SYSTEM AND ITS IMPORTANCE TO GLOBAL CHANGE RESEARCH PROGRAM

HON. JOHN J. RHODES III

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. RHODES. Mr. Speaker, the complex issues of global change will not disappear overnight or even in the lifetime of the current generation of scientists. Policy measures are required today, so that we may adapt to or mitigate environment changes at extensive regional and global scales.

NASA's Earth Observing System [EOS] will advance the Global Change Research Program through the study of global scale problems and global environmental change in an integrated, interdisciplinary approach covering the atmosphere, oceans, and solid earth.

The U.S. Global Change Research Program will not succeed unless there is a working and vital EOS at its core. The global measurements of the Earth that can only be provided by satellite observations are important to understanding the Earth's environment and predicting its future courses.

Mr. Speaker, I am particularly proud of the contributions the State of Arizona is making to this effort. The University of Arizona in Tucson now has the biggest concentration of non-NASA scientists involved in EOS anywhere in the United States. The level of expertise there represents real depth of research involvement in the Office of Space Science and Application's [OSSA] programs.

In summary, Mr. Speaker, it is regrettable that the cuts this Committee had to make in its authorization resulted in a \$75 million cut from the EOS program. Several other important programs requested by the President were subject to severe budget pressures and unfortunately also cut. I urge Members of this body to carefully examine the long-term importance of NASA's EOS program in light of its role in our national global change research. The result of such an evaluation will inevitably lead to a recognition of EOS's continuing importance to global change research.

AUDUBON PRESIDENT PRAISES UDALL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MILLER of California. Mr. Speaker, on May 1, 1991, the president of the National Audubon Society, Peter Berle, wrote a fitting tribute to the work of MO UDALL.

He pointed out that under MO's leadership, the Interior Committee became an engine for a series of environmental accomplishments. He said:

We at Audubon will always be grateful for MO's openness, for his deep concern for the environment, and for his intense love for our land.

I would like to insert Mr. Berle's remarks in the RECORD at this point:

MO UDALL—LAWMAKER FOR THE ENVIRONMENT

(Remarks of Peter Berle)

It can be said, of MO Udall's 30-year career in the U.S. Congress, that he not only preserved many of America's most treasured natural resources, but that, through his efforts, the United States is a more beautiful and healthful nation.

MO has set a new standard for national environmental leadership, and he has done so with grace, a compassionate heart, and a wry humor. All his political efforts have been characterized by a commitment to fair play, which led him to look always for the possibility of accommodating the legitimate needs of adversaries, and thus to bring them into the fold. Yet, when the chips were down, this fairness has also been MO's greatest source of strength. The historic victories he has won—to save Alaska's wildlands, to force coal stripminers to reclaim the land they exploit, to block the give-away policies of Interior Secretary James Watt, to preserve wilderness and parklands in virtually every state in the Union—did not come easily. These battles required courage, risk-taking, and fortitude. But he took them on, and he prevailed.

Under MO's leadership, the House Committee on Interior and Insular Affairs has been the engine of many of the modern Congress's most significant environmental accomplishments. Over the years, of course, MO has had invaluable help from other leaders on the Committee, including Phil Burton, John Seiberling, and George Miller, who will succeed MO as Chairman. Without the team effort that MO led, the enactment of complex and far reaching laws such as the Surface Mining Act of 1977, the Federal Coal Leasing Amendments, the Alaska National Interest Lands

Act, and a multitude of Park and Wilderness Acts would never have happened.

We at Audubon will always be grateful for MO's openness, for his deep concern for the environment, and for his intense love for our land. We are dedicated to the achievement of what is perhaps the single piece of unfinished conservation work most dear to him—the protection of the coastal plain of the Arctic National Wildlife Refuge as wilderness. We celebrate his achievements, and will miss his leadership. We wish him well.

SID McLESTER NAMED HISTORIAN OF THE YEAR

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to congratulate a fellow member of my home community for being named the 1991 Historian of the Year by the Volusia County Historical Commission.

Thousands of people in Volusia County have seen Sid's work—his specialty is slide shows—but not many people know the master behind the art.

Sid is a full-time power company professional and family business owner, so he rarely has time to meet with the people who enjoy his work. That's why I'm so honored to be able to list his accomplishments for the RECORD.

Without Sid, efforts to record history in DeLand and surrounding areas would be severely hampered. He has taken all of us back in time by copying thousands of old photographs of pioneer life in Volusia County for use in books and slide shows.

In the Daytona Beach News-Journal, West Volusia Historical Society president, Bill Dreggors, said, "I can't think of anybody more deserving of this honor than Sid. Without what he did for us, there would be no books, period. There would be no slide programs. None of it would exist except for Sid."

Sid first arrived in DeLand in 1963. For more than 10 years, he and Mr. Dreggors have worked together once or twice a week, to find old photos for two local hardback books, "Volusia: The West Side," and "A Pictorial History of West Volusia County, 1870-1940."

Finding and copying old photographs isn't all that Sid has done, however. He helped restore the DeLand House, a turn of the century building that houses the historical society. He crafted the building's screen doors, frames for its cut glass, and the plaque that recognizes project supporters.

Mr. Speaker, Sid McLester is a poignant reminder that in towns and neighborhoods throughout America, people are working together to make their communities better places to live, work, and raise families.

Like Sid's family and friends, I am both thankful and proud of his work for DeLand. And I'm honored to be able to recognize him here today in front of my colleagues.

LOU BREVETTI: HARD WORK AND CHARACTER IN AMERICA'S SERVICE

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, I would like to pay tribute today to a man who has lived the American dream. Lou Brevetti is a tribute to the fact that all one needs to succeed in this country is strength of character and a willingness to work hard. He has both of these in abundance.

Lou came to this country with his parents at the age of 6. He learned from them that hard work would pay off in this country, and he learned that lesson well. Shining shoes, pressing clothes, and waiting tables, he put himself through college and then law school. His indefatigable efforts have helped to build an immensely successful law firm—Scolari, Brevetti, Goldsmith & Weiss.

It would have been understandable if, after working so hard to establish himself, he had chosen to live a life of ease. But that is not in Lou Brevetti's nature. He knows that the country that had allowed him to move ahead deserves and needs his service. He has carried out that mission with a passion.

A colonel in the New York State Guard, former counsel to the State legislature, and a delegate to the State Constitutional Convention of 1967, Lou Brevetti has helped our State to fulfill its motto: "Ever higher." All who live in New York State have benefited from Lou's wisdom and commitment. We have been able to rely on Lou's sage advice, steady counsel, and engaging wit to see us through even the most difficult times.

Those of us who know him well are confident Lou's energy and commitment will never fail us. His vision offers immense hope for all of us, and he will always be a role model for young Americans striving for a better future.

INTRODUCTION OF LEGISLATION TO FACILITATE UNDERCOVER STING OPERATIONS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEKAS. Mr. Speaker, I am today introducing legislation at the request of the Department of Justice that will facilitate law enforcement in undercover sting operations involving traffickers and receivers of stolen and counterfeited property.

Currently, several Federal statutes exist that punish persons who traffic in or receive stolen and counterfeited goods, but the law enforcement in these crimes is complicated by the fact that such statutes require proof that the defendant knew that the property was stolen or counterfeited. As a result, law enforcement officers cannot merely represent to a suspected fence—a dealer in stolen goods—that an item is stolen—it must actually have been stolen. Some cases have even been lost be-

cause items that were, in fact, stolen were subsequently recovered by authorities prior to arranging a controlled delivery to the fence, which some courts have ruled erases the stolen status of the goods.

In the Antidrug Abuse Act of 1988, Congress faced a similar problem with respect to money-laundering investigations by creating an offense of engaging in a financial transaction with money represented as having been the proceeds of unlawful activity, even though it may not have been. This bill builds upon that approach.

Clearly, an individual who willingly receives property that is represented as stolen is equally as culpable as one who receives property that, in fact, has been stolen and many States have already recognized this fact. This legislation should help law enforcement where society sorely needs help and that is taking the profit out of crime.

TRIBUTE TO JILL A. CROZIER

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Jill A. Crozier, of Cumberland, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Cumberland High School, in Cumberland, RI.

This award is presented to the student chosen by Cumberland High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Jill A. Crozier has certainly fulfilled this criteria. She is an honor student and is a member of the Rhode Island Honor Society. She also participated on the basketball and track teams. In addition, Jill has worked on behalf of SADD and was a volunteer library worker.

I commend Jill A. Crozier for her outstanding achievements and wish her all the best in her future endeavors.

TRIBUTE TO HART HIGH SCHOOL ACADEMIC TEAM

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GALLEGLY. Mr. Speaker, I am proud to rise today to inform my colleagues of the academic accomplishments of an outstanding group of high school students from my district.

The academic team from Wm. S. Hart High School in Newhall, CA, has finished 10th in the Nation in competition against similar teams from around the country, and will participate next weekend as 1 of just 16 teams in the Stars 2000 High School Academic Competition in Lexington, KY.

Besides advancing to the "sweet 16," the academic team also will represent California in the prestigious National Tournament of Academic Excellence in Florida on June 16 to 21.

Mr. Speaker, every day, the media bombard us with horror stories about the state of education in this Nation. Sadly, many of these stories are true. But I firmly believe that we need to recognize the vast majority of our students who work hard at their studies and don't get into trouble. Clearly, our school systems are turning out many high-quality students, and these fine youngsters from Wm. S. Hart High are among the best anywhere.

These students meet every day at 7 a.m. and again at lunch to study and prepare for academic competitions. They compete in the academic decathlon, computer quiz bowls, live quiz bowls, speech contests, and essay contests. And that hard work and commitment has paid off.

I ask my colleagues to join me in congratulating these fine scholars for their accomplishments, and in wishing them well in the Stars 2000 Competition and in the national tournament next month.

CIVIL RIGHTS

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SERRANO. Mr. Speaker, it appears from recent news stories that the Republican administration is afraid of a compromise on the civil rights bill. Historic talks between civil rights leaders and the Business Roundtable, a group of CEO's of large corporations, are seen as a threat by the White House.

The big business community and the civil rights community have been fiercely opposed on issues critical to enactment of civil rights legislation. These two communities are seeking to come together to reach an agreement, and the administration does not want them to. What kind of sense does this make?

To those of us who truly want to see the longtime goal of equal employment opportunity for minorities and women become a reality, it doesn't make sense. To those of us who dream of a day when we won't be divided by racial hatred and discrimination, it doesn't make sense. To those of us who believe that business issues and minority issues do not have to be diametrically opposed, it doesn't make sense.

But to a Republican administration that seeks to convert racial hatred into votes, to accuse Democrats of being antibusiness and proquotas it apparently makes perfect sense.

When the President vetoed the civil rights bill last year, it was presumably to protect big business. Well, if the business community is seeking a compromise on civil rights, on whose behalf does the White House object to the talks? Whose interests are they serving, other than the Republican Party? Did the Founding Fathers of this great Nation, the inventors of the best system of government in the world, envision the White House as a huge campaign headquarters?

The talks between the Business Roundtable and the civil rights community are an illustration of the American political process at work. Compromise is at the heart of that process. It is my understanding that the main issue under

negotiation is whether there should be a cap on damages that could be awarded to plaintiffs in discrimination suits. I am sure there is strong feeling on both sides, and I see nothing inappropriate in the two groups discussing their viewpoints and working through their arguments.

Does the White House have a better way to come up with an acceptable solution to the acknowledged problem of race- and gender-based discrimination in the workplace? These two groups of concerned citizens are fulfilling their civil and social responsibility by seeking compromise on important issues affecting them. These talks should be encouraged.

Yet the Bush White House would rather prevent these people from reaching an agreement. I guess the Republican administration's solution to the problems of employment discrimination and racial tension is to encourage bitter divisions between people, and block negotiation and compromise. It seems our President would rather have a bill to veto than a bill to sign.

INTRODUCTION OF H.R. 2218, THE
HIGHER EDUCATION SAVINGS
PLAN ACT OF 1991

HON. GUY VANDER JAGT

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. VANDER JAGT. Mr. Speaker, I am today introducing H.R. 2218, the Higher Education Savings Plan Act of 1991. I am pleased that my friend and colleague on the Committee on Ways and Means, Congressman ANDREW JACOBS, is joining me in introducing this important legislation. This legislation is intended to make a modest step in the direction of assisting parents to save for the staggering costs of their children's higher education expenses.

The compelling need for this legislation is now more apparent than ever. The cost of sending a child to a private university for 4 years now averages more than \$50,000, while the cost of a 4-year public university education averages \$18,000. By the year 2007, the Department of Education estimates the total cost to attend a private university will increase to \$200,000 and to \$60,000 for a public university. These statistics spotlight a major financial problem facing parents.

Accumulating the funds necessary to cover these costs will be very difficult with after tax dollars for most, if not all, middle-income parents. With the stress on higher education by the Federal Government and the need for accumulating the funds to cover the escalating cost, middle-income taxpayers should receive some tax assistance to enable them to meet the future costs.

Under H.R. 2218, assistance would be made available by providing that when a taxpayer purchases a pre-designated annuity for the child to cover qualified higher education costs, the withdrawal of funds from the annuity to pay such education costs would be exempt from the 10-percent penalty for premature distributions from annuity contracts under Internal Revenue Code section 72(q). Safeguards

would be provided by requiring that the annuity be designated for education costs at time of purchase. Qualified higher education costs are defined to include only undergraduate expenses incurred at institutions of higher education. Finally, under the terms of the legislation, the annuity premium payments to cover the education costs would not count against the gift tax annual exclusion.

Other code sections provide direct benefit to taxpayers financing the costs of higher education. Section 135 allows income from U.S. savings bonds to be excluded from income under certain circumstances if the income is used to pay educational costs. Section 2503 generally allows an unlimited gift tax annual exclusion for gifts which pay higher education tuition costs. H.R. 2218 would provide a mechanism to directly address the needs of middle-income taxpayers facing higher education costs of their children which will be financially overwhelming.

Since the proposal would only apply to pre-designated annuities issued under enactment, it would not have a material effect on current Federal revenues. I strongly encourage my colleagues to cosponsor this important legislation along with Mr. JACOBS and me and to work for its prompt enactment.

PAUL BECKWITH RECEIVES EAGLE
SCOUT

HON. CRAIG T. JAMES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JAMES. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating a fine young man from Palatka, FL.

Stephen Paul Beckwith recently joined an elite group of individuals when Troop 62 of Palatka selected him to be their 101st Eagle Scout, the highest and most prestigious honor in the Boy Scouts of America.

Paul joined the Scouts in 1986 and has been a leader ever since. He has attended summer camp at Rainey Mountain in north Georgia and Daniel Boone in South Carolina. He attended the national Jamboree in 1989 and went diving in the Florida Keys with the troop in 1990.

He has served as patrol leader, quartermaster and currently serves as an instructor in Troop 62. He is also a brotherhood member of Echowottee Lodge of the Order of the Arrow.

Outside Troop 62, Paul is just as determined to touch others. He is also very busy. Paul is active in his church where he is a member of the youth choir and serves as secretary of the Young Mens Association.

At Palatka High School, Paul is a three-sport athlete. He played on the offensive and defensive lines for the freshman football team, is a wrestler and is also a member of the school weight-lifting team.

For his Eagle Scout project, Paul led an effort to clear and prepare an overgrown vacant lot in order for it to be used for parking by the members of his church, First Baptist of Palatka.

Mr. Speaker, as you can see, Paul is well-deserving of the rank of Eagle Scout. He is a

leader among his fellow Scouts, is active in the local community and is a fine student. This is one young man who is committed to making a difference during his lifetime.

I join his family and friends in saying that I am proud of his accomplishments and wish him the best of luck in the future.

POET AUTUMN ADAIR'S TRIBUTE
TO THE TROOPS

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CAMP. Mr. Speaker, the daughter of one of my constituents was so touched by the spirit of dedication and commitment to freedom expressed by our troops during the Persian Gulf war, that she was moved to describe those feelings quite eloquently in a poem called "Reasons." The poet, Autumn Adair of Fowlerville, MI, felt so strongly about the conflict that she took pen in hand to describe her feelings, which were shared by many Americans. This is a tribute to all the brave men and women who served the world so bravely, and it is appropriate that this poem be part of the CONGRESSIONAL RECORD as a testimony to those noble men and women who served our Nation and the cause of liberty, with a debt of gratitude to the poet.

REASONS

The boys are on the beach again,

Some ask, "Why are they there?"
They watch the silver birds fly by,
With gold and raven hair.

And on this Beach there is no sea.

No cool, refreshing bath,
The Fire still flies overhead;
There's no well-traveled path.

They dream of Home across the sea,
And people that they Love;
They dream of peaceful sleep at night,
And the cooing of a dove.

We know you as our sons and friends,
We know you as our brother;
We know, on you we can depend—
You're our knights in shining armor.

Alas, your courage and your smiles;
Sweet boys, we love you so,
And we'll try to send a little Light
To help you as you go.

They're there because the world has asked;
They're there for glory's hue;
They're there to set things right again;
They're there for me and you.

INTRODUCTION OF THE UNDER-
WATER HAZARDOUS LIQUID
PIPELINE SAFETY ACT OF 1991

HON. BERNARD J. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DWYER of New Jersey. Mr. Speaker, today I am introducing legislation entitled the Underwater Hazardous Liquid Pipeline Safety Act of 1991 and I would like to invite my colleagues to become cosponsors of this bill.

On January 1, 1990, an estimated 567,000 gallons of oil spilled into a waterway bordering

the Sixth Congressional District in New Jersey, closing one of the world's busiest shipping lanes to traffic for several days and threatening one of the most unique wildlife habitats on the east coast.

It is widely believed that this spill could have been limited to a fraction of the amount spilled had a pipeline monitoring and control system functioned properly. Its leak-detection system, however, had been emitting false and erratic signals for approximately 12 years prior to the accident. As a result, the leak—one of the worst ever in the New York-New Jersey area—continued unnoticed for 6 hours.

In recent months, accidents involving hazardous liquid pipelines have occurred in Tacoma, WA, and Grand Rapids, MN, discharging 210,000 gallons and 650,000 gallons of oil respectively.

The Underwater Hazardous Liquid Pipeline Safety Act of 1991 focuses on three areas: information, prevention, and enforcement. In brief, this legislation would require the Secretary of Transportation:

First, to issue regulations requiring the operator of a hazardous liquid pipeline facility to submit annual reports containing detailed information about the pipeline facility under his control;

Second, to collect information regarding an operator's inspection and enforcement history, to identify chronic violators of pipeline safety regulations, and to use such information to set priorities for inspection, monitoring and rule-making;

Third, to establish and maintain a data base, accessible by computer telecommunications, containing the information outlined above;

Fourth, to report to the Congress on the department's actions to ensure that its enforcement policies and procedures are consistent throughout the Hazardous Liquid Pipeline Safety Program; and

Fifth, to issue regulations requiring the use of remotely controlled emergency flow restricting devices and to study the effectiveness of automatic emergency flow restricting devices.

Mr. Speaker, below please find the complete text of the bill.

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 "Underwater Hazardous Liquid Pipeline Safety Act of 1991".

SEC. 2. UNDERWATER PIPELINE FACILITIES.

(a) AMENDMENT.—The Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. App. 2001 et seq.) is amended by adding at the end the following new section:

"SEC. 220. UNDERWATER PIPELINE FACILITIES.

"(a) REPORTING REQUIREMENTS.—

"(1) NOTIFICATION.—Not later than 1 year after the date of enactment of this section, the Secretary shall issue regulations requiring that, in the case of operators of underwater pipeline facilities, information provided under section 203(i) after the expiration of 6 months after the effective date of such regulations shall include—

"(A) the location, size of diameter, and length of each such underwater pipeline facility;

"(B) the date of installation, type, and manufacturer of each such underwater pipeline facility;

"(C) the date on which significant repairs were made to each such underwater pipeline facility, and any date on which each such underwater pipeline facility was replaced;

"(D) the nature of the repair or replacement, or both;

"(E) an assessment by the operator of the susceptibility of each such underwater pipeline facility to corrosion and outside force damage;

"(F) an assessment by the operator whether each such underwater pipeline facility may be inspected with internal inspection devices; and

"(G) such other information as the Secretary may require.

"(2) REVISION OF INFORMATION IN A TIMELY MANNER.—The regulations issued under paragraph (1) shall require each operator of underwater pipeline facilities to report to the Secretary any changes in the information submitted under paragraph (1) in each subsequent calendar year. In the event that there are no changes in the information submitted in the previous calendar year, the Secretary shall require written notification of that fact.

"(3) REPORTS TO CONGRESS.—The Secretary shall issue annual reports to Congress summarizing the information obtained under paragraphs (1) and (2), and under section 3(b)(1) of the Underwater Hazardous Liquid Pipeline Safety Act of 1991, not later than 1 year after the date on which such information is required to be submitted under those provisions. The Secretary shall make copies of such reports available for public inspection and purchase.

"(b) MANAGEMENT OF DATA.—The Secretary shall establish and maintain in a computer data base a hazardous liquid pipeline facility inventory incorporating, at a minimum, the data submitted to the Secretary under subsection (a) and the data collected under section 3(b)(1) of the Underwater Hazardous Liquid Pipeline Safety Act of 1991. The Secretary shall make this data accessible by computer telecommunication and any other appropriate means to any person at a fair and reasonable cost. Such data and services shall be provided without charge to States and municipalities.

"(c) REPORTS.—

"(1) Not later than 1 year after the date of enactment of this section, the Secretary, in consultation with other appropriate officials, shall submit to the Congress a report describing the steps taken by the Secretary to implement subsection (b).

"(2) Not later than 1 year after the date on which the computer telecommunication system required under subsection (b) is first put into operation, the Secretary, in consultation with other appropriate officials, shall submit to the Congress a report—

"(A) describing the extent to which the information collected under such system has been used by the Department of Transportation, the Environmental Protection Agency, other Federal agencies, the States, and the public;

"(B) describing the purposes for which such information has been used; and

"(C) identifying and evaluating the options for modifying the requirements of (a) and (b) of this section, and of section 3(b)(1) of the Hazardous Liquid Pipeline Safety Enhancement Act of 1991, for the purpose of making information collected under such provisions more useful.

"(d) ADDITIONAL REQUIREMENTS FOR UNDERWATER PIPELINE FACILITIES.—

"(1) INSPECTION AND TESTING BY INSTRUMENTED INTERNAL INSPECTION DEVICES.—(A) Not later than 1 year after the date of enactment of this section, the Secretary shall issue regulations requiring all underwater pipeline facilities which can accommodate the passage, without significant alterations, of instrumented internal inspection devices (commonly referred to as 'smart pigs') to be inspected with such devices.

"(B) Inspections required under subparagraph (A) shall be conducted on at least an annual basis, unless the Secretary determines that less frequent inspections do not diminish the value of such inspections in preventing releases.

"(2) EMERGENCY FLOW RESTRICTING DEVICES.—(A) Not later than 18 months after the date of enactment of this section, the Secretary shall issue regulations requiring the use of remotely controlled emergency flow restricting devices on all underwater pipeline facilities. The regulations shall address the spacing of such devices, taking into account generally accepted industry standards and the need to minimize pollution or other damages from releases in environmentally sensitive areas and significant commercial water routes. The regulations shall also require the annual inspection of such devices and the review of any operational procedures and training guidelines associated with the use of such devices.

"(B)(i) Not later than 6 months after the date of enactment of this section, the Secretary, in consultation and cooperation with the Administrator of the Environmental Protection Agency, shall study the benefits of automatic emergency flow restricting devices on underwater pipeline facilities in preventing releases into environmentally sensitive areas or significant commercial water routes. The Secretary may examine the costs associated with such devices.

"(ii) Upon completion of such study, the Secretary shall issue to the Congress a report that summarizes the results of the study and makes recommendations that the Secretary considers appropriate.

"(e) DEFINITIONS.—For the purposes of this section—

"(1) the term 'environmentally sensitive area' means an area, designated by the Secretary in accordance with guidelines that the Secretary shall establish by regulation (in consultation and cooperation with the Administrator of the Environmental Protection Agency and the Administrator of the National Oceanic and Atmospheric Administration), in which a release could reasonably be expected to result in significant damage to a habitat essential for the breeding, spawning, nesting, migration, wintering, or survival of migratory and resident fish, wildlife, and wild plants; including migratory birds, endangered species, commercially and recreationally important finfish, shellfish, and other aquatic organisms, and other species and communities of wildlife and wild plants;

"(2) the term 'release' means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing of a hazardous liquid from a pipeline facility, whether intentional or not;

"(3) the term 'significant commercial water route' means any port, harbor, or other body of navigable water significant to the producing, storing, handling, transferring, processing, or transporting of products, goods, or other commercial or trading activities; and

"(4) the term 'underwater pipeline facility' means any pipeline facility which—

"(A) is composed of pipe of an interior diameter greater than or equal to 8 inches; or
 "(B) the Secretary determines has the capability (as measured by the potential of the pipeline facility in the event of the failure of release prevention devices and procedures) to release more than 20,000 gallons of a hazardous liquid in a 1 hour period of time,
 and which is under water or adjacent to a body of water."

"(b) TABLE OF CONTENTS.—The table of contents of the Hazardous Liquid Pipeline Safety Act of 1979 is amended by adding at the end the following new item:

"Sec. 220. Underwater pipeline facilities."

SEC. 3. ENFORCEMENT.

(a) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall submit to the Congress a report describing Department of Transportation actions to ensure that its enforcement policies and procedures pertaining to the hazardous liquid pipeline safety program are consistent throughout the program. This report shall include, at a minimum—

(1) the extent to which the Department has implemented procedures to coordinate the enforcement activities of its hazardous liquid pipeline safety field inspection staff with headquarters enforcement and legal staff;

(2) the extent to which the Department has implemented written guidelines regarding procedures for the adequate documentation of cases;

(3) the extent to which the Department has implemented written guidelines delineating the type and severity of sanctions that should be applied to violators of pipeline safety regulations; and

(4) the extent to which the guidelines pertaining to sanctions incorporate an operator's enforcement history, including the extent to which such guidelines require the levying of more severe sanctions on chronic violators of hazardous liquid pipeline safety regulations.

(b) USE OF DATA TO STRENGTHEN ENFORCEMENT ACTIVITIES.—

(1) INFORMATION COLLECTION.—The Secretary of Transportation shall collect information regarding each hazardous liquid pipeline facility operator's inspection and enforcement history in order to—

(A) determine whether there is evidence of chronic violations of hazardous liquid pipeline safety regulations by such operator; and

(B) set priorities for inspection, increased monitoring, rulemaking, and, in the event that widespread deficiencies are discovered in the hazardous liquid pipeline safety program, remedial efforts to correct those deficiencies.

(2) AVAILABILITY OF INFORMATION.—Information pertaining to operators possessing a record of chronic violations of hazardous liquid pipeline safety regulations shall be made available to other government agencies and officials on the Federal, State, and local levels, and shall be made available to the public upon written request.

SEC. 4. GRANTS-IN-AID.

Section 17(d)(1) of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. App. 1684(d)(1)) is amended—

(1) by striking "5 percent" and inserting in lieu thereof "20 percent"; and

(2) by striking "1985" and inserting in lieu thereof "1991".

THE VANGUARD OF FREEDOM

HON. TERRY L. BRUCE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BRUCE. Mr. Speaker, I rise today to share one of my constituent's thoughts on democracy. John Frederick Schomberg from Urbana, IL, wrote a winning essay for the Veterans of Foreign Wars of the United States and its Ladies Auxiliary's Voice of Democracy contest.

The recent war in the Middle East has reminded all Americans of their precious right to a democratic society. John's essay reinforces the thought that democracy is a treasure we must work to keep. I ask that his essay be included in the RECORD.

DEMOCRACY—THE VANGUARD OF FREEDOM

(By John Schomberg Illinois winner)

My father and I walked among the pale white tombstones that stood at attention in their respective rows. The markers looked cold to the touch and seemed to stretch on forever along the freshly mown lawn. At the time, I only came up to my father's hip and had to crane my neck in an effort to make eye contact. "Why did they all die, Dad?" My father took a deep breath, searching for simple words to answer this complicated question. He began by using words like liberty, freedom, and democracy. After he had finished his reply, he looked down at my blank stare and was forced to look for an answer that would hit closer to home.

Stroking his beard, he continued. "They died so your grandfather could farm his own land. They died so when you grow older you'll have a part in choosing the next President. They died so you and I can say what we believe in without any punishment." "Why is that so important? We've always been able to do those things." "I know, son, but they died to guarantee that you always will." As a child, I didn't quite understand how I could be better off than anyone else in the world. I was only allowed to have one dessert, had restricted television privileges, and had to be in bed by 8 o'clock. I thought I had it pretty rough.

I still think as that child I remember the images from history books and television: the East Berliner hurling herself through a barbed wire fence in the midst of gunfire; the television cameras zooming in on the latest defector from the Eastern Bloc; and the student protesters in Beijing running from the gunfire of their own armies. In these three cases, people chanced imprisonment, separation from their families, and the loss of their lives so they might enjoy the freedoms that I'd taken for granted all my life.

In attempting to gain an appreciation for the value of freedom, I looked at not only the history and governments of other countries, but also the past of our own United States. In the American Revolution, in addition to desiring separation and freedom from Great Britain, we wanted a government "by the people, for the people." We created a democracy.

Democracy is a freedom and a right outlined in the Constitution and first acted upon through the drafting of the Bill of Rights. The Bill of Rights created freedom of speech, religion, and due process: rights that are still a vital part of American society today.

So how is democracy a vanguard of freedom? Flipping through my dad's old and

well-worn Random House Dictionary, I read the second definition of vanguard: the forefront of any movement or activity. Translating this into my own words, I found vanguard to mean a leader by example.

The United States has been a leader by example in its establishment and preservation of freedoms. In the past few years, the United States' example has played a big part in bringing down the Berlin Wall. Democracies around the world have provided an example for the Eastern Bloc countries to emulate as they begin to realize what Winston Churchill said years ago, "Democracy is the worst form of government, except all the others that have been tried." As other countries realize the benefits of giving power to the people, those images from history of the East Berliner, the defector, and the Beijing students can become images of the past instead of problems of the present.

It's incredible that a single example of democracy can bring change to the rest of the world, but it has. Democracy helped change the lives of our forefathers and it's helping change the lives of the oppressed around the world, but what does it do for us today? In a word: everything. Let's not fail to realize that every action we take is in some way a product of our freedoms that have been created by democracy, whether it be going to the church of our choice, voting for the county clerk, or expressing what we believe through a VFW essay.

Franklin Delano Roosevelt once said, "Those who have long enjoyed such privileges as we enjoy forget in time that men have died to win them." I guess that's what my Dad meant in the cemetery. I never realized that someone could stop my grandfather from farming, I'd always taken it for granted that I would get to vote when I got older, and it seemed absurd that I could ever be persecuted for what I believe in. Our forefathers remembered those privileges . . . the oppressed pray for them . . . soldiers fight for them. Thinking back to those long rows of pale white tombstones, I now see a different face and story behind each one of them. If those soldiers could die for those privileges, at least we could learn to appreciate them.

MARTIN LEVITIN AND B'NAI
B'RITH SERVING OUR YOUTH

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. LOWEY of New York. Mr. Speaker, one of the most important tasks facing any society is bringing up its young people with the values and skills that will enable them to take up the reins of leadership. This is a task that has been embraced in Westchester County by the Tom Paine-New Rochelle Unit of B'nai B'rith and by Martin A. Levitin, the recipient of the Unit's Person-of-the-Year Youth Services Award.

Through its youth organization, B'nai B'rith provides young people of the Jewish faith with an opportunity to seek learning and fellowship in an environment that helps them to better appreciate and understand the importance of their Jewish heritage. This is truly a worthwhile goal, and the Tom Paine-New Rochelle Unit of B'nai B'rith, in conjunction with Beth El Syna-

gogue Center, does an admirable job of fulfilling it.

Marty Levitin's contributions to Beth El and the B'nai B'rith are myriad. He has held every vice president's post and chairmanship involved with the Tom Paine Unit, and was its co-president for two terms. His B'nai B'rith service extends beyond New Rochelle as well. He is active on the Westchester-Putnam Council and serves on the Board of Governors of the district which covers all of New York State and New England. In addition, Marty serves on Beth El Synagogue's Board of Trustees and is active in support of the important work of the Anti-Defamation League and the Westchester Israel Bonds Campaign.

But the contributions of this outstanding individual are not limited to community leadership. He is also a successful attorney and dedicated family man. Marty is a partner in the Manhattan law firm of Bryan, Levitin, Franzino & Rosenberg. His wife, Elaine, is a teacher of learning disabled children, who in that capacity has made a remarkable difference in their lives. Together they have raised four children: Two lawyers, a doctor, and a chiropractor. Marty and Elaine are now enjoying their first grandchild.

B'nai B'rith will present Martin Levitin with its Youth Service Award this weekend. I am certain that my colleagues agree with me that he is a most deserving recipient. He serves the youth of his community not only by helping to provide them with the excellent programs B'nai B'rith organizes, but also by being an outstanding role model.

THE 50TH ANNIVERSARY OF THE PENNSYLVANIA CIVIL SERVICE

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEKAS. Mr. Speaker, I rise today to pay tribute to the Pennsylvania Civil Service Commission on its 50th anniversary.

The commission was established in 1941 by the Civil Service Act of Pennsylvania, which created a merit system, whereby persons are appointed or promoted to positions on the basis of merit and fitness. The merit system has contributed to the efficiency and economy of government administration in the Commonwealth of Pennsylvania by being responsive to the needs of the Commonwealth and its residents.

The merit system has resulted in the Commonwealth's ability to attract qualified and competent people to State and local government, and has developed guidelines for the selection, development, advancement, and retention of career employees in accordance with established merit principles.

Currently, there are 60,000 civil servants in the merit system working in 36 State agencies, and another 7,000 in local government working in one of 298 local government agencies.

Mr. Speaker, I ask that all my colleagues join me in honoring 50 years of proof that the merit system works. To all the fine men and women who have worked hard and been part

of the Pennsylvania State Civil Service Commission and the merit system, I say congratulations and good luck in the next 50 years.

TRIBUTE TO STACIA MEDINA

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Stacia Medina, of Warren, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Warren Senior High School in Warren, RI.

This award is presented to the student chosen by Warren High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Stacia Medina has more than fulfilled this criteria. She is graduating first in her class with a grade point average of 96.43. She also participated all 4 years on the soccer, basketball, and softball teams. She was named team captain on both the soccer and softball teams. In addition Stacia's classmates elected her the homecoming queen.

I commend Stacia Medina for her outstanding achievements and wish her all the best in her future endeavors.

CONGRESSMAN KILDEE HONORS MR. C. FREDERICK ROBINSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to Mr. C. Frederick Robinson, a man who will be honored at a banquet on May 9, 1991, for his devotion and dedication to the cause of equal justice for all in my hometown of Flint, MI.

Mr. C. Frederick Robinson has been a practicing attorney in my hometown of Flint since 1956. He is a member of the Christ Fellowship Baptist Church, the National and Michigan Bar Associations, Omen Temple No. 72, the American Civil Liberties Union and is a life member of the National Association for the Advancement of Colored People. Membership in these outstanding organizations clearly indicates that Mr. Robinson is a man whose life embodies a commitment to civil rights, liberty, and the rule of law.

As a leader of the civil rights movement in Flint, C. Frederick Robinson brought a greater measure of justice to our community. Because of his hard work, Flint became the very first city in the Nation to enact an open housing ordinance by referendum. He helped spearhead the election of the first African-American to the Flint Board of Education; assisted in the election of the first African-American municipal judge in Flint; advocated for the hiring of minorities in the banking industry and skilled trades; and drafted the ordinance which created the city of Flint's outstanding Human Re-

lations Commission. Finally, Mr. Robinson initiated a lawsuit to end the illegal practice of barring African-Americans from burial in the all-white Flint cemeteries.

One of my most vivid memories in the fight for civil rights in Flint was the effort to integrate housing in our community. C. Frederick Robinson was a leader in that cause and I can recall the times when Mr. Robinson and I volunteered to do some "bigot sitting" at the home of Jerry Beatty, an African-American who moved into an all-white neighborhood near Flint. Much has changed for the better because of Mr. Robinson. Much more needs to be done. Justice has a friend in Fred Robinson.

Mr. Speaker, Flint is a better community because of C. Frederick Robinson. We are the beneficiaries of his power to envision, his decision to challenge, his goal to change. Fred Robinson is a model citizen for all to emulate and I urge my colleagues in the U.S. House of Representatives to join me in honoring him for all he has done to promote justice and liberty.

BUDGET TALK MAKES SENSE

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. REED. Mr. Speaker, our colleague, BARNEY FRANK of Massachusetts, was honored this week by the Pawtucket, RI Evening Times. The Evening Times commended FRANK for his plan to cut excessive defense spending. I'm sure many of our colleagues here in the House read Mr. FRANK's op-ed in yesterday's New York Times in which he explained his reasoning, a piece titled "So Call it a Victory Dividend."

Mr. FRANK, a member of the House Budget Committee, has been working for years to bring these ideas to the attention of the Congress and the people.

His op-ed in the New York Times lays out a strong argument for reducing defense spending by one-third in order to make the investment in people and capital that our country so critically needs.

He makes the point that the commonly used term "peace dividend" should be replaced by "victory dividend," to make it clear that we can shift this funding because we can win without it. We shouldn't have to wait until the world has no more "bad guys" before we reconsider our spending priorities.

Our national economy is in trouble. We can't afford to continue spending billions of dollars on high tech toys when children are hungry and uneducated. To quote Mr. FRANK, "the choice of reducing our deficit, inoculating our children against disease, and repairing our bridges and roads versus spending large sums to subsidize Japan and Europe should be an easy one."

I urge all of my colleagues to read these pieces, which follow here, and take Mr. FRANK's advice to heart:

[From the Pawtucket, RI Evening Times,
Apr. 30, 1991]

REPRESENTATIVE FRANK'S BUDGET TALK
MAKES SENSE

Schools across the country are either closing or struggling to offer students the basics. State governments are periodically suspending all but essential services. Thousands of people are filing for unemployment benefits. Others are wondering if they will ever receive those or other benefits. The state of the Union stinks, and so does the fact that more politicians are not on the same wave length as U.S. Rep. Barney Frank when it comes to the federal budget.

During a recent taping of the Attleboro-based Inland Cable's "Inside Look," the Massachusetts Democrat said the country could take billions of dollars from the Defense Department, invest it in domestic problems and "still remain the strongest nation in the world by far."

According to Frank, the United States demonstrated its military dominance during the Persian Gulf War, and such dominance can be maintained with conventional weapons. We agree with the representatives and wish the powers that be would eliminate appropriations for costly weapons and defense systems. Two examples cited by Frank are the Stealth bomber, which played no role in the war against Iraq, and the Strategic Defense Initiative (SDI).

We are not calling for an end to defense spending. That would be foolish. But we do argue that appropriating billions of dollars on items such as the Stealth and Star Wars is foolish when states and municipalities are struggling to deliver decent services. It is no secret improvements are needed in our education system, and the recently released FBI statistics on crime demonstrate the country must attack the myriad of problems that lead people to break the law.

Granted, cutbacks are being made on defense spending, but even more money could be slashed to help reduce the federal deficit and fund research to find cures for the country's ailing economy. And if defense spending is to be cut, more than lip service has to be paid to the idea of retooling industries dependent on Defense Department contracts.

And of course, there are those pork-barrel appropriations and infamous research projects into pressing issues we all stay awake at night and wonder about. We are sure more than a few hours of sleep have been lost because people want to know the negative environmental effects of cows passing gas.

The boys and girls in Washington have to realize the Cold War is over, and that the time has passed for them to stop wasteful government spending. If they don't, the country will remain on the brink of self-destruction.

[From the New York Times, May 1, 1991]
SO CALL IT A "VICTORY DIVIDEND"

(By Barney Frank)

WASHINGTON.—What's in a name?

Sometimes, hundreds of billions of dollars. In 1989, with the Russian empire crumbling, some of us in Washington argued that the time had come to begin a shift of America's resources from the worldwide military competition, which we are winning decisively, to the global civilian area where we are lagging. It make no sense, we said, to spend two to six times as much of our gross national product on the military as do our wealthy allies while they outsell America. It

is poor policy, we argued, to spend more than \$100 billion a year defending Western Europe from the defunct Warsaw Pact while our deficit expands and our infrastructure decays.

Our mistake was calling this a "peace dividend." The phrase suggested that its advocates were naive about the world, apologetic about America's role in it, or both.

Consequently, when repression persisted in Russia, and America went to war in the gulf, the peace dividend was pronounced dead. Had the case for it depended on Mikhail Gorbachev becoming head of Amnesty International and Saddam Hussein being as reasonable as the Bush Administration thought he was before Aug. 2, it would deserve its demise.

But it didn't. And doesn't. Given the drastic weakening of the Communist military, the great increase in industrial strength of our allies and America's proven military superiority over any likely adversary, a military budget that is less than two-thirds of our current expenditure would more than suffice to keep us the strongest power in the world.

What taxpayers are entitled to after 45 years of carrying a grossly disproportionate share of the non-Communist world's military burden is a "victory dividend." It is a dividend, because it is more than \$100 billion a year that we can use for health care, deficit reduction, education or any other purpose. It is a victory dividend because it has been made possible by our success in the cold war and the increased self-defense capacity of our allies.

It is not a call to disarm. We should retain the ability to deter nuclear war, to deploy air, sea and land power rapidly around the globe when our vital interests are at stake, and to reassure weak nations threatened by belligerent neighbors. The consensus to keep such a force is overwhelming in Congress and the country.

In fact, the weapons used by the U.S. in the gulf were not the controversial ones of the 80's. The MX and Midgetman missiles, the B-1 and B-2 bombers, anti-satellite weapons, and Strategic Defense Initiative were irrelevant to victory in Iraq and will be to future conflicts of this sort. (The effort to claim the Patriot for the S.D.I. program is one of the great acts of intellectual piracy of our time.)

We demonstrably do not need a huge land force in Europe and a \$5 billion a year subsidy for Japan in the form of American forces stationed there. Nor do we need to add tens of billions of dollars to a nuclear deterrent already more than sufficient to its task.

The victory dividend can also be used for foreign policy objectives not achievable through military strength. If we took a small part of the money we spend on NATO and applied it to debt reduction in Latin America, we would be better off morally and from the standpoint of national security.

There will be debate over how much of our victory dividend should be used to reduce the deficit, how much should go to meet social needs, and how much should be spent to avoid war. But properly understood—as a recognition of West's great success, rather than as a declaration that the world is now safe for pacifism—the case for a phased-in reduction of military spending should not be controversial.

In fact, the choice of reducing our deficit, inoculating our children against disease, and repairing our bridges and roads versus sending large sums to subsidize Japan and Europe should be an easy one.

MIKE WALSH: A NEW VOICE FOR
AAR

HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MANTON. Mr. Speaker, I would like to call to the attention of my colleagues an article which appeared in the Washington Post recently on Union Pacific Railroad chairman Michael A. Walsh. In addition to his chores as head of the Union Pacific Railroad, Mike Walsh currently performs double duty as chairman of the American Association of Railroads. I am a member of the Energy and Commerce Subcommittee on Transportation and Hazardous Materials, which has jurisdiction over our Nation's railroads. In that capacity, I have been fortunate to get to know and work with Mike on a number of occasions. Mike clearly has proven to be an aggressive spokesman for the interests of his industry. Furthermore Mike, who has not spent much time previously on Capitol Hill, has shown himself to be a quick study and a good student of the legislative process in Washington.

Mr. Speaker Mike's management style and his political skill has caught the attention of many of us on Capitol Hill. The Washington Post's recent story is simply confirmation that Mike Walsh is a force to be reckoned with whenever matters involving the railroad industry are considered. Even Mike's adversaries will agree that he is indeed a worthy opponent. As long as Mike Walsh is at the helm as head of the American Association of Railroads no one will say this is a staid or passive industry.

Mr. Speaker, I commend this article to my colleagues and I ask that it be reprinted in the RECORD at this point:

[From the Washington Post, April 26, 1991]
RAIL INDUSTRY'S NEW SPOKESMAN SEEKS TO BE AN ENGINE OF CHANGE—A KEY FIGURE IN STRIKE, WALSH IS VIEWED WITH ADMIRATION AND WARINESS

(By Don Phillips)

When trains were halted nationwide by a strike last week, the key player from the railroad industry was a newcomer to Washington. But Union Pacific Railroad Chairman Michael H. Walsh appears to be a name and a face that congressional and administration circles will get to know.

By most accounts, Walsh is an unlikely railroad man. He is a Democrat hired by a Republican, heading a company known for being the first transcontinental railroad, a company with Washington connections when it was run by the late ambassador W. Averell Harriman and his father E.H. Harriman.

Walsh, a graduate of Stanford University and Yale Law School, was recruited by Drew Lewis, chairman of the railroad's parent, the Union Pacific Corp., and a transportation secretary in the Reagan administration.

Walsh acknowledges he hardly knew a thing about the business when Lewis approached him in 1986, just six years after his first venture into the business world at the Cummins Engine Co. But this year he was named "Railroader of the Year" by Modern Railroads Magazine, based on five years of continuous revenue growth and a dedication to quality that has shown up in reduced costs from derailments and employee claims.

Walsh has shaken his railroad to its foundations, challenging old ways on a railroad that was already highly successful.

Now Walsh, with Lewis's backing, has essentially seized control of the Association of American Railroads (AAR). With the AAR goes the industry's political and public policy apparatus, which Walsh considered moribund and unfocused.

"I was appalled when I first went on the AAR board because nothing happened," Walsh said. The chairmen or presidents of the major railroads, who comprise the AAR board, often showed up for meetings ill-prepared, he said, defending their narrow interests and failing to articulate a national railroad political and public strategy.

"We were basically pretty reactive," he said. "The result frequently was the lowest common denominator."

The AAR has a large staff of lobbyists, economists, researchers and technicians in Washington and at the railroad research center in Pueblo, Colo.

Walsh said his Washington odyssey began when his frustrations came blurring out at an AAR board meeting in Montreal last July 27, where he said he called himself "down-right irresponsible" for not doing more and said the board "ought to fish or cut bait."

"I think that struck a real responsive chord," Walsh said. There was already trouble in the industry, with a possible strike on the horizon. Dissatisfaction ran so deep with labor strategy that one of the big seven lines, Burlington Northern, later publicly threatened to withdraw from national negotiations and cut its own deal with the unions.

The Montreal meeting led to a dinner of top brass at Washington's Metropolitan Club on Oct. 2 and a get-together at Norfolk Southern Railway's North Carolina resort, the Forest, on Dec. 3, where a new strategy unfolded to remake the AAR and to set new labor strategy.

The board members, many of them old-line railroads, decided to put the rookie in charge. They appointed Walsh chairman of the AAR, pushing long-time chairman William Dempsey into a new No. 2 spot, and made Walsh spokesman for the industry.

Where to go from here is the question. "My view of the AAR and the industry's future is that we've played defensive too long, but that needn't be so," he said.

Walsh, 49, a daily jogger and a football player in college, exudes energy. He is a former White House fellow, a former assistant dean at Stanford University, a former U.S. attorney for the southern district of California, an original board member of the citizen lobby Common Cause, and former executive vice president at Cummins Engine.

He is not without his critics, who dislike his hard-charging ways, although none would speak on the record.

"He's the sort of person who if he got in your car and the radio was on, he'd turn it off, or if it was off, he'd turn it on," said one railroad official. "He's got to immediately assert himself as the one in control."

A railroad union leader called Walsh and Lewis a dangerous pair for organized labor. "Drew Lewis has too much influence with the White House," he said. "Mike Walsh is an extension of that."

Another union official, who said Walsh "has demonstrated a tremendous amount of ability," said he believed that Lewis is the real power and Walsh just a front man.

Walsh, however, has many defenders and supporters, some of whom would like to push him for political office or a Cabinet post.

"He should be a player on the national stage," said Sen. Timothy E. Wirth (D-Colo.), who said they met when Walsh was at Stanford and Wirth held a similar post at Harvard. "We've just been pals ever since."

"He's one of the three or four most extraordinary and energetic leaders I've met in my lifetime," said Rep. Peter Hoagland (D-Neb.), who said he has known Walsh since 1962. "He clearly has the instincts of a mainline Democrat. He views government as something that should actively improve people's lives."

"I must say, he's a grower," said John Gardner, founder of Common Cause and an early Walsh mentor. "He continues to grow, and I think quite remarkably in this last job."

But Gardner said Walsh "never struck me as a politician. He's a guy who has a sense of what goal he's going after, and he goes after it with a lot of energy, a lot of drive, a lot of purposefulness, not always with the patience and the detour behavior of the politician."

His work on Capitol Hill during the railroad strike won a good review from Rep. Al Swift (D-Wash.), chairman of the subcommittee that wrote the strike-ending legislation. "He's a pro at that kind of thing," Swift said.

However, one of Walsh's chief Washington opponents, Thomas J. Donohue of the American Trucking Associations Inc., said while his presence and the more active role of other railroad officials may be good for the AAR in the short run, "in the long run, it may be more difficult.

"It's very hard to be a CEO in an association of competitors . . . particularly when your experience and training is in the management of public, for-profit companies. I think Mike will find it very interesting."

UNIFORMED SERVICES FORMER SPOUSES PROTECTION ACT FAIRNESS AMENDMENTS

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DORNAN of California. Mr. Speaker, today I introduced the Uniformed Services Former Spouses Protection Act Fairness Amendments which will correct several of the inequities of the 1982 Uniformed Services Former Spouse Protection Act, Public Law 97-252.

This legislation is similar to legislation I introduced in the last Congress: H.R. 572, H.R. 2277, and H.R. 2300. After the April 4, 1990 hearings held by the HASC Subcommittee on Personnel and Compensation, I took the opportunity to re-examine all the relevant issues. The result is the improved legislation that I introduced today.

Mr. Speaker, I have prepared a section-by-section analysis of my legislation which I would like to share with my colleagues. I urge that all Members read this important legislation and support my efforts to restore equality and fairness to our military retirees, their former spouses, and their second families.

UNIFORMED SERVICES FORMER SPOUSES PROTECTION ACT FAIRNESS AMENDMENTS OF 1991

SECTION 1

Purpose: Identifies the legislation as the "Uniformed Services Former Spouses Protection Act Fairness Amendments of 1991."

SECTION 2

Purpose: (1) Terminates payments of retired pay upon remarriage of former spouses. (2) Current payments to remarried former spouses would end 180 days from enactment. (3) Defines "remarriage."

Problem: Since its enactment in 1982, the Uniformed Services Former Spouses Protection Act (FSPA) has contained no provision terminating payments of retired pay to former spouses despite the remarriage of those former spouses. This is unfair to retired military members for the following reasons:

1) It discriminates against retired military members in that it is inconsistent with the treatment of former spouses under other federal government retirement and survivor benefit systems:

A. Retirement Annuities

Foreign Service—Under both the Foreign Service Retirement and Disability System (FSRDS), covering employees who began service before January 1, 1984, and the Foreign Service Pension System (FSPS), covering employees who began service after January 1, 1984, payments of retirement annuities to former spouses and upon remarriage of the former spouse before age 55. FSRDS, 22 U.S.C. 4068; FSPS, 22 U.S.C. § 4071j(b)(3).

Central Intelligence Agency—Annuities payable to former spouses are terminated upon remarriage of the former spouse before age 60. 50 U.S.C. § 403 note, Section 222(a)(2), Central Intelligence Agency Retirement Act of 1964 for Certain Employees.

B. Survivor Benefits

Military—Under the Survivor Benefit Plan (SBP) applicable to all military members, annuities to widows, widowers or former spouses terminate if the recipient remarries before age 55. Payments may resume if the remarriage ends by death, divorce or annulment. However, if the recipient is also entitled to an annuity under the terminated remarriage, he or she must elect which one to receive. 10 U.S.C. 1450(b).

Civil Service—Under both the Civil Service Retirement System (CSRS), covering employees who began service before January 1, 1984, and the Federal Employees' Retirement System (FERS), covering federal employees who began service after January 1, 1984, survivor benefits to former spouses are terminated upon remarriage before age 55. CSRS, 5 U.S.C. § 8341(h)(3)(B); FERS, 5 U.S.C. § 8445(c)(2).

Social Security—Under the Social Security system, benefits for former spouses terminate upon remarriage of the former spouse. 42 U.S.C. § 402 (b)(1)(H) and (c)(1)(H).

Foreign Service—For the foreign service, remarriage prior to age 55 terminates survivor benefits. FSRDS, 22 U.S.C. § 4054(b)(3), 4068; FSPS, § 4071j(b)(1), 4071(a).

Central Intelligence Agency—For the CIA, survivor annuities also end if the former spouse remarries before age 55. 50 U.S.C. § 403 note, Section 224, Central Intelligence Agency Retirement Act of 1964 for Certain Employees.

2) Continuation of payments beyond remarriage of former spouses overrides any aspect of financial need. Usually, remarried former spouses attain financial security by virtue of (i) the income of their new mar-

riage partner or (ii) the combination of their own income and that of the new marriage partner. By contrast, a large majority of retired military members whose pay has been divided need to support second families. The inequitable result is that a remarried retired member, most often in great need of his or her retired pay, must continue making payments to a remarried former spouse, who generally no longer needs those payments for financial security.

3) As currently written, FSPA is inconsistent with customary notions of spousal support in U.S. domestic relations law. An obligation to pay alimony as support for a former spouse generally ceases upon remarriage of the former spouse. This has been standard legal doctrine since the founding of this country, based on the rationale that in a remarriage there is a transfer of spousal support responsibility to the new spouse.

4) Currently under FSPA, a former spouse can acquire more than one payment of retired pay by divorcing after a remarriage and remarrying again. Not only is this unfair to the retired member(s) whose pay is being divided on behalf of the former spouse, but it is a situation that encourages divorce.

Example #1: After 24 years of marriage, the wife of an Army colonel deserted her husband and three children to marry another Army officer. The colonel and that officer have subsequently retired. As part of a divorce proceeding, the former spouse was awarded 40 percent of her former husband's retired pay. The former spouse and her current husband—both civil service employees—have good incomes, plus the current husband's retired pay. Yet, the retired colonel is obligated to pay 40 percent of his retired pay to the former spouse for the remainder of his or her life.

Example #2: An Air Force officer and foreign service officer are both divorced at age 48 and retire at age 53. Pursuant to divorce settlements, each must pay his former spouse one third of the pay received in retirement. The foreign officer's former spouse remarries at age 54, relieving the retired foreign service officer of the obligation to continue payments. The former spouse of the military member also remarries at age 54 but the member must continue payments regardless of the former spouse's or member's financial conditions.

SECTION 3

Purpose: (1) Restricts awards under FSPA to an amount or percentage of the member's retired pay based on pay grade/length of service at time of divorce, not retirement. (2) Ensures former spouses would receive increases based on cumulative percentage increases in retired pay between the divorce and member's retirement. (3) Current payments would be adjusted starting 180 days from enactment.

Problem: Under FSPA, former spouses are entitled to a percentage or dollar amount of a member's retired pay calculated at the time of retirement. This is true even though the divorce may have taken place long before the member's retirement, when the member was at a lower pay grade. Thus, former spouses often receive "windfall benefits," that is, a share in the additional monies earned by the military member based on continued promotions and additional lengths of service beyond the divorce. This is so despite the fact that the former spouse contributed nothing to the member's career after the divorce.

Example #1: A female Air Force officer and her husband were divorced in 1981 when the officer was a major with a base pay of \$1,810 per month. The officer retired as a

colonel in 1991 with a base pay of \$5,260 per month. One week after the officer's retirement, a New Mexico court ordered her to pay 45 percent of her retired pay to her former spouse. The amount that must be paid is 45 percent of the retired pay of a colonel with 28 years of service, despite the fact that the former spouse had nothing to do with the officer's career after 1981.

Example #2: A Navy lieutenant commander and his spouse were divorced in 1975. A California court reserved jurisdiction to divide the officer's retired pay as community property. In 1991 he retired as a rear admiral. The retired pay of a lieutenant commander is \$2,243 per month. The retired pay of a rear admiral with 30 years of service is \$4,490 per month. Upon the officer's retirement, the former spouse went back to the California courts and received a court order giving her one-third of \$4,490 per month rather than one-third of \$2,243. This was allowable under FSPA despite the fact that she contributed nothing toward the \$2,247 per month increase in retired pay earned by the officer in the final 16 years of his career.

SECTION 4

Purpose: Would reduce from two years to one year the period during which payments must continue pursuant to prior retroactive reopenings of divorces.

Problem: In 1990, the 101st Congress amended FSPA to prohibit certain retroactive reopenings of divorces finalized prior to June 25, 1981. The conference report stated that Congress never intended FSPA to apply retroactively. However, the amendment stipulated that payments currently being made pursuant to such retroactively reopened divorces must continue for two years from the date of enactment, i.e., until November 5, 1992. It is patently unfair to require two more years of payments that never should have been required at all. Military members now making FSPA payments were never accorded a similar grace period.

Example: In 1966, a California court found the wife of a Navy officer to be "unfit" and awarded him custody of the couple's five children. The officer subsequently retired as a commander. Following enactment of FSPA, the former spouse sought and eventually was awarded a share of the officer's retired pay, retroactive to 1966 (approximately \$80,000) plus prospective monthly payments. Although Congress has said it never intended for FSPA to apply retroactively, the retired officer must continue payments to his former spouse until November 1992. *Casas v. Thompson*, 42 Cal. 3d 131, 720 P.2d 921, cert. denied 479 U.S. 1012 (1986).

SECTION 5

Purpose: (1) Establishes a statute of limitations giving former spouses two years from the date of a final divorce to seek a division of retired pay under FSPA. (2) Requires that in actions to divide retired pay not previously divided in a final divorce decree, jurisdiction of the court must be established independently of the jurisdiction of the court at the time of the original divorce proceeding.

Problem #1: Under the current law, there is no limitation on the time during which former spouses may seek division of a member's retired pay. Therefore, divorced military members who may be subject to FSPA claims must live under a shadow of uncertainty about their retired pay during the lifetime of their former spouse. Not only is this unfair to retired members, but it is inconsistent with common legal practice. Almost every action of law, civil or criminal,

has a statutory time beyond which the action may not be brought. Moreover, a statute of limitations is provided under other federal government retirement systems:

1) Foreign Service—To be recognized as valid under the Foreign Service Retirement and Disability System (FSRDS), a court order directing payment of an annuity to a former spouse must be issued within 24 months of the date of the final divorce. 22 U.S.C. §4054(a)(4).

2) Central Intelligence Agency—Court orders giving payments from a retirement annuity to former spouses must be issued within 12 months after the divorce becomes final. 50 U.S.C. §403 note, section 222(a)(7), Central Intelligence Agency Retirement Act of 1964 for Certain Employees.

Problem #2: Under FSPA, courts may not divide a member's retired pay unless the court has jurisdiction over the member by virtue of (i) the member's residence, other than because of military assignment, in the court's territorial jurisdiction, (ii) the member's domicile within the court's jurisdiction, or (iii) the member's consent to the court's jurisdiction. However, it is not clear from the statute whether these jurisdictional requirements apply only in original divorce actions or, where retired pay was not considered in the original divorce and a later partition action is brought, whether jurisdiction must be independently established for the partition action. State courts have been inconsistent in their interpretation. In many states, courts have retained jurisdiction over subsequent partition actions solely on the basis of their jurisdiction in the original proceeding, despite the absence of any express reservation of jurisdiction.

Example #1: An Army enlisted member and his spouse were divorced in 1982 in an Arizona court. The member, who has never lived or resided in Arizona, was overseas at the time. He did not contest the proceeding and accepted service of the divorce decree. No mention was made of his retired pay. In 1989, the former spouse initiated an action in Arizona to divide the anticipated retired pay of the member, who was still on active duty.

Counsel for the military member made a special appearance in Arizona courts and argued that the court lacked jurisdiction to divide his retired pay. However, the Arizona court granted the former spouse half of the member's retired pay upon his retirement. The court's rationale was that by accepting service the member consented to the court's jurisdiction in the original divorce action, and that jurisdiction continued at the time of the partition.

Counsel for the member petitioned the Department of the Army not to recognize the court order based on improper jurisdiction, under FSPA. The petition was denied by the chief of the legal office, Defense Finance and Accounting Service (Indianapolis Center), who wrote: "It has long been our policy that when a court obtains jurisdiction over a party in a divorce or separation proceeding that jurisdiction continues for any ancillary proceeding to distribute community property since the latter action is within the scope of the jurisdiction originally conferred."

Thus, the military member was impacted by a law (FSPA) not yet in effect when he was divorced—and which might well have influenced his appraisal of the jurisdictional issues at the time of his divorce.

Example #2: An opposite view has been taken in California. An Air Force officer and his wife were divorced in 1971 in California, with no mention made of the officer's retired

benefits. In 1983 the former spouse filed an action to partition the omitted asset. The retired member, then residing in Maryland, made a special appearance in California to contest the jurisdiction of the California court in the partition proceeding. The former spouse argued that the court's jurisdiction continued unabated from the 1971 divorce proceeding.

The court ruled that the former spouse's action for division of community property is a "separate and independent action" for which jurisdiction must be newly acquired. Citing the jurisdictional requirements of FSPA, the court further held that since the retired member neither consented to California's jurisdiction nor resided in the state, jurisdiction was lacking. *Tarvin v. Tarvin*, 187 Cal. App.3d 56 (1986).

SECTION 6

Purpose: Make more specific the current prohibition on division of veterans' disability compensation.

Problem: Since its enactment, FSPA has excluded veterans' disability compensation from the definition of "disposable retired pay" subject to division as property. This position has been upheld by the U.S. Supreme Court, which held that FSPA does not give state courts the power to treat, as property divisible upon divorce, military retired pay that has been waived to receive veterans disability benefits. *Mansell v. Mansell*, 109 S. Ct. 2023 (May 30, 1989). However, numerous state courts have ignored both FSPA and the Supreme Court on this issue and continue to issue orders dividing disability pay.

Example #1: In the *Mansell* case, Air Force Major Gerald Mansell in 1983 sought modification of a property settlement agreement in which he had agreed (at the time of the divorce in 1979) to pay his former spouse half of his disability benefits in addition to half of his retired pay. After losing in the California courts, Maj. Mansell appealed to the U.S. Supreme Court and won. The matter was remanded to the California courts for further proceedings consistent with the U.S. Supreme Court decision. However, on jurisdictional grounds, the California Court of Appeal reinstated the community property division of the disability pay. The California Supreme Court denied review. Counsel for Maj. Mansell has had to petition the U.S. Supreme Court for a writ of mandamus or for direct entry of judgment.

Example #2: In 1987 in New Mexico—10 years after a couple were divorced—the former spouse sought to divide the retired member's previously undivided military retired pay, including disability pay. A trial court granted, and appeals court affirmed, the division of disability pay. Following the *Mansell* decision, the member sought to modify the trial court's decision. Both at the trial level and on subsequent appeal, the New Mexico courts refused to give retroactive application to *Mansell* despite the fact that the FSPA prohibition on including disability pay as part of divisible retired pay had been in effect four years before the former spouse commenced her action to divide the member's retired pay. *Toupal v. Toupal*, 109 NM 774, 790 P.2d 1055 (1990).

SECTION 7

Purpose: (1) Prohibits courts from ordering any payments under FSPA from active duty pay. (2) Prohibits courts from ordering any pre-retirement payments equivalent to amounts a member could be required to pay under FSPA had the member retired and began receiving retired pay. (3) Prohibits courts from ordering retired members re-

called to active duty to make payments resulting from a FSPA division while on active duty.

Problem #1: Courts in some states have ordered active duty members to begin paying former spouses amounts equivalent to the former spouse's share of the member's anticipated retired pay. Such courts have reasoned that if military retired pay is divisible property, it is possible to calculate a current value of the former spouse's portion. As a result of such decisions, many members have decided to retire early or leave the service before qualifying for retirement.

Example: A Navy captain and physician—a department head at a major Navy hospital—had 23 years of service when a California court ordered him to pay part of his active duty pay to his former spouse as "current value" retirement benefits. He had been planning to spend 30 years in the Navy. But under the strain of the premature payments, he retired early, depriving the Navy of a highly skilled and trained asset.

Problem #2: Numerous retirees were recalled to active duty during Operation Desert Shield/Storm. In many cases, former spouses receiving FSPA payments petitioned for the continuation of payments out of active duty pay. The military finance center refused to do this. However, some members who have been making FSPA payments were forced to comply with court orders requiring them to continue paying the same amount from active duty pay. All FSPA payments should cease upon recall, since the member no longer is in receipt of retired pay. (FSPA payments begin again upon the member's departure from active duty.) The proposed amendment would prevent courts from ordering recalled members to make payments based on a FSPA award while in receipt of active duty pay.

MUNICIPAL CLERKS' WEEK

HON. JIM JONTZ

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JONTZ. Mr. Speaker, I would like to have the following proclamation which the Cedar Lake Town Council recently passed to recognize the important contributions of our Nation's municipal clerks printed in the CONGRESSIONAL RECORD.

PROCLAMATION: MUNICIPAL CLERKS' WEEK:
MAY 5 THROUGH MAY 11, 1991

Whereas, it is imperative to the democratic process that a well-informed citizenry participate in the operation of their local government; and

Whereas, the Office of Municipal Clerk provides the communication link between the citizen, the local government legislative body and administrative departments, and agencies of government at other levels; and

Whereas, the Municipal Clerks serve as the information center on the functions of their local government by making available the records of local government, distribution of published materials and reports, presentations before community and school groups, and answering questions on the government activities and programs; and

Whereas, the Municipal Clerks and their staff have upon their own initiative participated in education programs, seminars, workshops and the annual meetings of their state, province, and international profes-

sional organizations which not only improved the operation of their office but through their achievements and awards have brought favorable publicity to the communities that they serve.

Now, Therefore, I Robert H. Carnahan, President of the Cedar Lake Town Council, Cedar Lake, Indiana, do recognize the week of May 5 through May 11, 1991, as Municipal Clerks' Week, and further extend appreciation to our Municipal Clerk, Geraldine H. Kortokrax, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

TRIBUTE TO KENNETH GILBERT

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MACHTLEY. Mr. Speaker, it is my distinct pleasure to congratulate Kenneth Gilbert, of Central Falls, RI, this year's recipient of the Congressman Ronald K. Machtley Academic and Leadership Excellence Award for Central Falls High School, in Central Falls, RI.

This award is presented to the student chosen by Central Falls High School who demonstrates a mature blend of academic achievement, community involvement, and leadership qualities.

Kenneth Gilbert has more than fulfilled this criteria. He is a member of the National Honor Society and shares top rank in his graduating class. He also has participated on the soccer team and in the school band. In addition, he was a leader in the school model legislature and received a second grant at the Rhode Island State Science Fair. He has also received the Hugh O'Brian Youth Leadership Award for school leadership and excellence in social studies.

I commend Kenneth Gilbert for his outstanding achievements and wish him all the best in his future endeavors.

INTRODUCTION OF A BILL TO PROVIDE FOR CLEAN UP OF HAZARDOUS MATERIALS AT MILITARY BASES SCHEDULED TO CLOSE

HON. GARY CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CONDIT. Mr. Speaker, I rise today to introduce legislation that addresses a very serious problem facing a community in my congressional district and other communities around the country. As you know, the Department of Defense recently announced a list of military bases proposed for closure as part of the military build down mandated under the Defense Base Closures and Realignment Act.

Castle Air Force Base, located in my congressional district, is among those bases proposed by the Defense Department to be closed. While I have some doubts about the criteria used to determine which bases should

be closed, the legislation that I am introducing today addresses a problem that will face the community of Atwater should the Defense Base Closure and Realignment Commission decide that Castle should indeed close.

Castle Air Force Base is on the national priorities list developed under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. This so-called Superfund site has 36 identified hazardous waste sites. The contamination includes trichloroethylene (TCE), benzene, tetrachloroethylene (PCE), cis 1,2-Dichloroethylene, chloroform, 1,2-dichloroethane, vinyl chloride, carbon tetrachloride, and chloromethane. All of these substances are contaminating the soil and water in and around Castle Air Force Base.

Under the 1980 law, if Castle AFB is closed and the contamination not cleaned up, the existing buildings at Castle AFB could be rented or leased to businesses or industry. However, no new construction could take place and none of the land could be sold. Obviously, these restrictions would only add to the economic turmoil in the community. There is no doubt that the closing of a military base brings economic trouble to a community. However, I believe that it is our responsibility to ensure that these communities are given every opportunity to convert their economies and attract industry to maintain viability. In the case of Castle AFB the availability of the land and facilities for other purposes will be instrumental in the ability of the community to rebound from the impact of the base closure.

In addition to the economic problems facing the community there are some very serious health considerations that must be kept in mind. The water supply for the city of Atwater has already been contaminated by substances used on the base. In fact in 1987 the Air Force gave the city nearly \$1 million to build a well for the city because the city's well had been contaminated. While the current water supply is still usable, the ground water supply is quickly being tainted and eventually this new well will also be contaminated. Clearly, this is a situation that must be addressed.

Mr. Speaker, this legislation will ensure that the Federal Government fulfills its responsibility to those communities that lose military bases and are left with contaminated unusable land. Specifically, the bill requires that 75 percent of the clean up activity be completed before the base closes or a substantial reduction in force and operations occurs. The bill then requires that the remaining 25 percent be completed within the following 2 years. Without this legislation these areas could become vast wastelands. My bill gives communities facing the loss of their economic base the opportunity to rebuild and revitalize by ensuring a timely clean up of hazardous waste. I urge my colleagues to join me in supporting this important legislation.

A copy of the legislation follows:

H.R. —

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

SECTION 1. CLEANUP SCHEDULE FOR CERTAIN BASES ON SUPERFUND NATIONAL PRIORITIES LIST.

(a) CLEANUP SCHEDULE FOR CERTAIN BASES ON NATIONAL PRIORITIES LIST.—With respect

to each military installation described in subsection (b)—

(1) before the installation is closed or substantial reductions in its operations have occurred, at least 75 percent of the remedial action required on the installation pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) shall be completed; and

(2) not later than two years after the installation is closed or substantial reductions in its operations have occurred, all of the remedial action required on the installation pursuant to such Act shall be completed.

(b) APPLICABILITY.—This Act applies to each military installation—

(1) which is on the National Priorities List under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) which is to be closed pursuant to title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note), pursuant to the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510), or otherwise by the Department of Defense.

(c) DEFINITIONS.—In this Act:

(1) The term "military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Secretary of a military department.

(2) The term "remedial action" has the meaning given that term by section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

**INTRODUCTION OF LEGISLATION
SUSPENDING BAN ON PUBLIC AS-
SISTANCE FOR LEGALIZED
ALIENS IN TIMES OF NATIONAL
EMERGENCY**

HON. CALVIN DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DOOLEY. Mr. Speaker, today I have introduced legislation that would make legalized aliens eligible to receive public assistance in times of federally declared national emergency.

The need for this legislation was made abundantly clear in my district in central California when a deep freeze struck in late December, wiping out citrus and other cold-sensitive crops and sending a devastating shiver through the farm-based economy of the region.

An excellent account of the effects of the freeze is a story that appeared in the New York Times on April 8, which I am entering into the RECORD.

Most of the 15,000 people put out of work by the freeze were farm workers, many of whom are legalized aliens through the Immigration Reform and Control Act of 1986 [IRCA].

In a span of 2 chilling weeks, many of these farm worker families lost their sole means of support. They suddenly were in desperate need of items like food—including infant formula—and required help in making rent and mortgage payments and paying utility bills.

The problem is, IRCA prohibits legalized aliens from receiving many forms of public assistance for a 5-year period.

So when President Bush declared on February 11 that an emergency existed in freeze-ravaged California counties, many of these families—in the United States legally through IRCA—were not eligible for available emergency help.

My bill would lift that ban in time of a federally declared emergency, such as exists now in California.

I understand and support the reasoning behind the 5-year ban required through IRCA. However, in times of emergency it's only right that people be allowed to receive help. My bill makes that help available only in cases of emergency declared by the President and only for the prescribed length of the emergency.

Another extremely frustrating component of the crop freeze is that immigration status is not a criterion for some publicly available assistance, but many families have stayed away from getting help for fear of reprisal.

Compounding this problem, the Immigration and Naturalization Service has been unwilling or unable to issue a clear directive on this issue.

This lack of a clear signal has had a chilling effect on many farm workers and their families in need who for all intents and purposes have stayed in hiding.

My bill sends that clear signal. It tells legal aliens in need that during times of disaster they can get public assistance with no strings attached.

There will be no reprisal. Their immigration status won't be jeopardized. Their families won't go hungry. They won't be turned out of their homes.

We in the United States have a moral obligation to assist people within our borders in times of crisis. Here is an opportunity to do that.

I urge my colleagues to join me in supporting this legislation.

[From the New York Times, Apr. 8, 1991]

IN FREEZE'S WAKE, DESPERATION FOR CITRUS WORKERS

(By Robert Reinhold)

EXETER, CALIF., April 5.—Since they were youngsters, Jose and Delia Ayon toiled under the California sun to pick and pack the fruits and vegetables that fill American supermarkets. Now they cannot get enough food for their seven children, and they face losing the small house they built with their own hands.

The Ayons and thousands of other farm workers in similar straits are part of a human calamity that is unfolding across the San Joaquin Valley in central California as a result of the freeze in December that destroyed the orange and lemon crops, and put thousands out of work.

Eviction notices, foreclosures, desperation, shame and hunger are sweeping through communities like this, overwhelming relief workers.

"I have never seen anything like this before," said Lali Moheno, a community services aide who has spent 22 years working with migrant farm workers. "This is the first time I've wanted to quit work. We are physically worn out. None of us have ever experienced such a disaster."

Unlike earthquakes, floods and other such disasters, the citrus freeze has inflicted its

devastation slowly. It is only now, as workers run out of savings and realize there will be little work for another year or more, that the enormity of the misfortune has begun to sink in.

Families, almost entirely Mexicans and Mexican-Americans, line up at a food bank here, one of 50 in Tulare County. They are so hungry that they can often be seen breaking open the weekly rations as they leave.

Leaders of FoodLink, the not-for-profit agency that supplies the banks, estimate they provide only one-third of the food that is needed, and they say infants are lacking adequate nourishment because their mothers use dried milk instead of formula, which is out of their financial reach.

Particularly poignant is the plight of the thousands of Mexican families who, under terms of the amnesty granted under immigration law, are barred from applying for public assistance, including welfare and food stamps, for five years. Faced with hungry children, many have risked applying anyway, or have returned to Mexico.

The crisis has produced a level of cooperation between employers and workers that people on both sides say is without parallel in California agriculture in the last half-century. Within days of the freeze, an Agricultural Workers Freeze Relief Task Force was formed; it now includes 80 people representing 52 organizations and businesses in Tulare County. Owners of closed packing houses have solicited food donations throughout the state, and trucking companies have provided trucks to distribute it.

Help from the Federal Government has been slow, but now appears to be forthcoming. At the request of Gov. Pete Wilson, President Bush has declared a state of emergency in 33 counties, and officials here say that on Monday or Tuesday the President is expected to sign an order authorizing emergency housing aid for up to a year from the Federal Emergency Management Agency.

Housing has become the most critical issue, as families are forced to double and triple up and landlords face foreclosures on loans.

Graphic reminders of the freeze that hit from Dec. 21 to 25 are everywhere. Millions of navel and Valencia oranges lie rotting in the groves throughout Tulare, Fresno and Kern Counties, the center of the citrus industry. The loss to the growers was \$500 million, and packers and shippers lost \$500 million, said Curtis D. Lynn, Tulare County director for the University of California Cooperative Extension in Visalia.

He estimates that the freeze killed 52 million cartons of navel oranges, 46 million cartons of Valencia oranges and 5 million cartons of lemons. Mr. Lynn said there also was extensive damage to other crops, including avocados, olives, pistachios, sugar beets and winter vegetables.

More than 15,000 pickers and packers were laid off almost immediately, and the ripple effect has been ruinous for groceries, restaurants, clothing stores and countless other businesses in Exeter and nearby towns, including Lindsay, Tulare and Visalia, the county seat. Unemployment in Tulare County was 21.7 percent in February, compared to 12.3 percent a year ago.

That statistic includes Delia and Jose Ayon.

WATCHING GAINS DISAPPEAR

After years of deprivation, living in migrant camps and tiny, cramped apartments, the Ayons found a measure of dignity when they built their own house three years ago with help from a Government program for

low-income people. Normally, this would be the busiest time of the year for Mr. Ayon, who used to earn about \$300 a week plucking navel oranges from October until May, when the Valencias start.

But since Mr. Ayon was laid off in January, the family has relied on unemployment insurance and Aid to Families with Dependent Children, a Government program for low-income people. They are a month behind on paying the mortgage, \$313 a month including taxes and insurance, and they talk of closing the house, pulling the children out of school and going to Oregon and Washington to pick cherries and apples this summer and fall.

"We don't want to lose this house," said Mrs. Ayon, as six of her seven children listened in their small living room, decorated with family pictures. "Who will rent to seven kids? This place was like a palace for us. We were making it O.K."

Mrs. Ayon has taken to making her own tortillas, and the children have had to forgo after-school snacks.

Saving families like the Ayons from homelessness has become the top priority for United Way and other social-service agencies. "It has reached the breaking point," said Cathi Lamp, an economist and nutritionist at the cooperative extension and president of the FoodLink board. "Rent and utilities are the first priority; food is a close second. It's cheaper to keep them in their homes than to get back on their feet if they're homeless."

Carolyn Rose, executive director of Community Services and Employment Training, a private not-for-profit community action organization that operates in Tulare County, said that more than 2,700 families had requested help with housing and utility payments and that the agency could help only 200. She said landlords and lenders had been extraordinarily lenient, but were close to exhausting their capacity.

In addition, utility companies have been quite generous, she said. The Pacific Gas and Electric Company, for example, has set up a special \$25,000 fund to forgive the bills of the unemployed. She said the Federal emergency housing aid was desperately needed.

HELP APPROACHES ITS LIMIT

As for food, Sandy Beals, executive director of FoodLink for Tulare County, said the not-for-profit agency was stretched to the limit. "The typical family comes in and says it has no food," she said. "They get a 35-pound food basket for a week. For a family of eight, that does not last long. Children are going to school hungry."

Worker advocates have been moved at the response to the workers' troubles by employers like Sunkist Growers, LoBue Brothers and Shropshire Trucking, and by the Farm Bureau Federation, which represents growers. Relations between the bureau, as a representative of the employers, and labor representing the workers have often been bitter in previous years.

In all this, one group remains in limbo—the thousands of Mexican families who claimed amnesty after the 1987 immigration law was enacted. They jeopardize their status here if they apply for many public assistance programs to cope with the freeze.

Soledad and Herminio Cruz from Oaxaca state in southeastern Mexico, for example, have lived in Exeter for eight years, picking fruit. They took amnesty and two years ago bought a small house behind a chain-link fence on the edge of town, where they live with their four children, ages 15 months to 10 years. Mrs. Cruz is pregnant with a fifth child.

Given their immigration status, the Cruzes hesitated to apply for food stamps. But with no savings and a family of crying mouths, they risked it. The family is trying to decide whether to sell the house and return to Mexico for now.

Little relief is in sight.

Given the damage to the citrus trees, only 60 percent to 70 percent of the usual crop is expected to be harvested later this year and next. This means that unemployment and deprivation will be the norm here long after the sun has warmed the orange and lemon groves of central California.

MARY VANNESS OF GLENS FALLS, NY: ELKS "MOTHER OF THE YEAR"

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SOLOMON. Mr. Speaker, mothers have always been at the heart of American families.

There is no more important human relationship than the one everyone has with his mother. It's why we put so much importance on Mothers' Day in America, and that's why we have popular songs celebrating love and affection for mothers.

And that is why I am proud to bring to your attention Mrs. Mary VanNess, Glens Falls Elks Lodge Number 81 Mother of the Year. She will be honored at a public reception this Sunday.

Mr. Speaker, a book could be written about the adversity Mrs. VanNess overcame, about the personal sacrifices she made, and about the strength and compassion she displayed when those qualities were needed most.

The proudest jewels on her crown are her children. The health and well-being of her sons William and Tom and daughter Gail have always been her greatest rewards. She has never sought praise for herself. Nevertheless, Mr. Speaker, I ask you and everyone in this Congress to join me in paying tribute to Mrs. Mary VanNess, Glens Falls Elks Mother of the Year.

I will be pleased to place in today's RECORD an article on Mrs. VanNess by my local newspaper, the Glens Falls Post-Star.

MARY VANNESS CHOSEN ELKS' MOTHER-OF-THE-YEAR

Glens Falls Elks Lodge No. 81 has chosen its annual mother-of-the-year candidate, Mrs. Mary VanNess of Glens Falls, to be honored at a public reception at 2 p.m., Sunday, May 5.

In the words of her children, "She hasn't been only the 'best mom in the world,' but also the best friend, dad and whatever else our needs have been, not only to her family but to everyone else."

A living testimony to this mother's determination and influence is the success of her children. Her oldest son, William VanNess, is an investigator for the Warren County Sheriff's Department. Her younger son, Tom, is employed by the Town of Queensbury Highway Department and her daughter, Gail, is a work leader at C.R. Bard on Bay Road.

The reception is open to the public and anyone wishing to attend and honor VanNess is welcome.

THE 200TH ANNIVERSARY OF THE
POLISH CONSTITUTION

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. BENTLEY. Mr. Speaker, I would like to take this time to commemorate the 200th anniversary of the Polish Constitution. Tomorrow is a time to recognize the Polish heritage of commitment to freedom, justice, and equality.

This constitution, second in history only to our own, was to be the sole catalyst that helped initiate profound change and social progress in Eastern Europe. Poland desired the same liberties for their country as we in the United States—democracy. The Polish document of freedom, similar to our Declaration of Independence, envisioned all the ideals of democracy that we hold dear:

"All power in civil society is derived from the will of the people."

On this day in May, the Polish Sejm, or national legislature, adopted the procedure of maintaining control through checks and balances by dividing the Polish Government into three separate and equal authorities: legislative, executive, and judicial. The most remarkable achievement of the Polish Constitution, proved to be the ability to nonviolently reform the existing government.

The concept of modern democracy, which included all ranks and classes of society, quickly became established in Poland. Economic and social restrictions which discriminated against the rights of the middle-class and peasantry, were loosened. Eventually, they were given full civil rights through Kosciuszko's proclamation, "Uniwersal Polaniecki."

On May 3, 1791, this constitution enabled Poland to enjoy freedom from an oligarchic rule. Unfortunately, there independence was short lived. Only 1 year later, hostile foreign aggressors began partitioning Poland. The country actually disappeared from the map, but not from the hearts of those who believed Poland would again one day be an independent nation.

While the Constitution lasted for only 1 year, the independence it guaranteed influenced their lives for centuries. After years of foreign dominance and martial law, the Poles are finally making strides towards autonomy. In the spirit of this Constitution, the desire for freedom, and pride in the Polish nationality, modern Poland is now progressing towards their dream of democracy.

The people of Poland have waited a long time to see their country take the necessary steps toward economic, political, and religious stability. The belief that they would one day be able to reestablish these freedoms through their constitution, sustained them through the darkest hours of their history.

The celebration of the 3d of May Constitution in 1991, represents the bravery of millions of Poles who fought for democracy and freedom. We must take the time to give Poland our support, and let them know that the entire free world is watching and praying for their success.

EXTENSIONS OF REMARKS

May 2, 1991

Mr. Speaker, I am honored to join the people of Polish ancestry in my district, as well as throughout our country in paying tribute to the Polish Constitution Day. I can only hope that this struggle for independence will prove to be permanent and longlasting.

MICHAEL FISCHER ON THE
ENVIRONMENT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. JACOBS. Mr. Speaker, I place in the RECORD a speech given in Indianapolis by Michael Fischer, executive director of the Sierra Club.

Mr. Fischer speaks plainly, logically, alarmingly and—if the Nation will only awaken—hopefully.

ADDRESS BY MICHAEL FISCHER, EXECUTIVE DIRECTOR, SIERRA CLUB, EDWARD A. BLOCK FORUM SERIES, APRIL 14, 1991

I. INTRODUCTION

Mr. Chairman, ladies and gentlemen, good evening.

I come to you tonight with two news items regarding America's energy policy, one surprising and one sad.

First the surprise. Groups who have been traditional adversaries in the energy debate—the environmental community and the present administration—say that their goals for the nation's energy supplies are identical: independence, affordability, long-term security, and compatibility with a clean environment.

The sad part is that only one group means it—and we're not the group writing energy policy.

The National Energy Strategy proposed by the President's advisers in February has three elements:

1. Drain America dry;
2. Blow it out our tailpipes; and
3. To hell with our kids.

A fourth element is the resurrection of the technologically and economically bankrupt nuclear energy industry. I admit this last element is a shot in the arm for the Three Mile Island Chamber of Commerce and the Chernobyl Ministry of Tourism, but I wonder if we, as a society, really want to take this risk again.

The so-called National Energy "Strategy" emphasizes exactly those sources of energy that are the least cost-efficient, the most subject to political disruption, the most polluting, and that are absolutely guaranteed to begin running out during the lifetimes of our children.

Two quantifiable examples of American energy supply and use symbolize the thinking about energy manifest in this incredible document.

The first example concerns opening the Outer Continental Shelf to oil drilling, one of the Strategy's recommendations. The forecast contained in the National Energy Strategy for production from the Outer Continental Shelf is 0.1 million barrels per day by the year 2010, plateauing at 0.4 million barrels per day by 2015. These are the government's own numbers.

But let's put that in perspective. The United States uses approximately 17 million barrels of oil per day right now. In 1991. If by some miracle our oil consumption were to

stay constant, we would recover slightly more than one-half of one percent of our daily requirements from the Outer Continental Shelf by 2010, slightly more than two percent by 2015.

For that, are we going to litter the coasts of America with hundreds of submarine toxic waste sites and major oil spills waiting to happen?

The second example is worse. The Strategy also recommends opening the Arctic National Wildlife Refuge to drilling. This vast and as-yet-unspoiled ecosystem has been rightly called the American Serengeti. It is the calving ground for 180,000 caribou. It is the habitat for dozens of rare Arctic species. It is the repository of an incredibly diverse gene pool. In short, it is a part of our natural heritage, a national treasure, a living remembrance of times when humans were just one factor in Nature—not the dominant factor.

The Department of the Interior's own estimates for the total capacity of the Arctic National Wildlife Refuge is 3.57 billion barrels of oil. Total.

That amount would supply the country's needs for 210.5 days. That's 30 weeks. Seven months. A bit over half a year.

And the Interior Department pegs the chances of actually finding economically recoverable oil there at 46 percent. Less than one in two.

And for that, are we going to turn the last remaining pristine Arctic ecosystem protected by law into Houston North? For seven months worth of oil that we may actually never see?

In short, this is not a National Energy Strategy but a National Energy Tragedy. And reaction to it has been an almost universal condemnation.

The environmental community is unanimous in deploring the strategy's arrogant irrationality and obvious pandering to the oil, automobile, and nuclear energy special interests. But we are not alone.

The energy research and consulting community has expressed mystification about why it ignores the largest opportunities for an improved energy future.

The nation's largest utilities have decried its shortsightedness and neglect of obvious opportunities for improved economic performance.

And even the administration itself cannot present a unified front on this one. Secretary of Energy James Watkins, hardly an environmental poster child, is reported to have said that this absurd document cannot even pass the environmental "Laugh Test."

The policy as it now stands is a monument to selfishness, greed, poor stewardship, and the deification of the status quo. But if it were only that, it would still be, as environmental assaults go, unremarkable.

No, the thing that sets this effort apart is that it represents an active and purposeful attempt to prevent us from developing the two major energy resources we have that actually will help us achieve our energy goals. If energy independence and environmentally sustainable economic development are the desired ends, then conservation and renewable resources are by far the most rational means of achieving them.

Yet if you look for any shadow of a substantive commitment to these two in the National Energy Strategy, you will look in vain.

II. CONSERVATION AND RENEWABLES

The argument for renewable sources of energy is obvious. The Natural Resources Defense Council's report on "Looking for Oil in

All the Wrong Places" calculates that the total available energy supply in the U.S. from renewable resources is the equivalent of 9.6 billion barrels of oil.

The total U.S. consumption of oil now stands at 6.2 billion barrels per year. In other words, we could clearly meet a substantial portion of our energy needs using renewables if we would only make the commitment.

And this is not just a theoretical argument. In testimony before the Senate Committee on Energy and Natural Resources, a vice president at a major California utility made the following statement:

The contribution [renewables] could make to solving energy problems is substantially underestimated. We have found, for example, that the solar thermal generation technology existing today, if concentrated in one relatively small and remote desert valley in California, could technically supply all of the electrical needs for the state.

For the entire state. For the world's thirteenth-largest economy. This is an astounding piece of news.

Yet there is no substantial commitment to renewable resources anywhere to be found in the National Energy Strategy.

The conservation argument can be summed up simply. It is time to stop choosing the expensive, risky, and environmental malignant option of drilling for new supplies of oil. It is time to start drilling the enormous oil fields that exist under Detroit, and under every commercial and residential building in America.

The advantages of drilling these conservation oil fields are obvious.

First, we know exactly where they are and how big they are. The expensive and time-consuming process of looking for economically recoverable oil actually in the ground out there can be avoided.

Second, we know exactly how much it will cost to exploit these conservation oil fields, and that these costs will go down over time. For actual oil exploration and conventional power generation, on the other hand, the costs vary significantly. And they are, on average, increasing with time as supplies dwindle.

Third, we know that drilling Detroit yields tremendous economic benefits in terms of reduced costs for each unit of GNP and the formation of major, long-term export markets for the technologies of energy efficiency. We don't hamstring the rest of the economy for the benefit of the oil, auto, and nuclear lobbies.

Fourth, we know exactly what kind of environmental damage we will do exploiting them: zero. We don't have to mount a concerted assault on Mother Earth, to do everything we can to make our biological lives increasingly toxic and dangerous, meanwhile mouthing platitudes about maintaining our economic quality of life.

And Fifth, we know that drilling Detroit and its subsidiary formations actually achieves the goals that the National Energy Tragedy espouses, but in fact places forever beyond our reach.

Let's take these in order.

1. We Know Where and How Big The Oil Fields Are

First, we know exactly where conservation oil fields are, and how big they are.

And the biggest one sits under Detroit. The relationship of Detroit to fuel efficiency reminds me of the relationship between some kids and spinach: it's good for them, but they hate it.

In the 1950s and '60s, when America's energy horizons appeared to be limitless, the auto-

makers were perfectly happy turning out gas-guzzling brontosaurus. Fuel was cheap, and the determining factor in sales success had more to do with styling than with the engineering prowess.

In the '70s, the oil shocks gave the U.S. auto industry its first dose of spinach. Congress, alarmed at the cars lining up at gas stations nationwide proposed legislation in 1974 that would double the Corporate Auto Fuel Economy or CAFE standards, essentially on average miles per gallon requirement for an entire fleet.

The auto industry said it was technically impossible. Achieving a 27.5 miles per gallon CAFE standard by the year 1985—a 100 percent improvement in 10 years—was not feasible. A Ford spokesperson said:

"[It] would require a Ford product line consisting of either all sub-Pinto-sized vehicles, or some mix of vehicles ranging from a sub-sub-compact to perhaps a Maverick."

History has shown how false and self-interested that testimony was. And as soon as the oil pressure was off, advances in fuel efficiency stagnated.

Today, the pressure is increasing again. Yet when the industry is asked to raise CAFE standards to 40 miles per gallon—a 40 percent increase, not 100 percent—we heard the same old song. They claim it is not technically feasible by the year 2000, which is the target date set by Nevada Senator Richard Bryan's Vehicle Fuel Efficiency Act.

But that is worse than disingenuous. Today—even *** as *** we *** speak—prototype automobiles exist that get between twice and three times that figure. Toyota has produced a five passenger vehicle that gets 98 miles per gallon. Renault has a car that gets 121 miles per gallon. And Volkswagen has produced an auto that gets 128 miles per gallon.

These are not plans or concepts. They are functioning cars made out of steel and composites and rubber wheeling around test tracks in foreign countries.

And the U.S. auto industry can't manage 40 miles per gallon?

Other conservation oil fields exist, of course. They exist under factories, under houses, under public and commercial buildings, and almost anywhere energy is used. And this brings us to an interesting 50/50 rule being used in the National Energy Strategy.

It is estimated that about 50 percent of all the energy used in the United States is wasted, through transmission, through inefficient motors, through poorly insulated walls and windows, and so on. Yet the present administration offered Congress a budget request that cuts the Federal energy conservation program by 50 percent.

The program that could save us 50 percent of all the energy we use has been cut by 50 percent. 50/50. Does that make sense to you?

The Natural Resources Defense Council has shown the relative performance of conservation and efficiency versus drilling for new domestic oil reserves. Their analysis assumes that the largest estimate of the amount of oil is true, and it assumes that energy services will be provided on a least-cost basis.

Their message is clear. By the year 2020, when the oil in the Outer Continental Shelf and the Arctic National Wildlife Refuge will run out in the most optimistic scenario, efficiency and conservation would be saving us 9.25 million barrels of oil every day.

And the administration wants to cut the conservation budget by 50 percent?

The so-called National Energy Strategy commits us to lives of increasing consump-

tion. But that means that when supplies start to dwindle or increase in cost, we will find ourselves very much behind—behind more efficient competitors; behind in research and development for a less energy intensive economy; behind in our implicit commitment to our families to leave them a world they can live in; firmly behind the eight ball.

2. We Know How Much Conservation Costs

Second, we know exactly how much it will cost to exploit these conservation oil fields.

In a recent Op-Ed piece in The New York Times, Amory and Hunter Lovins sketched a picture of how we might rationally improve the energy efficiency of our economy. Given the tremendous savings achievable through energy efficient cars, industrial processes, and buildings, they state categorically that the U.S. economy could be run at its present level of productivity on 20 percent of the oil it now consumes.

And that the cost of saving that oil would be five dollars per barrel. Think about it. Is that a good trade, to spend 25 percent more per barrel of oil, but to use 80 percent less oil? Sounds good to me.

3. We See Other Economic Benefits

The Third advantage to conservation is that it encourages the development of new technologies that could help America develop and sustain new, long-term export markets that will make us a stronger world trading partner.

The former West Germany has shown how this can work. For various reasons, the West German economy uses a lot of coal for energy. As the consequences of polluting their atmosphere with the byproducts of coal combustion became clear, they started an intensive program to develop smokestack "scrubbers" that removed these toxins.

It was a significant investment. But today, Germany is the world's leading exporter of those scrubbers. And they find themselves firmly in the driver's seat in a market that can do nothing but grow as air pollution standards become stricter.

Effective conservation requires all kinds of other technologies. Superefficient electric motors used in industrial processes. Continuously Variable Transmissions for vehicles. High-mileage power plants for cars and trucks. Economical jet engines for commercial aviation. Insulation technologies for building construction. High-output photovoltaic cells and new wind-turbine designs for electrical generation. Super windows with insulation values similar to those of walls***

The list goes on and on. And European and Japanese companies are already beginning to cash in on this development bonanza.

But why should we forfeit these markets—markets which bear every promise of creating thousands of new jobs and helping our balance of trade—to countries that are our economic competitors? Why should we hamstring an economic future of prolonged and genuine growth so that the oil, automobile, and nuclear industries can enjoy a brief and artificially subsidized moment of prosperity?

I can't think of any reasons for pursuing this foolish policy. And I certainly cannot find any rational arguments inside the National Energy Strategy itself.

4. We Know The Environmental Costs

The Fourth reason for drilling Detroit is that the cost of doing so—measured in either dollars or environmental degradation—is so low.

First the dollars. If you look at the amount of energy provided by various meth-

ods of generation, and then divide those amounts by the dollars of federal subsidy, you obtain an interesting snapshot of how we are wasting our monetary resources to subsidize the waste of our energy resources.

The methods can be ranked in terms of the dollars spent for each one million BTUs. These are the figures from 1984, which are the latest available from the Department of Energy.

At the bottom of the list is Nuclear electric generation, which yields 0.1 million BTUs for every dollar of federal support. Yet the National Energy Strategy is committed to speeding up the licensing process and paring down the regulation of this monument to State subsidy.

Slightly more believable is Fossil electric, at 0.8 million BTUs per dollar. Yet for this kind of return—and for slightly more than a half-year's supply—the administration's domestic advisors are willing to rape the Arctic and trash the outer continental shelf.

These are the economic Walking Wounded. But are there any sources of energy that yield a better return? Of course there are.

At the top of this list, you don't find a method of generation at all. You find Efficiency, which yields 13 million BTUs for every dollar of federal subsidy. This is a use of federal money one hundred and thirty times more efficient than Nuclear electric, and 16 times more efficient than Fossil electric.

As a society, we are paying up to 130 times as much as we have to for power generation. And we are doing it in a time of recession, austerity, increasing federal deficits, and rising unemployment.

The monetary costs of efficiency are clearly low. But what about the environmental costs?

There the story is even stronger, because the environmental costs of conservation and increased efficiency are zero.

In fact, energy conservation and increased efficiency yield tremendous benefits.

They will slow down the greenhouse effect. For every improvement of one mile per gallon in CAFE standards, America would save 4.28 billion gallons of gasoline used by household vehicles alone. And that would prevent the discharge of 43 million short tons of CO₂ into the atmosphere.

They will improve our balance of trade. Passage of the Bryan Bill will save 2.5 million barrels of oil every day. That is more than we imported from Saudi Arabia, Kuwait, and Iraq combined before the Gulf War. At \$20 per barrel, that's about \$2 billion every year that we could spend on jobs, housing, health, education, or any of a number of pressing domestic issues facing us today.

They will strengthen our political position with regard to oil producing states in unstable regions of the globe.

And most important of all, they will allow us to fulfill an implicit commitment that each generation makes to the one following: The planet we received from our parents, we are passing it on to you in a condition that will allow you to live a better life than the lives we have enjoyed. If we follow the National Energy Strategy, we won't be passing the planet on to our kids. We will be borrowing the planet they have to live in tomorrow for our use right now.

Is that what you want to do?

5. We Know We'll Achieve Our Energy Goals

The Fifth reason for embracing conservation and efficiency is that by doing so, we know we will achieve the goals for our energy supply that the National Energy Strat-

egy claims to support, but in fact makes impossible.

There are four of goals that the administration espouses for our energy supplies: independence, affordability, long-term security, and compatibility with a clean environment. Let's take them one by one.

Independence. We have seen how the National Energy Strategy commits the nation to ever increasing consumption of nonrenewable energy resources. We have seen how America's supply of oil is projected to be gone within 20 years, thus ensuring that we will have to import every-increasing amounts from our "friends"—and I use the word advisedly—in the Middle East. Meanwhile, the Strategy neglects conservation, efficiency, and renewables, three ways to guarantee our autonomy.

Now tell me again—this is energy independence?

Affordability. We have seen how the National Energy Strategy emphasizes oil and nuclear power to the practical exclusion of all other methods of generation—and to the absolute exclusion of conservation, renewables, and increased efficiency. We have seen how the two methods of generation that waste the most federal monies are oil and nuclear power, being one-sixteenth and one-one-hundred-and-thirtieth as cost-effective as conservation and efficiency. We have seen how this commits the nation to be pistol-whipped by Adam Smith's "invisible hand" in a future of ever-increasing demand for ever-dwindling supplies.

Now tell me again—this is energy affordability?

Long-Term Security. We have seen the administration's domestic advisors throw their support without moderation behind nonrenewable resources that their own technicians in the departments of Energy and Interior project will be gone well within our children's lifetimes. They are thus committing the next generation to, at best, a round of "resource diplomacy," and at worst a round of resource wars, to secure a lifestyle based on unmodulated consumption.

Now tell me again—this is long-term energy security?

And finally, **Compatibility with a Clean Environment.** We have seen the National Energy Strategy's desire to dot the Arctic National Wildlife Refuge and the Outer Continental Shelf with oil rigs and the statistical certainty of major spills, major toxic waste releases, major habitat destruction. We know of the thousands of tons completely avoidable CO₂ that will be spewed into our air. We fear the "streamlined" approval process for nuclear power plants that could put the next Chernobyl in any one of our back yards. We see the increasing degradation of air, land, and water based on the shortsightedness and greed of politicians and energy suppliers, all fostered by our National Energy Strategy.

Now tell me again—this is compatibility with a clean environment?

III. CONCLUSION

In discussing the National Energy Strategy, we have discussed economics, politics, physical science, and plain common sense, and how they all point to an inevitable conclusion about what our National Energy Strategy should be.

So now it's time to stand up and be counted on this issue.

The Senate will be voting on the Bryan Bill within the next two weeks.

On your way out, you will find a handout that lists the names and phone numbers of Indiana Senators Coats and Lugar.

I want you to pick up that list, take it home with you or to your office, and phone them tomorrow, telling them you support the Bryan bill on vehicle fuel efficiency. Last September both Senators voted against this bill. Let them know what you think.

And I also want to give you a phone number you can call to have an effect on all public policy matters. It is the White House public comment line, and a phone call there has a disproportionately large impact.

Here's the number: 202-456-1111. That's 202-456-1111. Let the Executive Branch know how you feel about being treated like cannon fodder for fossil fuel lobby.

The energy decisions we are about to make as a society will affect literally every aspect of your world, your lives, and the lives of your children.

Don't you think you ought to participate? I think so. And not just because of all of the economic, political, and scientific reasons we have advanced tonight. Because there is more to environmentalism than strict pragmatism and real politik.

In "Walden," Henry David Thoreau wrote that "Heaven is under our feet as well as over our heads." In other words, it is possible to glimpse something much larger than a warehouse full of natural resources when we gaze on Nature's face.

Or, to put it another way, trees not cut, deserts not tracked, oceans not buoyed, prairies not plowed, rivers not dammed, a world not trammelled—these are all natural resources, too, and every bit as important for a complete life as oil, natural gas, and pitchblende.

This is one of the decisions we will have to make soon. Will we preserve the last vestiges of this kind of world for our children, or will we sacrifice it all for the next half-percent-age point, the next quarterly earnings report, the next 52-week market high?

I think you know the answer to these questions. And I know you can do something about it.

Thank you very much.

TERTIARY TREATMENT FACILITIES FOR BENEFICIAL REUSE OF WATER

HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. LEVINE of California. Mr. Speaker, today I am introducing legislation to authorize the Bureau of Reclamation to participate with the West Basin Municipal Water District and the City of Los Angeles to build tertiary treatment facilities and related infrastructure for the treatment and subsequent beneficial reuse of sewage effluent.

This bill will literally transform polluted water into one of the most sought after resources in southern California.

For this reason, the legislation has the support of the city of Los Angeles, El Segundo, the West Basin Municipal Water District, Heal the Bay, the Mono Lake Committee, the National Wildlife Federation, and Friends of the Earth, among others.

In the near-term the projects authorized by the bill could provide drought-sensitive southern California with as much as 120,000 acre/feet of dependable water annually—enough

water to support the water needs of 600,000 people.

Not only will this legislation create an important new source of water, it will significantly reduce a major source of water pollution in Santa Monica Bay. Over 380 million gallons of sewage is treated at LA's Hyperion sewage treatment plant and is poured into Santa Monica Bay each day. This bill will facilitate recycling 62.5 million gallons of this effluent and 44 million gallons of effluent from the Tillman Water Reclamation Plant for industrial use, landscape irrigation and municipal uses each day, instead of polluting the ocean.

Importantly, this new source of water will also offset some of the demand for water that now is or in the future will be met from other sources. A reduced demand for imported water in the LA area will make more imported water available to other areas in southern California. Or this new source of water could be used to replace water from environmentally sensitive projects such as the water diversions near Mono Lake or other projects which may be proposed to meet southern California's future water needs.

This bill is a landmark proposal because, for perhaps the first time, a bill of this type includes stringent requirements to safeguard human health for using reclaimed wastewater as ground water recharge.

Both the West Basin Municipal Water District and the city of Los Angeles have begun development of water reclamation projects.

My bill authorizes a 25 percent Federal contribution for financing these projects. State funding sources may include low-interest loans and California Assembly bill 444, which authorized \$65 million for water conservation and quality projects, including development of a replacement water supply for the Mono Lake diversions.

West Basin is now in the planning stages of a new state-of-the-art tertiary treatment facility that would receive funding under the legislation.

Due to the innovative nature of this project, West Basin estimates that they can develop a competitively priced source of new water with a cost share of 25 percent Federal, 25 percent State, and 50 percent West Basin contributions for development and construction of the treatment facilities and infrastructure. West Basin plans to use its bonding capabilities to finance some portion of its share. The actual cost of the project is projected to be \$175 million to \$200 million.

Currently, West Basin is negotiating with the city of Los Angeles to divert 62.5 million gallons per day of secondary-treated effluent from LA's Hyperion sewage treatment plant to its new tertiary treatment facility. This will be the largest water reclamation project of this sort in the United States.

West Basin plans to build this new treatment plant in El Segundo. The communities which would be served by this project include El Segundo, Los Angeles, Inglewood, Hawthorne, Lawndale, Manhattan Beach, Hermosa Beach, Redondo Beach. In addition, Santa Monica and Torrance may also receive water.

Construction is expected to be completed and the reclaimed water available for use in 1994.

West Basin plans allocate the 70,000 acre-feet of water per year the new plant will produce to three purposes: First, West Basin plans to allocate 23,000 acre-feet per year for nonpotable industrial use. Specifically, two local refineries—Chevron in El Segundo and Mobil in Torrance—would primarily use the reclaimed water for their cooling towers, but could also use it for boilers and landscape irrigation.

Second, West Basin plans to allocate 17,000 acre-feet per year for irrigation. Potential irrigation customers include CalTrans, golf courses, parks, school grounds, a race track, and a cemetery.

Third, West Basin plans to use 30,000 acre-feet per year for the West Coast Basin barrier project. This project, developed in the 1950's, controls salt water intrusion into coastal aquifers in Los Angeles County by establishing a buffer between these aquifers and the Pacific Ocean. The project is operated by the city of Los Angeles Public Works Department. Presently, water provided by the metropolitan water district is delivered to roughly 150 injection wells. These coastal aquifers are a major source of water for coastal communities.

Because these coastal aquifers are a source of local drinking water, it is critical to insure that the reclaimed water will not present any long-term health risk to the public. For this reason the bill requires that the water reclaimed under this bill not be used for ground-water recharge unless (a) an environmental impact statement is completed, (b) all State and Federal drinking water standards and health advisories, as tested at the wellhead, are not exceeded, (c) monthly toxicity bioassays demonstrates no adverse health effects on a variety of organisms, and (d) a National Academy of Sciences monitoring program is established to evaluate the effects of the reclaimed water on the aquifer.

The West Basin Municipal Water District serves 850,000 people over 186 square miles in the cities of: Carson, Culver City, El Segundo, Gardena, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Malibu, and West Hollywood; and the unincorporated areas of: Alondra Park, Angeles Mesa, Del Aire, El Nido-Clifton, Howard, Ladera Heights, Lennox, Marina Del Rey, Point Dume, Ross-Sexton, Topanga Canyon, Victor, View Park, West Athens, West Carson, Westmont, Windsor Hills and the National Military Home.

The city of Los Angeles also plans to develop additional reclamation infrastructure under this legislation. LA is still in the preliminary planning stages of developing the East Valley and Hyperion water reclamation projects. Through these two projects together, LA plans to reclaim at least 50,000 acre-feet of water per year.

The East Valley water reclamation project will use water from the city's Tillman plant, which is currently undergoing construction to double its treatment capacity to 80 million gallons per day. Effluent from the plant is currently discharged into the Los Angeles River.

LA's Department of Water and Power currently plans to build the infrastructure necessary to reuse as much as 50 million gallons

per day of Tillman's effluent for beneficial purposes. LA plans to use this water, as West Basin does, for industrial use, irrigation, and ground water recharge. The legislation will provide 25 percent Federal funding for LADWP to build pumps and pipelines necessary to move Tillman's reclaimed water to the sites of reuse. Construction is expected to be completed in 1993.

LA plans primarily to move the reclaimed water to four spreading basins in the Sun Valley area. Through these spreading basins, the reclaimed water will recharge the San Fernando Valley groundwater basin. The same stringent requirements the West Basin project will have to meet to protect human health will be applied here as well.

Along the pipeline route, LADWP plans to deliver water to industrial and irrigation customers. The Valley Generating Station, located in the Sun Valley area, will use 2,000 acre-feet per year for its cooling towers. In the future, LADWP plans to expand the pipeline to provide the Hansen Recreation Area with 2,500 acre-feet for various purposes.

The city of LA has also proposed bringing additional tertiary treatment facilities on line for Hyperions secondary effluent. Federal 25 percent matching funds for this would also be available under my bill.

To put the importance of these projects in perspective, consider that today, California produces roughly 3.4 million acre-feet of treated municipal wastewater per year. According to the State Water Conservation Coalition draft report, however, the State only uses 325,000 acre-feet per year of this in reclamation projects. The reclamation projects in southern California account for roughly 160,000 acre-feet per year.

I urge my colleagues to review this legislation and lend their support to it.

TERRORISTS IN YUGOSLAVIA UNDERMINE DEMOCRACY THERE

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BROOMFIELD. Mr. Speaker, the winds of change that swept through Eastern Europe in 1989 were welcomed by all of us in Congress. Many countries bravely set sail on the rising tide of democracy and are moving forward.

The flame of freedom in Yugoslavia, however, is in danger of being snuffed out. Determined Communists, who urge others to use terrorist-like tactics, are being mobilized against the forces of democracy in that country. It is time for our Government to reevaluate its policy toward Yugoslavia and actively nurture the flame of liberty there. We must clearly tell the federal authorities in Belgrade and the Yugoslav National Army that America will not ignore the plight of those who seek democracy and self-determination in Yugoslavia. We must not have "business as usual" with repressive governments.

I am disturbed by recent unconfirmed reports that anti-Croatian terrorist groups killed two Croatian policemen, engaged in bombing

of buildings, and randomly fired at other civilian structures in Croatia. It is assumed that the terrorists are ethnic Serbians who live in the Republic of Croatia. Traditionally, relations between the Serbian minority and the Croatian majority in that republic have been good. Recently, however, Communists in Yugoslavia have felt threatened by the growth of democracy in some of the republics and have urged the Serbian minority to declare its independence from Croatia. As part of this Communist encounter-offensive, they have urged the ethnic Serbs in Croatia to conduct acts of sabotage and terrorism.

In particular, the President of the Serbian Republic, Slobodan Milosevic, a Stalinist hard-liner, is trying to stage a "confrontation" that will require the mobilization of the Yugoslav National Army, a modern military organization that already has garrisons in Croatia. Yugoslavia's Minister of Defense, General Veljko Kadijevic, has threatened to use military force against the fledgling democracies of Slovenia, Croatia, Bosnia-Herzegovina and Macedonia in the event of ethnic fighting. His attitude toward the changing political landscape in the country are obvious. He once described socialism as "one of the greatest achievements of contemporary civilization." I fear that these republics will be subjugated by the devious tactics of pro-Communist elements in Yugoslavia who are determined to maintain their strong centrist government.

It is ironic that Croatia, a democratic republic with a pro-American orientation and free-market economic policies, should be threatened by proponents of a dying ideology that is being debunked all over the world.

The United States must strongly condemn these "staged" terrorist attacks. Political stability in Yugoslavia will not come through the barrel of a gun. America must promote dialogue and peace, not repression. We must not let our official policy of democracy, peace and unity in Yugoslavia be utilized by the Communists to support a strong centrist government. If we fail to act swiftly and forcefully, we can be assured that the political situation in Yugoslavia will deteriorate to a point where democracy may not survive.

I urge my colleagues to carefully monitor these disturbing political developments in Yugoslavia.

RECOGNITION OF THE CHAMPIONSHIP HILO HIGH SCHOOL VIKINGS BASKETBALL TEAM

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. MINK. Mr. Speaker, I rise in recognition of the Hilo High School basketball team from the island of Hawaii in the Second Congressional District of the State of Hawaii. The Hilo High School team, the Vikings, won the State high school basketball championship on the evening of March 9, 1991, over the formidable Kalaheo High School basketball team, the Mustangs. In gaining the championship, the Vikings became the first Neighbor Island

team to win the title since another Viking team did it in 1964.

Hilo's victory over Kalaheo followed two consecutive evenings of what the Honolulu Star-Bulletin described as "down-to-the-buzzer struggles" against the relentless Kahuku High School Red Raiders and the talented Kamehameha High School Warriors. Throughout the course of the 35th annual State high school basketball tournament, the Vikings demonstrated skillful team play and unflinching teamwork.

Mr. Speaker, I salute the young men of all the teams who participated in the State high school basketball tournament for their skill and dedication. All of them demonstrated their commitment to the ideal of good sportsmanship. I applaud their efforts and I congratulate the Hilo High School Vikings on their hard-earned victory.

Allow me to recognize the members of the 1991 State of Hawaii high school basketball championship team, the Hilo High School Vikings:

Shon Malani, Paul Lee, Jr., Herman Medeiros, Benjamin Pana, Donald De Sa, Wilmer Castillo, Kaulana Pakele, Grant Baclic, Robert Medeiros, Seth Gardner, Steven Idemoto, Chad Alameda, Mokoifonua Pousima, Solomon Wakita, Clayton Kaneshiro, Tod Bello, and Theodore Ireland.

Their head coach: Lawrence Manliguis.

Their assistant coaches: Roy Kobayashi, Edward Kalima, Jr., Wayne Kaneshiro, John Walter Ah Hee, and Kelly Lerma.

Their athletic director: Ronald Furukawa.

Their manager: Froilan Gacusan.

Their team statisticians: Roanne Okunami, Brandy Allen, Pearl Arakaki, Tanya Belleo, Stacie Mandaloniz, Sue Ann Ah Heong, and Lisa Pana.

And their principal: Mrs. Donna Saiki.

FREE TRADERS IGNORE GRIM REALITY IN MEXICO

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. HUNTER. Mr. Speaker, as we debate the merits of approving the extension of fast-track negotiating authority for the administration, we must examine every facet of the possible effects on our economy and our workers of a free-trade agreement with Mexico. I urge my colleagues to give serious thought to the issues raised in a letter from the May 1, 1991, Wall Street Journal.

FREE TRADERS IGNORE GRIM REALITY IN MEXICO

Rudiger Dornbusch is but the latest in a long procession of wishful thinkers—government officials, economists and business leaders—who proclaim that free trade with Mexico somehow will bring our older brothers to the South to accept the liberal notions of democracy and the rule of law ("If Mexico Prospers, So Will We," editorial page, April 11). He accepts that "Democracy, workers' rights, safety and environmental issues" are part of the debate, but neglects to mention that in Mexico such concerns are subjugated to the economic interests of that country's corrupt ruling party.

"Free trade" with Mexico is not about commerce, but about politics; it is a deliberate effort by the Bush administration to divert attention from the financial woes of the most oppressive, authoritarian regime in this hemisphere after Cuba, and to support the Salinas government with increased flows of foreign capital. The fact that the World Bank is the largest external source of support for the "Mexican miracle" is conveniently omitted from the discussion.

Free-trade zealots forget that Mexico remains a badly managed Third World country that is not comparable with real success stories such as Chile or the Asian "tigers" such as Korea. Talking about the relative level of wages in Mexico today is irrelevant given the fact that the country is still largely using new loans and direct investment to fund enormous trade and current-account deficits, which in turn are driven by subsidies for Mexico's enormously costly state sector. If American labor unions think low Mexican wages pose a threat now, at 3,000 pesos per dollar, imagine how they will wail when the peso is readjusted to something approaching purchasing power parity with the U.S.—roughly 4,000 pesos per dollar.

While it is obvious that a free-trade agreement is in the interest of both countries, the kind of progress predicted by Mr. Dornbusch requires the fertile soil of freedom—of the press, to win and hold public office, to run a business, or to worship—in order to flourish truly. Advocates of a free-trade agreement who believe political and human-rights concerns can be separated from commercial interests have not been paying attention to the struggle for progress in Eastern Europe.

If we really want to see North America prosper in a united economic and perhaps someday even political union, all of the participants must be committed equally to the basic principles of economic and political liberty that have made North America's prosperity possible. When will these die-hard "free traders" also come to support free elections with equal vigor?—Christopher Whalen, Washington.

SDI ARGUMENTS STILL RELEVANT

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GINGRICH. Mr. Speaker, I would like to share with my colleagues an article entitled, "SDI Insurance Against Nuclear Mishap," which was written by James P. Litsey, a former Titan II missile commander. Although this article first appeared in the Wichita Eagle-Beacon in 1985, its arguments are still relevant to the current debate over SDI. For this reason, I would like to reprint the article in the CONGRESSIONAL RECORD, to remind my colleagues of this important message.

[From the Wichita Eagle-Beacon, Oct. 13, 1985]

SDI INSURANCE AGAINST NUCLEAR MISHAP (By James P. Litsey)

Probably one of the most important and yet least discussed issues facing us today revolves around the quality of safety and security found in the "fail-safe" systems of the world's intercontinental ballistic missiles and other nuclear weaponry. The term "fail-safe" was popularized in the 1960s by a novel of the same name, which involved a B-52

bomber that headed for Moscow when it received an erroneous "go" signal. The bomber pilot could not turn back, even though the president made a personal appeal for him to do so. When all joint efforts to down the bomber failed, the president ultimately was forced to bomb New York City in an attempt to stave off a wave of Russian retaliation.

Where "fail-safe" dealt with an earth-shaking fictional crisis and decisions made over a period of hours, today we could well face a similar crisis of significantly greater magnitude—with a window of only a few minutes available in which to correct the error and defuse escalating tensions, or face catastrophic destruction. This is a situation that at best does not lend itself to controlled and rational decision-making, especially in light of the constraints: less than one-half hour between launch and warhead detonation, and the lack of a worldwide operationally reliable antimissile defense system that could be directed against an accidentally launched missile successfully. Rather, it encourages frenzied decision-making by the president and his advisers as they scramble for airborne command posts and underground bunkers. Certainly, the actions and reactions of Soviet leader Mikhail Gorbachev and his comrades could not be expected to be any different as they, too, scramble for their own lives.

It is not a question of whether an accidental launch could happen; it is an indisputable fact that an unauthorized launch could occur. Unclassified documents detail the existence of "Unauthorized Launch Studies." The classified details of those documents, if released, would reveal a variety of ways the actual launch of a given ICBM system could be accomplished without presidential authorization.

Recently, syndicated columnist Edwin Yoder made the point that nuclear weapons in and of themselves will not take matters into their own hands simply because they have grown impatient with disuse. But don't try to convince the Titan II ICBM crew in Arkansas on duty one August day in 1974 of that. They had "pushed the buttons" to test the launchability of their machine, only to end the exercise by pulling every component drawer they could get their hands on in an attempt to shut the monster down, less than nine seconds before liftoff. This is not to say there remains no controversy as to whether the missile would really have launched (obviously, it did not). Reportedly, someone forgot to shut off a critical circuit-breaker at the appropriate step, and the machine—a nuclear weapons—did the rest.

Given the weaknesses in our own weapons systems, one must be even more concerned about analogous and much greater weaknesses found throughout the world in the nuclear systems of the Soviet Union, France, China, England . . . India, South Africa, Israel, Brazil, Libya, Pakistan, Argentina, Iraq and God-knows-who-else.

Even Secretary of Defense Caspar Weinberger commented specifically on this issue in a recent article discussing President Reagan's Strategic Defense Initiative. He stated that a reliable defensive system would give us the hope of gaining several benefits, among which was probably the most-looked, least-understood and, therefore, the least-discussed benefit: "Protection against accidents. Strategic defense could be an additional 'insurance policy' against the accidental launching of a missile against us." This marked the first time a Cabinet-level official of any administration publicly made such an open and candid statement with reference to the possibilities of nuclear war.

More recently, another Washington-based columnist, David Broder, asserted that President Reagan keeps bumping into himself as he defends SDI. Broder calls for somebody to give President Reagan "a better argument to use in Geneva, or better yet, a more plausible position to defend." The old school of chessmanship holds that sometimes the best defense is a strong offense. As such, does not the offensively oriented argument that bases the need for SDI on an overriding concern for preventing an accidental nuclear war become the basis of a more plausible position to defend—that is, one which genuinely has the welfare of the entire world at heart?

If Mikhail Gorbachev is really the "smoothy" Mr. Broder says he is, it would not come as a surprise if he took President Reagan up on his suggestion the Soviets and Americans work together to achieve a peaceful space through which no nuclear weapons would be allowed to pass. Surely both the proponents and opponents of SDI can agree that even some minimum threshold of implementation for SDI should afford the world protection against one, 10, 50 or 100 accidentally launched nuclear missiles.

Many conservatives' jaws hit the table when President Reagan initially suggested the possibility of sharing SDI, but in view of the alternatives, maybe he's right. This isn't to say such a move would not be fraught with monumental diplomatic and security obstacles. But these challenges help clarify and reduce to proper perspective the relative ease with which satellite hardware and non-nuclear explosive components could be assembled into an effective system, using non-exotic, known technology.

Robert Jastrow, in his "How to Make Nuclear Weapons Obsolete," notes that one group of SDI opponents, the Union of Concerned Scientists, originally placed the precise number of American satellites required to make SDI operational at 2,400. They have since admitted the presence of errors in their assumptions and revised the number down three times. Their current projections show a need for 162 satellites—not too far out of line with Livermore Laboratory's total of 90, assuming a high-altitude orbit, or 45 if placed in low-altitude orbit.

Jastrow makes the case for a non-nuclear, non-exotic SDI system using known technology; approximately 100 interceptor satellites in conjunction with 14 support satellites. That could pave the way for a meeting of the minds of both proponents and opponents of SDI.

There must be a point of common ground, a focal point, if we are to bring the relentless debate under control and move forward in a productive, responsible and reasonable manner. To fail to do so challenges the measure of grace we thus far have been given, for tomorrow we might awaken to quite a different world.

THE ANTI-TERRORISM ACT OF 1991

HON. EDWARD F. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. FEIGHAN. Mr. Speaker, today I join over 30 of my colleagues in introducing the Anti-Terrorism Act of 1991. This legislation will allow American victims of terrorism to bring civil suits in U.S. Federal court.

The need for this legislation couldn't be clearer. While Congress has passed laws providing for the criminal prosecution of terrorists, victims of terrorism face incredibly difficult legal hurdles in pursuing claims against terrorists. The recent case of the Klinghoffer family is a glaring example of this gap in our efforts to develop a comprehensive legal response to international terrorism.

Leon Klinghoffer, a passenger on the *Achille Lauro* cruise liner, was executed and thrown overboard during the 1985 terrorist attack. His widow, Marilyn Klinghoffer, and family took their case to the courts in their home State of New York. Only by virtue of the fact that the attack violated certain admiralty laws and that the organization involved—the Palestine Liberation Organization—had assets and carried on activities in New York, was the court able to establish jurisdiction over the case. A similar attack occurring on an airplane or in some other locale might not have been subject to civil action. The Anti-Terrorism Act of 1991 would fill in this gap in our laws.

The Senate unanimously passed the ATA last year and passed it again just last month. Under the leadership of Senators GRASSLEY and HEFLIN, the ATA has drawn strong, bipartisan support in the Senate and we have similar broad support among our original cosponsors. We hope to move this legislation through the committee and into the House floor just as soon as possible. The ATA will be an important and timely addition to our arsenal aimed at ending the scourge of international terrorism. I ask that a copy of the bill appear following my statement.

KINGSTON, GA, HONORS CIVIL WAR VETERANS EACH APRIL 23

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DARDEN. Mr. Speaker, today I would like to share with my distinguished colleagues a story about the unique community of Kingston, GA, which lies at the foothills of the Appalachian Trail in northwest Georgia. Although small in number, the townspeople of Kingston are, nevertheless, big in character and tradition.

Since 1865, Kingston has traditionally recognized and practiced the oldest Memorial Day in the country. Each April 23, these residents gather together for a special service to honor those who gave their lives in the Civil War. I know of no such other celebration exclusively recognizing veterans of the Civil War on this day, and believe it to be unique to the country.

As part of the ceremonies, bouquets of spring flowers are placed on the graves of 249 Confederate soldiers and two Union soldiers. Afterward, elder members of the community share stories about their parents and grandparents during this turbulent turning point in the history of our country.

Toward the end of the Civil War and during the time of the Georgia campaign, Kingston maintained an army hospital. Thusly, many brave soldiers who lost their lives are buried in

the surrounding area. The majority of the graves are unmarked and the soldiers' names unknown, but still they are not forgotten.

The passage of time has not distanced the hearts of the people of Kingston in remembering those who fought so valiantly in the War Between the States. Mr. Speaker, these people should be commended for their thoughtfulness and dedication, as well as for setting a precedent in recognizing and honoring heroes of wars past—no matter how long ago.

THE PASSING OF MARGARET
"MAMA" MARKS

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. FAZIO. Mr. Speaker, I rise to mourn the passing of a dear friend and wonderful individual, Margaret "Mama" Marks. Her death was felt so strongly in the Sacramento community because her life was such a strong part of our community. For over 20 years, Mama Marks fed the poor through her home in Del Paso Heights, known as the Arms of Mercy. Those arms not only embraced the poor, but reached out to touch the hearts of everyone in Sacramento.

Mama was a native of Louisiana and first came to California in the 1940's, to work in the shipyards in Oakland. In her spare time, she taught Sunday school and worked with the church auxiliary. In the mid-1950's Mama came to Sacramento, joining the Women's Civic Improvement Club, Del Paso Heights Project Area Committee, and the PTA. Making her home in the Del Paso area, she formed their summer lunch program. It is immediately apparent that the less fortunate, and especially children, were a priority with Mama. Over the years, she cared for more than 50 foster children.

It was, in part, from that experience that she became known simply as Mama Marks. "Mama" was not only her title, but perhaps her best description. More than simply feeding the poor, she wore with the simplest of pride and fulfilled with the greatest of glory. She felt that the destiny of caring for the poor was handed to her from God in a dream. Everyday of her life was living the fulfillment of that dream. She would say, "you can't out-give God because I've tried, and the more I give away the more he sends down."

That simple belief that God would provide was the foundation of the Arms of Mercy. The kitchen was run strictly by Mama and God; she would have no government assistance, no bureaucracy, no fund raisers. All was provided by Mama or by donation. She fed nearly 100 people every day and 500 to 600 on holidays. All the food was prepared by Mama, usually Southern specialties from her native home of Louisiana. Nothing was ever served without her approval. She was Mama, and this was Mama's kitchen.

Too often, we see things in our everyday life that disturb us, like homelessness, hunger, neglect, and abuse, which stir strong emotions within us. Often, we are not so much afraid of becoming involved but afraid of caring. Mama

was fearless as only a mother could be; she was not afraid to care. She embraced the very things from which we turn our faces. Mama realized that people, who have little, hunger for more than just a meal; they hunger for the touch of human kindness and compassion. Throwing some change at a person does not satisfy the loneliness of being on the streets and the emptiness of knowing that no one cares. Mama not only satisfied the physical, but also the emotional and spiritual hunger of the less fortunate. She cared—to them it was Mama, and she was all they had.

All Sacramentans are in mourning for having lost Mama Marks. One of the most tragic things in life, for rich or for poor, is to lose your mother, particularly when you have no one else.

THE 100TH ANNIVERSARY OF OUR
LADY OF THE ANGELS

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Ms. MOLINARI. Mr. Speaker, I take the opportunity today to observe a milestone in the community of Bay Ridge.

Our Lady of Angels Parish, Fourth Avenue and 74th Street, celebrates its 100th anniversary this year. Tomorrow night, its parishioners will gather to celebrate not only the century past, but the century ahead.

I am proud of the traditions exemplified by Our Lady of Angels. Such a church inspires a sense of community that is a vital link between people in an often chaotic world.

The church also has a school, which has served as a pillar of fine education for many young people. The parish also serves the community with activities for seniors, a youth ministry, an Alcoholics Anonymous chapter, Al Anon, and a human service center providing food for the needy.

Our Lady of Angels has seen many changes. When the church was built in the late years of the 19th century, Bay Ridge was a pastoral suburb of the city of Brooklyn. From being surrounded by farms, the church has become surrounded by the frantic pace of the city. It remains a mainstay for the community and its people.

Mr. Speaker, I am proud to take this opportunity to congratulate Our Lady of Angels for 100 years of service well-performed, and to offer my best wishes for the 100 years to come.

GOVERNMENT SPONSORED
ENTERPRISES

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mrs. KENNELLY. Mr. Speaker, I rise today to commend the Treasury for their excellent report on reforming the Government-sponsored enterprises.

While the Treasury maintains that these entities do not immediately pose risk to the Fed-

eral Government, the sheer magnitude of the collective debt of these entities, some \$981 billion, means that we ignore their safety, soundness, and regulatory structures at our own peril.

The Treasury outlines four governing principles: that financial safety and soundness should be given primacy over other public policy considerations; that regulators should have sufficient stature to avoid capture by special interests; that private market risk assessment mechanisms be used, and that financial safety and soundness standards be consistent across all GSE's. These principals are sound.

One Treasury recommendation, however, doesn't make sense in light of these principles, that is the Treasury would generally leave regulatory authority with existing agencies. Although the Treasury would instruct these agencies that financial safety and soundness be given primacy over other public policy considerations, a fundamental conflict still exists.

It is expected that the GAO will recommend that the Department of the Treasury assume the responsibility for the financial safety and soundness of all GSE's. This approach makes much more sense and would remove the fundamental tension between the constituencies of the GSE's and risk to the potential risk to the Federal Government.

ADDRESS BY HON. JOHN
BRADEMAS

HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. YATES. Mr. Speaker, on March 20, our former colleague and my dear friend, John Brademas, gave the Fourth Annual American Council for the Arts Nancy Hanks Lecture on Arts and Public Policy. It was a most excellent lecture and I want to share it with the House. I urge everyone to take a few moments to read the speech.

The speech follows:

ADDRESS BY JOHN BRADEMAS BEFORE FOURTH
ANNUAL COUNCIL FOR THE ARTS

I am honored to have been invited to deliver the Fourth Annual Nancy Hanks Lecture on Arts and Public Policy, and I'm for several reasons glad to be here.

First, I want to salute the American Council for the Arts, on whose board I am proud to sit, for spearheading 1991 National Cultural Advocacy Day. I commend the champions of the arts from throughout the country who have come to Washington this week to press our case. And I thank ACA leaders Gerald Blatherwick and Milton Rhodes for asking me to share my thoughts with you.

It is a special honor to be introduced tonight by my old and valued friend, Congressman Sidney Yates of Illinois, chairman of the House Appropriations Subcommittee with jurisdiction over the National Endowment for the Arts and other cultural agencies, and one of the most stalwart advocates of the arts in the United States.

I have often compared Sid Yates to the Dutch boy with his finger in the dike, for he more than any other single person in recent years has defended the arts and humanities against repeated attacks. The American peo-

ple owe more to the vision and determination of Sidney Yates than they will ever know.

At this time and in this place, it seems fitting that we pay tribute to the memory of a person whose efforts also contributed immeasurably to the cultural life of our country.

It was in 1969, when she became Chairperson of the National Endowment for the Arts, that I first became acquainted with Nancy Hanks. As chairman of the subcommittee of the House of Representatives with jurisdiction over the legislation that authorized the Endowment, I had countless opportunities over the succeeding eight years to observe firsthand the legendary combination of Hanks intelligence, tenacity, courage and charm—the qualities that made her such a formidable leader of the NEA.

As you all know, the Arts Endowment bloomed and flourished during her tenure.

Recalling those years of optimism and growth, I thought I might best salute the accomplishments of Nancy Hanks by reflecting, in this darker hour, on what those who care deeply about the arts must do to renew the nation's commitment to their support.

I speak to you from several perspectives. As a Member of Congress for 22 years, I took an active part in writing most of the legislation enacted between 1959 and 1981 to assist institutions of learning and culture, including schools, colleges and universities, libraries and museums, the arts and humanities.

If during my time in Congress, I was a champion of education and the arts, I have continued to be preoccupied with both as president since 1981 of New York University.

As you know, the main campus of New York University is located in Greenwich Village, right next to Soho—in all, a thriving community for artists and the arts.

Beyond the wonderful neighborhood in which it lives, NYU is blessed with outstanding programs in the arts . . . of every kind.

NYU's Tisch School of the Arts is one of the nation's foremost centers for education in the performing and communications arts; Tisch film, drama and television graduates are setting a fast and highly successful pace in both Hollywood and New York. Spike Lee, Susan Seidelman, Martin Scorsese, Oliver Stone—all alumni—make my point.

New York University's Institute of Fine Arts is the premier center in this country, perhaps the world, for graduate study of art history and conservation. And NYU's undergraduate department of fine arts is one of the finest in the nation.

Our Grey Art Gallery on Washington Square is as impressive a place for the exhibition of serious art as can be found at any university in the United States.

And our School of Education, Health, Nursing and Arts Professions offers a wide range of arts education courses and a graduate program in museum studies and is home to the National Arts Education Research Center.

I must note, too, that my right arm during my years as chairman of the House Subcommittee, of which he was counsel and staff director, Jack Duncan, continues to be active in arts advocacy as special counsel to the ACA; and that another former top associate, Tom Wolanin, is now staff director of the House Subcommittee on Postsecondary Education, where he serves one of the ablest legislators in Congress, William D. Ford of Michigan, the new chairman of the House Education and Labor Committee and of that Subcommittee.

Finally, I speak to you from the perspective of having last year served as co-chair-

man, with Leonard Garment, of the Independent Commission, mandated by Congress to study the operation of the National Endowment for the Arts.

Tonight I want to discuss the role of the Federal government in supporting the arts; review that relationship over the past 24 months, with particular attention to the work of the Independent Commission; and consider ways of reinvigorating the National Endowment for the Arts.

At the outset, I must warn you that I intend to be as candid as I like to think I was on Capitol Hill!

A FEDERAL COMMITMENT TO THE ARTS

For more than two-and-a-half decades, Federal funds have served in significant ways to encourage individual artists and arts organizations in the United States.

During my own years in Washington, Congress passed several laws to help the arts. I was one of the sponsors of the legislation that created the National Endowment for the Arts, and as I have said, for ten years chaired the House subcommittee with responsibility for the NEA, the National Endowment for the Humanities and other programs to support cultural activities.

Indeed, the NEA is not the only Federal agency that supports art and culture in the United States. The National Endowment for the Humanities, the Library of Congress, the Smithsonian Institution and the National Gallery of Art, which this year celebrates its 50th anniversary—are all central to our commitment as a people to enriching culture.

Here I want to make special mention of two other initiatives, which I co-authored with my friend and distinguished Senate colleague, Clairborne Pell of Rhode Island, that opened new doors to the arts.

One, the Museum Services Act, makes available through the Institute of Museum Services, modest but invaluable grants, up to \$75,000, for general operating support and conservation activities, to museums of every kind—art, history, science and technology—and to zoos and botanical gardens. In fiscal 1990, IMS made nearly one thousand grants, totaling an estimated \$21 million. Institutions as diverse as the Sacramento Zoo, the Nebraska State Historical Society, the Field Museum of Natural History in Chicago and the Laumeier Sculpture Park in St. Louis have received assistance from the IMS.

The second measure of which I claim joint parenthood with Senator Pell, the Arts and Artifacts Indemnity Act, provides indemnification by the federal government to protect art and artifacts loaned by other countries for exhibit in American museums. The ceiling on indemnification was recently increased from \$125 million to \$300 million per exhibition, with an aggregate limit on all outstanding indemnities, formerly \$1.2 billion, now \$3 billion. Since its enactment in 1975, the Indemnity Act has been used in some 360 exhibits—including Tutankhamun, the Vatican, Alexander the Great and the Treasure Houses of Britain—with almost no claims for loss or damage. Most recently, the Indemnity Act helped make possible the Mexico and Malevich exhibitions at the Metropolitan Museum of Art and the Frans Hals and Titian exhibits at the National Gallery.

THE NEA RECORD

The law establishing the National Endowment for the Arts and its sister agency, NEH, puts the case for the use of Federal tax dollars for the arts in succinct terms:

"It is necessary and appropriate for the Federal government to help create and sustain not only a climate encouraging freedom

of thought, imagination and inquiry but also the material conditions facilitating the release of this creative talent."

From the beginning, two principles governed the operation of the National Endowment for the Arts—freedom of expression and accountability for the use of public monies.

To guard against political interference, the Senate committee report on the bill establishing the two Endowments used straightforward language:

"It is the intent of the committee that in the administration of this act there be given the fullest attention to freedom of artistic and humanistic expression."

To insure that the Endowment expend its funds wisely, Congress provided for an elaborate structure of accountability. The Chairperson of the NEA and the 26 rotating members of the advisory National Council on the Arts are nominated by the President and subject to Senate confirmation. Central to the grant selection process are advisory panels, made up of persons with special expertise who are chosen by the Chairperson to judge grant applications. The Chairperson, according to the original statute, would have the final say.

The law also makes clear that private initiatives are to be the principal source of money for the arts in this country; all grants to organizations must be matched by non-Federal monies on at least a one-to-one basis.

This matching formula has proved highly effective in attracting private support for, and in stimulating public interest in, the arts in the United States. When the Endowment was created in 1965, there were relatively few professional non-profit performing arts organizations in our country. There were 58 orchestras, 22 professional theaters, 37 dance companies and 27 opera companies. Private support for the arts had been flat for a decade, at approximately \$250 million a year. Only seven states had arts agencies.

By 1990, however, there were in the United States 230 orchestras, 420 theaters, 250 dance companies and 120 opera companies. Private giving to the arts is now estimated at \$6 billion annually. And today every state in the Union has an arts agency.

The range of activities that have benefited from Endowment assistance is impressive. The agency has been indispensable, for example, to television programming in the arts, to regional theater and dance. As one of the few sources of funds for both folk art and emerging art forms, the Endowment has helped preserve and advance America's cultural heritage.

All four Pulitzer Prize winners in 1990—for music, fiction, poetry and playwriting—received, at critical points in their careers, grants from the NEA. The Alexander Calder sculpture in Grand Rapids, Michigan; the Vietnam War Memorial in Washington, D.C.; the Dance Theater of Harlem—all might not exist had each not received support from the NEA.

Despite its highly successful record and wide bipartisan support in Congress, the Endowment has at times provoked sharp controversy. The controversial incidents have been rare. Of some 83,000 grants awarded by the NEA over the past quarter of a century, only 20 have raised significant questions.

In the past a mixture of astute leadership by the heads of the NEA, Presidential and Congressional willingness to strengthen the arts, effective lobbying by arts advocates and widespread public support combined to diffuse attacks on the Endowment and sustain it.

The situation that arose two years ago, however, was far different. There was, above all, a virtual vacuum of leadership for the arts at the highest levels of government. The harsh years of Ronald Reagan, with their initial hostile and later, stagnant budgets for the arts, paved the way for George Bush, who seems to want to keep the troubled Arts Endowment at arm's length.

If Mr. Bush has had little to say to defend the agency, his has not been the only silence. Indeed, as I shall illustrate, in the past two years, key elements that had helped repel earlier assaults on the NEA were weakened or missing.

In consequence, as we have seen, when determined opponents unleashed an unprecedented attack against the National Endowment for the Arts, they would succeed not only in radically altering the legislation governing the agency but threatening its existence.

Let me, in light of these observations, now turn to the events of the past 24 months, and the work of the Independent Commission.

THE NEA UNDER ATTACK

As you all know, in 1989, a firestorm was sparked by two exhibits assisted by NEA grants. One show, presented by the Southeastern Center of Contemporary Art in Winston-Salem, North Carolina, contained a photograph by Andres Serrano of a crucifix in urine; the other, at the Institute of Contemporary Art in Philadelphia, included some photographs by the late Robert Mapplethorpe of homoerotic activities and nude children.

In April 1989, the Serrano piece triggered the formidable machine of the religious right. Orchestrated by the Reverend Donald Wildmon and his American Family Association, letters attacking the artist poured into Congress; incensed legislators denounced both Serrano's work and Mapplethorpe's as "morally reprehensible trash." In June, the Corcoran Gallery of Art in Washington, D.C., canceled a scheduled Mapplethorpe show.

The dispute leapt onto the pages of leading newspapers and magazines. Rival coalitions mobilized on the issue, with accusations of "blasphemy" and "pornography" from one side, "censorship" and "thought control" from the other.

The debate in Congress produced proposals to alter the criteria the agency had used for nearly 25 years to judge grant applications. The most radical change, introduced by Senator Jesse Helms of North Carolina, was a legislative prohibition on grants for the promotion, dissemination or production of material deemed obscene, offensive or denigrating to religions or peoples. Helms amendment proponents sought to frame the issue for Congress in this fashion: "If you vote 'No' against 'censorship,' you're voting in favor of 'pornography.'" That is to say, if you defend freedom of speech and support for the arts, you can expect campaign attacks back home.

Given the gritty realities of modern American politics, supporters of the National Endowment for the Arts on Capitol Hill struggled to find a compromise. To stave off more onerous alternatives, they reluctantly accepted a provision in the appropriations bill for fiscal 1990 intended to draw on the 1973 *Miller vs. California* Supreme Court decision on pornography.

The new language prohibited the NEA from promoting, disseminating or producing materials which "may be considered obscene, including but not limited to, depictions of sadomasochism, homoeroticism, sexual exploitation of children, or individuals engaged

in sex acts, which, when taken as a whole, do not have serious literary, artistic, political or scientific value."

For the first time in the history of the National Endowment for the Arts, the criteria for judging applications had been changed and the Endowment placed on a collision course with the Bill of Rights.

THE CREATION OF THE INDEPENDENT COMMISSION

Congressman Yates, however, acted to protect the Endowment by adding a provision to the appropriations bill calling for the creation of a "temporary Independent Commission." The Commission, by law to expire on September 30, 1990, was charged with reviewing the grant-making procedures of the National Endowment for the Arts, including those of its panel system; and considering whether the standard for publicly funded art should differ from the standard for privately funded art.

The Commission would be composed of twelve members, all to be appointed by President Bush, four on the recommendation of Speaker of the House of Representatives Thomas Foley in consultation with House Minority Leader Robert Michel, four on the recommendation of the President pro tempore of the Senate Robert Byrd in consultation with Senate Minority Leader Robert Dole, and four by the President himself.

Although Congress asked the Independent Commission for its report by April 23, 1990, White House tardiness in nominating its four members—the President did not, for reasons never explained, name his four choices until May 16, seven months after enactment of the appropriations act—prevented my colleagues and me from being sworn in until June 6, 1990, six weeks after the statutory deadline for the report!

A NEW ERA OF CENSORSHIP

During these months of delay, the controversy about the Endowment became still more acrimonious. As leaders of the religious right and crusading politicians continued to pound the agency, they were joined by a number of conservative art critics and intellectuals, lending the attack a patina of respectability. Fresh targets such as performance artist Karen Finley drew particular wrath.

Meanwhile, the Endowment found itself battling not only this band of opponents but its own beneficiaries. When the new Chairperson, John Frohnmayer, issued regulations requiring grantees to sign an anti-obscenity pledge, dozens of them refused to do so and three—a university, a dance company and a museum—took the NEA to court.

A new atmosphere of censorship appeared in some parts of the land. Local police stormed the Contemporary Arts Center in Cincinnati and, for exhibiting Mapplethorpe photographs, its director was indicted on obscenity charges. A prosecutor in Florida indicted the rap group 2 Live Crew for obscenity. And Republicans in Congress—supported by President Bush—pressed a constitutional amendment to ban flag burning.

It was in this deteriorating environment that Senators and Representatives began the process of reauthorizing the NEA. By the summer of 1990, their chances of crafting a bill free of so-called content restrictions—legislative limitations on the viewpoint expressed in a work of art—seemed increasingly remote. "There aren't many issues left and NEA is potentially a big one," said National Republican Congressional Committee Co-Chairman Ed Rollins, a warning to incumbent legislators seeking re-election in November.

THE INDEPENDENT COMMISSION MEETS

It was against such a backdrop that the 12 members of the Independent Commission held their first meeting in early June 1990, in Washington. Let me here salute them. They were a dedicated, hard-working group. Nominated by the House of Representatives were David E. Connor, president of David E. Connor and Associates of Peoria, Illinois; Joan Harris, former Commissioner of the Department of Cultural Affairs of Chicago; Kitty Carlisle Hart, chairman of the New York State Council on the Arts; and I.

Members recommended by the Senate were Marcia Laing Golden, past president of the Association of Community Arts Agencies of Kansas; Kay Huffman Goodwin, a former chairman of the West Virginia Arts and Humanities Commission; Peter Kyros of California, a former White House aide on the arts and humanities; and also of California, Rosalind Wyman, a former member of the National Council on the Arts.

Mr. Bush's choices were John Agresto, president of St. John's College in Santa Fe, New Mexico, and former deputy chairman of NEH; Theresa Elmore Behrendt of New York, a former White House liaison to the arts and humanities; Leonard Garment, of the law firm of Dickstein, Shapiro & Morin in Washington, D.C. and former assistant to President Richard Nixon; and Charles K. McWhorter of New York, a lawyer and former legislative assistant to Vice President Nixon.

Let me tell you about what we did.

The Independent Commission made several key decisions on the first day we met. The Commission elected not one chair but two co-chairs—Leonard Garment and me. Far from prompting a deadlock, the co-chairmanship and a personal friendship that developed between Leonard Garment and me proved indispensable to the work of the Commission and its ultimate success. Indeed, for me one of the great pleasures of serving on the Independent Commission was the opportunity to engage wits, cross swords and fashion agreements with one of the country's leading lawyers. Leonard is a man of both passion and intellect. I was exposed in our deliberations to both qualities!

I remind you, too, that six Commissioners were chosen by Democratic elected officials and six by Republicans. With co-chairmen, every member would be assured that his or her voice would be heard.

Another crucial determination: After considerable discussion, the Commission agreed not to ask Congress to extend its life for another year or more but instead to move quickly and produce a report by the date the Commission would statutorily go out of business—September 30, 1990.

Mr. Garment who, as you know, delivered the Nancy Hanks Lecture two years ago, and I immediately appointed a staff director, Dr. Margaret Jane Wyszomirski, a respected scholar specializing in public policy for the arts. Only last week, I am pleased to note, Dr. Wyszomirski was named director of the NEA's Office of Policy and Planning.

Leonard and I felt it imperative that the Commission's work be characterized by—and be seen to have—three qualities: balance, independence and a striving for consensus. During six days of public hearings, the Commission sought to elicit the broadest array of opinions. We took testimony from top Endowment officials, peer review panelists, policy analysts, foundation supporters of the arts, artists and critics of the NEA.

Because Leonard Garment and I realized that the issues the Commission had been

charged with considering entailed First Amendment questions, we convened a Legal Task Force of six constitutional lawyers—Leonard chose three and I chose three—selected on the basis of their outstanding reputations and the diversity of their views.

Members of the Task Force both testified before the Commission and drafted a consensus statement. A particularly significant conclusion, widely cited in the press, in the legal scholars' statement, was this: "... [W]hile Congress has broad powers as to how to spend public funds, it may not do so in a way that the Supreme Court has said is 'aimed at the suppression of dangerous ideas.'"

I think it here important to note that all six lawyers, conservatives and liberals, opposed the requirement that NEA grant recipients certify that their work would not be obscene.

By the time, last August, that the Commissioners began negotiations on our recommendations, it was clear that our philosophical differences meant that each of us would have to compromise. A divided Commission, Leonard and I reminded our colleagues, would carry little weight in Congress.

That the Commission's final report, issued on September 11, 1990, was unanimous was an achievement in which Leonard, our fellow Commissioners and I took—and take—great pride.

RECOMMENDATIONS OF THE INDEPENDENT COMMISSION

Let me here summarize some of our chief recommendations.

First, the Commission declared that "to assure that the NEA operate in a manner accountable to the President, Congress and the American people, the Endowment's procedures for scrutiny and evaluation of applications for grants must be reformed."

In pressing for reform, the Commission urged that the sole authority of the NEA Chairperson to decide on grants be made explicit in legislation and that he or she be given more choices. Our Commission also called for the reestablishment of "Committees" of National Council members to assure another opportunity for review between, on the one hand, grant advisory panels, and, on the other, the full Council and the Chairperson.

We said that recommendations of specific amounts of grant awards should be set by Endowment staff after consultation with panelists. We also said that the panels and National Council should recommend a larger number of grants than funds available for them, thereby giving the Chairperson a genuine choice in making awards.

In addition, the Commission urged steps to diminish conflicts of interest on panels. Panelists, we said, should not be permitted to serve on a panel considering applications from organizations with which they are affiliated. And the pool of panelists should be expanded to include persons knowledgeable about the arts but who do not earn their living in them.

In light of subsequent developments in Congress, I think it important to point out that one change the Independent Commission carefully considered and roundly rejected was alteration in the percentage of Endowment funds directed to state arts agencies.

Moreover, although the Commission urged reforms in the grantmaking procedures of the NEA, we unanimously recommended "against legislative changes to impose spe-

cific restrictions on the content of works of art supported by the Endowment."

In my view, this recommendation—that the government not tell artists how to produce their art—and that it won unanimous support represented the single most important conclusion of the Independent Commission. For when a 12-person Commission, created by Congressional mandate, the members of which were selected by George Bush, Tom Foley, Bob Michel, Bob Byrd and Bob Dole, can reject content restrictions, such a decision sends a powerful bipartisan signal about the appropriate relationship between the National Endowment for the Arts and the freedom of expression of artists.

You will may ask why Commissioners with such diverse political perspectives decided to oppose legislative limitations on the content of art funded by the NEA. The answer, in the words of our report: "Content restrictions may raise serious constitutional issues, would be inherently ambiguous and would almost certainly involve the Endowment and the Department of Justice in costly and unproductive lawsuits."

Although the Commission recognized that "obscenity is not protected speech and that the National Endowment for the Arts is prohibited from funding the production of works which are obscene or otherwise illegal," we asserted that the NEA "is an inappropriate tribunal for the legal determination of obscenity. The nature and structure of the Endowment are not such that it can make the necessary due process findings of fact and conclusions of law involved in these determinations. . . . [T]he appropriate forum for the formal determination of obscenity is the courts."

The Commission also urged that the Endowment rescind its certification requirement.

Finally, to communicate the spirit that motivated much of our work, the Independent Commission proposed that Congress add to the "Declaration of Purpose," or preamble, of the legislation authorizing the NEA several hortatory statements such as language making clear that "The arts and humanities belong to all the people of the United States."

The overwhelmingly positive reception the report received indicated that most public officials, journalists and arts policy analysts agreed with our conclusions. An editorial in *The Washington Post*, "Cooler Heads on the Arts," captured the most common response. The item commended the Commission for debunking "the idea that accountability without content restrictions is impossible."

Now I have described the controversy which led to the creation of the Independent Commission, how we proceeded and what we found.

Did the Commission make a difference?

As I speak to you more than six months after the release of our report, I draw these conclusions about the impact of our work.

THE NEA IS REAUTHORIZED

I believe that in the short term, the report of the Independent Commission helped prevent the destruction of the National Endowment for the Arts. After months of bitter wrangling, the House of Representatives hammered out a compromise passed by Congress in late October, 1990.

Although the legislation continues the life of the National Endowment for the Arts for three more years, the measure contains what, in my view, are two unfortunate provisions.

One will increase the percentage of the total NEA appropriation to be channeled to

the states from 20 to 35 percent by fiscal year 1993, a change I believe is precipitous and can only weaken the NEA's program. I speak, may I add, as the author of the 1975 amendment mandating that one-fifth of all appropriations to the NEA go to the states.

The witnesses, conservatives and liberals, who testified on this subject before the Commission were emphatic and unanimous in their view that the existing formula not be altered at this time. Any future change in the ratio, our report concluded, should be preceded by a careful, Congressionally mandated study of the impact of the modification on Federal, State, and local funding.

Under the new reallocation formula, Mr. Frohnmayer faces the difficult task this year of coring the Endowment's budget, cutting out, in order to give the states their windfall, an additional \$12 million. To do so, the NEA must pare individual grants and kill some programs. The initiative, for example, to give money to museums to purchase the work of living American artists, is disappearing—just the sort of effort my colleagues and I who founded the NEA would have sought to encourage.

With many states in deficit, their own support of the arts has for the first time in years fallen overall by 10 percent from fiscal 1990 to 1991. There is a danger that states may use their increased allocations of Endowment money as an excuse to trim arts budgets still further.

I need not remind this audience of arts advocates of the fault lines and bitter feelings this change in the law has created within your own ranks.

Of course, the other troubling aspect of the new legislation is the language that requires the NEA Chairperson to ensure that grants are made "taking into consideration general standards of decency and respect for the diverse beliefs and values of the American public."

Professor Kathleen Sullivan of the Harvard Law School, a member of the Commission's Legal Task Force, said of this language, "It's both better and worse than the old law. Better, in that it contains no enforceable content restriction. Worse, in the sense that artists may steer too clear of what they think the public might find indecent, which is a far broader category than obscenity."

As you know, Mr. Frohnmayer has said that when applying the "decency" standard, he will not impose his own judgment but will defer to that of the grant review panels and National Council.

As the Chairperson explained in Congressional hearings last month, "... [N]o one individual is wise enough to be able to consider general standards of decency. . . . all by him- or herself."

Both Mr. Frohnmayer and the National Council appear to have concluded that because of their diverse makeup, grant review panels would apply "general standards of decency" as a matter of course.

But as Professor Sullivan sees it—and I agree—these ominous words in the law "lie around like a loaded weapon," or in the description of National Council member, State Senator Roy Goodman of New York, "a booby trap."

Although not yet required to certify that what they produce will be "decent," some NEA grant recipients are, once again, rejecting their grants. Only this week, a group of artists in a California lawsuit against the Endowment challenged the constitutionality of the "decency" standard.

Commenting on the new legislation, one of the acting program directors of the agency

said, "A year ago, even mention of restrictions would have caused an outrage. Now the bill looks pretty good compared with what we were threatened with. I'd like to feel relief because it has been so tragic around here for a year, but to be honest, I don't."

THE CONTROVERSY COOLS DOWN

Nonetheless, in the months since Congress placed new limits on grantmaking, the arts controversy has appeared to cool down. I like to believe that the Independent Commission has contributed to the calming.

Columnists and commentators, for example, are no longer belaboring the issue of obscenity and the arts.

Attempts to censor artists, performers and arts groups have not fared well in the courts. The rap group 2 Live Crew and Cincinnati art gallery director were cleared of all criminal charges.

And two months ago, supporters of freedom of speech and artistic expression celebrated a significant victory in a Federal court in Los Angeles. The court ruled that the requirement that NEA grant recipients in fiscal 1990 sign an anti-obscenity pledge is "unconstitutionally vague because it leaves the determination of obscenity in the hands of the NEA." The court declared, "This is the type of obstacle in the path of the exercise of fundamental speech rights that the Constitution will not tolerate."

In the wake of this ruling, Mr. Frohnmayer at long last retracted the troublesome pledge, a move prompting the dismissal of another lawsuit against the Endowment in New York.

With the reauthorization of the National Endowment for the Arts completed, some lawsuits settled and the certification requirement revoked, champions of the arts may be tempted to believe that the worst days for the Endowment and the arts are now behind us.

Let me say, however, as bluntly as I can: It would be foolish to think that the controversy that has shaken the National Endowment for the Arts has run its course. You and I must continue to be vigilant.

THREATS TO THE ARTS

Why do I say this?

It seems clear that the religious and political right, having achieved significant change in the legislation governing the National Endowment for the Arts, sees the issue of censorship of art as a political winner.

Although the legislation reauthorizing the NEA will not be up for discussion until 1993, advocates of the arts should not think the year ahead a time to relax. You will recall that to launch their first strike against the agency, Senator Helms and other opponents of the NEA used an appropriations bill.

Indeed, the renewal of efforts by fundamentalist organizations and by politicians to clean up the NEA are described in a recent issue of the conservative weekly *Human Events*. Quoting Senator Helms' warning, "You ain't seen nothing yet," the magazine notes, "Helms' warning, 'You ain't seen nothing yet,' the magazine notes, 'Helms' watchers know well that empty bluffs are not his style.'"

Indicative of right wing activism is a new broadside, entitled, "The National Endowment for the Arts: Misusing Taxpayers' Money," produced by The Heritage Foundation. This document achieves the same standards of objectivity, sweet reason and intellectual rigor that we have come to expect from extremist enemies of the Endowment.

If we must be on the lookout for new assaults from the right, I think we must also heed the signals from the White House.

In his budget proposal for fiscal 1992, Mr. Bush seeks no increase in funds for the National Endowment for the Arts and, for the first time in history, the Arts Endowment would receive less money than its sister, NEH.

Testifying before Congress, Office of Management and Budget Director Richard Darman took credit for this move. The NEA, he explained, would attract too much Congressional attention if its budget were raised above current levels.

Nor is there reason to expect, in a time of economic constraint, that state and local governments or private philanthropy will be more generous to the arts.

In New York state, for example, Governor Mario Cuomo proposes in fiscal 1992 to slash funds for the New York State Arts Council by 57 percent. Neighboring New Jersey would reduce state money for the arts by 40 percent. Massachusetts wants to cut its arts budget by 28 percent.

Beyond these developments, experts anticipate that corporate contributions to the arts will, for the first time since 1967, decline this year. According to a survey cited in the *Wall Street Journal*, the faltering economy means that nearly one-third of charitable donors are giving less to all causes this year.

Indeed, although I have mentioned flat budgets for the Arts Endowment, I must also remind you of the harmful Federal tax policies of recent years.

The Tax Reform Act of 1986 posed new hurdles for the arts, among them changes that would discourage contributions. I cite the elimination of the charitable deduction for non-itemizers as well as the imposition of a minimum tax on major gifts of appreciated property. Although Congress acted last year to lift the latter provision regarding gifts of appreciated property to museums, it did so for only one year.

Even more troubling than the prospect of reduced giving is the possibility that, following the lead of the Federal government, other funders will be more cautious about the artists they support.

* * * * *

Now I have spoken to you this evening about the founding of the National Endowment for the Arts, the years of its success and the months of controversy.

Despite all that I have said, as I look to the future, I am far from pessimistic. I believe there are some directions in which we should—and can—be moving as we seek to reaffirm the commitment to the arts built up over the past two-and-a-half decades. Let me state them.

AN AGENDA FOR THE ARTS: THE PRESIDENT AND CHAIRPERSON

My first exhortation is a challenge to the Commander-in-Chief in the White House to act to preserve and encourage the arts.

We meet only weeks after the end of the war in the Persian Gulf and a military victory for which President Bush deserves significant credit. Americans are feeling better about themselves than they have in some years, and Mr. Bush is basking in extraordinary popularity.

For all his brilliant handling of the Gulf war, however, Mr. Bush has not given similar leadership to the nation on the home front.

You and I know that when the Scuds were fired at the NEA, no Patriots were fired from the White House.

And you and I know that the triumph over Saddam Hussein will balance no budget; cure

no recession; reduce no crime; reform no school; provide no health care; build no house or highway; make no contribution to America's competitiveness in the global economy.

Indeed, much of our national politics during the next two years will focus on this so-called domestic agenda.

Will the arts be part of that agenda? For President Bush? For Congress? For governors and mayors?

The answer depends at least in part on how creative arts advocates are in finding and supporting vigorous leaders for the arts both in and outside government. Such leaders can press the President and others in key positions to pay serious attention, in considering the nation's needs, to the arts.

And here my second admonition is to the person who holds the most visible post in the arts in the country—Mr. Frohnmayer. It will be up to the Chairperson of the NEA to articulate a sense—yes, a vision—of what the National Endowment for the Arts can do for the nation and then help mobilize public support in pursuit of those goals.

And if the agency he heads is to cope effectively with the challenges that confront it, he must work with the friends of the Endowment and turn back its enemies with the truth. In this regard, I invoke the spirit of Nancy Hanks.

AN EXHORTATION TO CONGRESS

My third exhortation: Members of Congress should keep the National Endowment for the Arts free of onerous restrictions and provide the agency the resources it needs to be effective.

Here let me praise those members of Congress of both political parties who have so valiantly championed the arts. I pay my particular respects once again to Sidney Yates and to Congressman Pat Williams of Montana, who have worked to protect the Endowment from those who seemed intent on destroying it.

I cite, too, for his tireless leadership from the beginning, Senator Claiborne Pell. I believe Senator Orrin Hatch of Utah deserves special mention for his courageous and principled stance. May his example fortify his colleagues!

IMPROVING THE COALITION

Fourth, I think it imperative that we expand and improve the coalition working for the arts. Let me linger on this matter for a moment.

I am well aware that the battle to save the National Endowment for the Arts has produced points of serious friction among arts advocates, with some organizations determined to pursue an agenda separate from and even antithetical to the interests of others.

As one who has lived much of his life in the arena of political combat, I must warn you that if arts advocates float warring agendas, your oponents will perceive your weakness and exploit it, and policymakers will play you off one against another.

For coalitions to succeed—whether minorities pressing to win civil rights or environmentalists to repel a hostile Secretary of the Interior—members must settle their differences before they come to Congress and seek to present a united front.

So it is most encouraging to me that you are taking steps to achieve consensus, including the formation of the Legislative Coalition that I know has been meeting in Washington. Keep at it!

Moreover, for your advocacy to be most effective, I urge you to broaden your coalition

to embrace those whose interests in significant ways coincide with your own—educators, scholars, performers, art collectors and dealers, business and civic leaders, among others.

In this regard, as a university president, I must tell you that I have been frankly disappointed by the relative absence these past two years of scholars willing to defend freedom of expression in the arts. Freedom endangered anywhere is freedom endangered everywhere.

ARTS EDUCATION AND ACCESS

Fifth, I believe we must much more effectively teach children to appreciate the arts and to respect artists. The arts can play an indispensable role in a child's learning.

I am proud in this connection that the New York University School of Education, Health, Nursing and Arts Professions houses the National Arts Education Research Center. This center, supported by the National Endowment for the Arts and the U.S. Department of Education, is studying the most effective ways to improve arts instruction in elementary and secondary schools.

I also commend the members of Congress who in the reauthorization bill for the Arts Endowment last fall acted to include new spending authority for access to the arts through support of education.

Indeed, although arts education was not on our agenda, members of the Independent Commission felt so strongly about the subject that we recommended that the NEA "collaborate to a greater extent with state and local arts agencies and with other sectors of society to advance arts education."

We added: "Recognizing that contributions to arts education can be made by several federal agencies, the Commission believes that the National Endowment for the Arts should lead this effort."

Although the Commission drew particular attention to arts education for children, which I wholeheartedly support, I think it also imperative to encourage arts education in our colleges and universities, in community institutions and in lifelong learning programs.

Sixth, and as I speak of enhancing knowledge and understanding of the arts, I think it important, too, to find ways to enable more Americans to enjoy more art.

Let me give you an example of what I'm talking about.

I have in mind a new dimension of the Arts and Artifacts Indemnity Act, of which I spoke earlier. I propose that Congress now consider providing indemnification by the Federal government to protect art and artifacts housed in museums in the United States for exhibit throughout our own country. Because the cost of insuring materials loaned to other museums can be prohibitively expensive, many Americans cannot see great works of art housed in American museums. Through such a program, to illustrate, the Snie Museum at the University of Notre Dame, in my hometown, could show treasures of the Metropolitan Museum of Art to South Benders. Or Asian masterpieces from Kansas City or Cleveland might travel to the West Coast where large populations of Asian-Americans, and others, could see them. Hispanic-Americans in Florida and New York might have the chance to look at Latin-American art from museums in the Southwest.

MAKING THE CASE FOR THE ARTS

I have one final observation, and it is this: You and I must continue to make the case for the arts with our elected representatives here in Washington, D.C.

And what is the case? It is that the arts are essential; the arts are not something to be thrown a bone after everything else is taken care of because everything else will never be taken care of.

And it will be up to each of you to make clear that the arts matter.

It will be up to each of you to press both for more generous support of the arts by the Federal government and for the removal of harmful tax policies that discourage giving to the arts by private benefactors.

It will be up to each of you to help replace the distorted image of the National Endowment for the Arts peddled by its enemies.

All of us, you and I, must remind people of the close connection between support for the arts and the greater public interests that are served. For you and I know the immense difference that the arts and artists make to enriching our lives as individual persons and to building a culture that illumines and ennobles.

In recent weeks, you and I have been reflecting on the fundamental values that characterize us as Americans—the willingness to risk life for a cause we believe in, a love of country no one can take from us, a belief in the sanctity of individual freedom. Proud as we are of the engine of our economy or of our military might, we know, too, that the more enduring legacy of our wealth as a people is in the canvases of our painters, the songs of our composers and the words of our poets.

Here I recall some of the most eloquent testimony I heard in all my years of sitting in Congressional hearings. The witness was the distinguished American artist, Robert Motherwell, who was testifying in 1970 in support of legislation I had introduced to encourage education about the environment. This is what Motherwell said:

I am sure that scientists have or will testify to the relevant facts here and know them far better than I. I speak only as an artist. But to speak as an artist is no small thing. Most people ignorantly suppose that artists are the decorators of our human existence, the esthetes to whom the cultivated may turn when the real business of the day is done. But actually what an artist is, is a person skilled in expressing human feeling . . . Far from being merely decorative, the artist's awareness . . . is one . . . of the few guardians of the inherent sanity and equilibrium of the human spirit that we have.

For my part, I believe that proponents of Federal support of the arts, support unfettered by restrictions imposed by government, will continue to find encouragement in the report my colleagues and I on the Independent Commission prepared last year. I hope that legislators and other public officials will resist the impulse to censor, remembering the admonition of our group that "Maintaining the principle of an open society requires all of us, at times, to put up with much we do not like but the bargain has proved in the long run a good one."

For what I think should be obvious from the record of the National Endowment for the Arts and other Federal programs to support culture is that our national government, with modest amounts of money, without stifling bureaucratic control and without unwarranted intervention, can provide support for the arts in ways that greatly enhance the quality of American life.

As I conclude these remarks, I recall for you the words of Nancy Hanks just 17 years ago when she replied to some who even then were attempting to impose censorship on the Endowment. Said Nancy, in words as powerful for 1991 as when she wrote them, in 1974:

For an artist to create what society needs, he or she must be given the opportunity to try . . . Nurturing the broad range of the nation's creativity is far more important than the few tempests that arise. I say that because of my conviction that the cornerstone of any culture is the nurtured talent of its creative artists.

You and I then must strive to ensure that we nurture the talent of our creative artists so that art—beautiful, ugly; ordered, unruly; free-spirited, controlled . . . but indispensable—continues to nurture the creativity of our nation.

CHILDREN'S HEALTH PLAN

HON. TIMOTHY J. PENNY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. PENNY. Mr. Speaker, today, along with my Minnesota colleagues, Messrs. OBERSTAR, VENTO, SABO, SIKORSKI, and COLLIN PETERSON, I am introducing a national children's health plan [CHP], based on the already successful Minnesota Children's Health Plan. The premise of this legislation is simple: Preventive outpatient care for children is a sound investment in the lives and futures of young Americans. The bill provides federally paid outpatient care for children ages 1 through 18 whose parents' income is between 133 and 185 percent of the Federal poverty line and who choose, via an enrollment fee, to participate in the program.

In many places and in many ways, the need for improved preventive and primary care for children has already been demonstrated. Just yesterday, an editorial in the Washington Post called for Congress to see to it that "every toddler gets the vaccines he or she needs." Children's health plan would help meet that need.

Here's how the plan works: A family qualifies for CHP if the parents earn between 133 and 185 percent of the poverty line and don't already have health insurance. If they choose to enroll in CHP, they complete a simple application form—about four pages long and available by mail—and pay a \$40 annual fee for each child, up to a family yearly maximum of \$200. The completed application and fee are mailed to the State office and, in return, each child receives a CHP membership card. When outpatient services are needed, the card is presented to physicians and clinics who provide a variety of services including prescription drugs, immunizations, mental health evaluations, vision care, and annual checkups. Providers bill the central CHP billing office—in Minnesota this service is provided by contract through the medical assistance office. States then receive 100 percent Federal payment for all medical services rendered. Families can receive covered services from any health care provider who is enrolled in the Medical Assistance Program and reimbursement is based on those policies and rates. Since many children will qualify for both CHP and medical assistance at different periods within the same year, families are allowed to move back and forth between the two programs and the CHP fee is not charged a second time within the year to re-enroll.

What makes this program different from Medicaid? The obvious difference is that this program is financed 100 percent by Federal dollars, without requiring matching State funds. This removes any State disincentive to participate in the program. Admirable as our passage last year in Omnibus Budget Reconciliation Act of 1990 of the requirement that States gradually expand Medicaid coverage to children within this same group, States still must cover their costs. More significant, however, is the fact that families pay to participate in this program, just as they buy into other insurance programs. This is a distinction with a difference. Program officials in the Minnesota program have consistently found that families prefer to buy this insurance rather than to take what they see as a government handout. It allows them to actually invest in their children's care and makes them active participants in seeing that necessary care is given. Further, the program is easily accessible through a simple, mail-in application form—about 4 pages long compared to the Medicaid application which runs to 37 pages. Families are not required to go to county welfare offices or other social services agencies to enroll which saves them time, trouble and, for many, embarrassment.

Additionally, States which already provide Medicaid benefits up to 185 percent of the poverty line will still receive a percentage of CHP Federal funding, which will be based on estimates of needy children within that State. That would allow States to serve other health care needs. For instance, a medical assistance office could allocate this money to a catastrophic fund for children needing such things as transplants, cancer treatments, and so forth. A child qualify for this fund based on a lack of insurance coverage, the severity of the illness, and the cost of treatment.

The initial cost of the CHP would be about \$3 billion annually, which would be financed by removing the cap on the maximum amount of income subject to the Medicare hospital insurance payroll tax. This means applying the 1.45-percent payroll tax to incomes above \$125,000.

This plan is workable and achievable. The costs are considerably less than most of the other health plans now being offered on Capitol Hill. If we cannot afford to provide this modest health plan for our children, we're kidding ourselves to think that we can find funding for a health plan for all Americans. By focusing on prevention, the children's health plan will allow us to take a giant stride toward the goal of keeping America's children healthy. I urge my colleagues to join me in cosponsoring this vital 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 "Child Health Program Act of 1991".

SEC. 2. CHILD HEALTH PROGRAM.

(a) **ELIGIBILITY.**—Section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), as amended by section 4601(a)(1)(A) of the Omnibus Budget Reconciliation Act of 1990, is amended—

(1) by striking "or" at the end of subclause, (VI),

(2) by striking the semicolon at the end of subclause (VII) and inserting "or", and

(3) by adding at the end the following new subclause:

"(VIII) who are under 19 years of age, whose family income (as determined under subsection (1)(3)(E)) does not exceed 185 percent of the income official poverty line (referred to in subsection (1)(2)(A)(i)) for a family of the size involved, and who are not otherwise eligible for medical assistance for the same amount, duration, and scope of services as individuals described in subclause (VI);"

(b) **SCOPE OF BENEFITS.**—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)), as amended by sections 4402(d)(1) and 4713(a)(1)(D) of the Omnibus Budget Reconciliation Act of 1990, is amended, in the matter following subparagraph (f)—

(1) by striking "and (XI)" and inserting " (XI)",

(2) by striking "and (XI)" and inserting " (XII)", and

(3) by inserting before the semicolon at the end the following: "and (XIII) the medical assistance made available to an individual described in subparagraph (A)(i)(VIII) shall not include medical assistance for items and services described in paragraphs (1), (8), (15), (16), (18), (19) and (24) of section 1905(a) or for orthodontics and shall be limited, in the case of mental health services (including diagnosis, assessment, and treatment), to payment of not more than \$1,500 for any individual for any year".

(c) **EXPANSION OF OUTREACH AND STATEWIDE ENROLLMENT.**—Section 1902(a) of the Social Security Act (42 U.S.C. 1396(a)) is amended—

(1) by striking "and" at the end of paragraph (54);

(2) in the paragraph (55) inserted by section 4602(a)(3) of the Omnibus Budget Reconciliation Act of 1990—

(A) by inserting "(a)(10)(A)(i)(VIII)," after "(a)(10)(A)(i)(VII).", and

(B) by striking the period at the end and inserting a semicolon;

(3) by redesignating the paragraph (55) inserted by section 4604(b)(3) of the Omnibus Budget Reconciliation Act of 1990 as paragraph (56), by transferring and inserting it after the paragraph (55) inserted by section 4602(a)(3) of such Act, and by striking the period at the end and inserting a semicolon;

(4) by placing paragraphs (57) and (58), inserted by section 4751(a)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, immediately after paragraph (56), as redesignated by paragraph (3);

(5) in the paragraph (58) inserted by section 4751(a)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, by striking the period at the end and inserting a semicolon;

(6) by redesignating the paragraph (58) inserted by section 4752(c)(1)(C) of the Omnibus Budget Reconciliation Act of 1990 as paragraph (59), by transferring and inserting it after the paragraph (58) inserted by section 4751(a)(1)(C) of such Act, and by striking the period at the end and inserting "and"; and

(7) by inserting after paragraph (59), as so redesignated, the following new paragraph:

"(60) provide for a simple, uniform, statewide mail application process for individuals seeking entitlement to medical assistance under paragraph (10)(A)(i)(VIII)."

(d) **ANNUAL ENROLLMENT FEE.**—Section 1916(c) of such Act (42 U.S.C. 1396(c)) is amended by adding at the end the following new paragraph:

"(5) The State plan shall provide for an annual enrollment fee of \$40 for each child seeking medical assistance pursuant to sec-

tion 1902(a)(10)(A)(i)(VIII), except that, in the case of children in a family, the annual enrollment fee shall not exceed \$200 for the enrollment of all the eligible children in the same family."

(e) **100 PERCENT FEDERAL FINANCIAL PARTICIPATION.**—

(1) **MEDICAL ASSISTANCE.**—The last sentence of section 1905(b) of such Act (42 U.S.C. 1396d(b)) is amended by inserting before the period at the end the following: "or expended as medical assistance for individuals entitled to medical assistance under section 1902(a)(10)(A)(i)(VIII)".

(2) **ADMINISTRATIVE EXPENSES.**—Section 1903(a) of such Act (42 U.S.C. 1396(a)) is amended—

(A) by striking "plus" at the end of paragraph (6),

(B) by redesignating paragraph (7) as paragraph (8), and

(C) by inserting after paragraph (6) the following new paragraph:

"(7) an amount equal to 100 percent of the amounts expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan with respect to individuals entitled to medical assistance under section 1902(a)(10)(A)(i)(VIII); plus"

(f) **FINANCING THROUGH PAYROLL TAX.**—

(1) **ELIMINATION OF CAP ON WAGES SUBJECT TO HOSPITAL INSURANCE TAX.**—Subparagraph (B) of section 3121(x)(2) of the Internal Revenue Code of 1986 (relating to applicable contribution base) is amended to read as follows:

"(B) for any calendar year after 1991, an unlimited amount."

(2) **ADDITIONAL REVENUES NOT DEPOSITED IN FEDERAL HOSPITAL INSURANCE TRUST FUND.**—

Section 1817(a) of the Social Security Act (42 U.S.C. 1395i(a)) is amended by adding at the end the following new sentence: "Notwithstanding the previous provisions of this subsection, whenever in this subsection a reference is made to the taxes imposed by section 3101(b), 3111(b), or 1401(b) of the Internal Revenue Code of 1986 with respect to wages or self-employment income, the reference shall not include taxes imposed as a result of the amendments made by section 2(e) of the Child Health Program Act of 1991."

(3) **CONFORMING AMENDMENT.**—Subclause (II) of section 3231(e)(2)(B)(i) of the Internal Revenue Code of 1986 (defining applicable base for purposes of railroad retirement tax) is amended by striking "for any calendar year the applicable contribution base determined under section 3121(x)(2) for such calendar year" and inserting the following:

"\$125,000 for calendar year 1991, and for any calendar year after 1991 the applicable base for the preceding year adjusted in the same manner as is used in adjusting the contribution and benefit base under section 230(b) of the Social Security Act".

(4) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply with respect to remuneration paid after December 31, 1991, and with respect to earnings from self-employment attributable to taxable years beginning after such date.

(g) **MAINTENANCE OF EFFORT FOR INFANTS.**—Section 1902(1)(2)(A) of the Social Security Act is amended—

"(1) in clause (ii)(II), by inserting "or clause (v)" after "clause (iv)", and

"(2) by adding at the end the following new clause:

"(v) In the case of a State which, as of the date of the enactment of this clause, has established under clause (i), or has enacted legislation authorizing, or appropriating fund, to provide for, a percentage (of the income

official poverty line) that is greater than 133 percent, the percentage provided under clause (1) for medical assistance on or after October 1, 1992, shall not be less than—

"(I) the percentage specified by the State in an amendment to its State plan (whether approved or not) as of the date of the enactment of this clause, or

"(II) if no such percentage is specified as of the date of the enactment of this clause, the percentage established under the State's authorizing legislation or provided for under the State's appropriations."

(b) TREATMENT OF CERTAIN STATES AND TERRITORIES.—Section 1902(1)(4) of such Act (42 U.S.C. 1396a(1)(4)), as amended by section 4601(a)(1)(C) of the Omnibus Budget Reconciliation Act of 1990, is amended—

(1) in subparagraph (A), by inserting "or subsection (a)(10)(A)(i)(VIII)" after "(a)(10)(A)(i)(VII)",

(2) in subparagraph (B), by striking "or (a)(10)(A)(i)(VII)" and inserting "(a)(10)(A)(i)(VII), or (a)(10)(A)(i)(VIII)", and

(3) by adding at the end the following new subparagraph:

"(C) In the case of a State which is not one of the 50 States or the District of Columbia, instead of '85 percent' specified in subsection (a)(10)(A)(i)(VIII), the State (if under subparagraph (B) it elects such provision to apply) shall substitute a percent which does not exceed 100 percent."

(i) EFFECTIVE DATE.—The amendments made by this section apply (except as provided in subsection (f)(4)) to payments under title XIX of the Social Security Act for calendar quarters beginning on or after October 1, 1992, without regard to whether or not final regulations to carry out such amendments have been promulgated by such date.

TRIBUTE TO G. FRANCIS BRENNAN

HON. GARY A. FRANKS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. FRANKS of Connecticut. Mr. Speaker, on behalf of myself, Congresswoman NANCY JOHNSON, and Congressman CHRISTOPHER SHAYS of Connecticut, we wish to acknowledge the contribution of G. Francis Brennan of Waterbury, CT.

On April 20, members of the Connecticut Republican Party honored Mr. Brennan, a man with a long record of accomplishment in civic and political life.

At the annual Prescott Bush dinner, Mr. Brennan was presented with the Pat Futner Award—given to a member of the Connecticut Republican Party who has worked long and hard for the political process.

Mr. Brennan is what public service and good politics is all about, regardless of political party.

True to form, Mr. Brennan gave an eloquent acceptance speech, which we believe, touches on what makes our political process special.

Enclosed are his remarks to his fellow Republicans.

REMARKS BY G. FRANCIS BRENNAN

The people of politics: honorable and uncommon. As the calendar moves, they work the time of seasons: Caucus, convention, primary, election—victory or defeat—the next day, another year. The people of politics—

unglamorous, untitled, unpaid—walk the nation's ways as a movable feast—never tasting the cake of despair from MacArthur's Park. They know no fatigue, only the toil of doing a great giving thing: they refresh our national spirit with the gift of loyalty. Life and Liberty are dormant birthrights until mingled with loyalty. Then the three become an American Trinity: a spirit of one and democracy flourishes.

The people of politics work the work of many. The work is much—and the workers few. For so many, politics has not been tried and found wanting; politics has been found too hard and left untried. But the people of politics and their work never stop.

The best measurement of loyalties harvest and the quality of its yield are by the chronicles of times past. In the "old country" of our memories, a General returned from Normandy with a promise of peace and prosperity. His victory was great. Loyalty was easy. But soon, harder times, and a voice from the right and the frontier spoke his heart. He spoke the truth. Some had forgotten. He reminded us. "The defense of Liberty is no vice." His defeat was hard. But the people of politics and their loyalty were harder still. Then victory again—precious victory—with expectations that went beyond horizons—and his fall so sudden, swift—so steep. And the people of politics endured ridicule from without and heart pain from within. It was a silent hurt that could only be shared by the people of politics. Then quickly the new man, so brief, so much a common man and loyalty sustained. The constitution worked.

A decade ago the first distant calls of our next century, turned two men toward a national vision of new order. And great world walls began to fall at democracy's feet. The New Country begins. We were proud again! The work of loyalty continues uninterrupted; and the quality of the yield is good.

So for the people of politics, their fidelities and their labors we search for a proper Song of Praise. And only the word/mix reserved for poets of heroes and romances will satisfy. Then their anthem will be fulfilled.

And the words will speak;
Once more, into the breach,
Once more, for the country they go.
They are the few,
They are the gallant few,
They are a giving and courageous few;
They are a loyal and happy few.
From where do we get such,
These, our band of brothers.
From democracy's country they come.

GREATER SUPPORT FOR OUR NATION'S CULTURAL AGENCIES

HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. WEISS. Mr. Speaker, today I had the honor of testifying before the Interior Appropriations Subcommittee on the fiscal year 1992 budgets of the Federal arts agencies—the first time doing so as chairman of the Congressional Arts Caucus.

The agencies—the National Endowments for the Arts and Humanities and the Institute of Museum Services—have supported the best of American artistic activities and, in doing so, have utterly changed our Nation's cultural landscape. Certainly, they are deserving of our continued and increased support.

I insert the statement I made before the subcommittee printed in the RECORD:

REMARKS OF HON. TED WEISS

Mr. Chairman and members of the subcommittee, I am grateful for this opportunity to testify on the fiscal year 1992 budgets of our Nation's Federal arts agencies and their continued viability. I must begin by expressing my great admiration and respect for the commitment which the chairman and subcommittee have shown in protecting and promoting the arts in our Nation for nearly two decades. It is in no small measure due to your sensitivity and wisdom that the arts have been able to flourish throughout the country during this time and that the agencies have been able to fundamentally change the country's cultural landscape.

Mr. Chairman, today the Nation's cultural community is at risk of losing theatres, dance companies, opera companies, and a multitude of arts organizations. Economic downturn and the assault on the arts which took place last year have already begun to take their toll. Certainly, the administration's proposed freeze in the budget of the NEA at \$174 million only exacerbates the situation.

With the aid of the NEA, NEH and IMS, arts groups have proliferated, bringing with their artistic excellence a great diversity of programming and outreach activities which have educated and motivated our children, touched our adults and have had a significant effect on the lives of our citizens.

We are all aware of the realities of a downturn in the economy. But what we must be aware of is the devastating effect which a tightening of resources, pullback of contributions and shrinking Federal percentage has had on the artistic community: 42 percent of nonprofit theatres ended their seasons with operating deficits, while seven theatres—ceased operations in 1990 due to financial adversity; 24 of 50 dance companies surveyed by Dance/USA posted deficits while six of the Nation's finest companies came dangerously close to the brink of financial disaster this year; 47 percent of recently surveyed opera companies surveyed had losses; and, of the 40 largest orchestras in the U.S., 27 posted operating deficits at the close of the 1989-90 season.

Meanwhile, as a result of last year's reauthorization legislation, five NEA program categories have been eliminated and \$12 million shifted from the program discipline grants—moneys already spread extremely thin—to the States. The NEA had already been struggling to fulfill its mandate of increasing access to the arts and awarding organizations and individuals of outstanding merit; now it is asked to do so with even less program money.

Last year's attacks on the NEA and on the very essence of artistic creativity had an especially damaging effect. The Federal Government is now viewed by many as considering the arts as trivial, as perhaps too controversial and as something less than a priority. As the new chairman of the Congressional Arts Caucus, I shudder to think that the Congress could be viewed as abandoning a commitment to that which is so intrinsic to our national identity. A tragedy in itself, this perception, combined with the realities of economic conditions, has had severe repercussions at State and local levels and in the philanthropic world.

For the first time in thirteen years, State arts appropriations and State per capita spending on the arts have decreased. Due to fiscal woes, State governments are slashing budgets. While arts groups realize that these

are difficult times and are willing to carry their load, they have been targeted for disproportionate cuts, not only in New York, but also in Virginia, Missouri, Michigan and other States.

Those who oppose Government funding of the arts by alleging that the private sector and private contributions will absorb any pullback or dissolution of Federal and other government funding are simply not in touch with reality. Their argument could not be further from the truth. One corporate representative of the philanthropic community made the point very succinctly: "If the Government feels that the arts are an important priority, we're going to follow suit. If it cuts back, we're also going to think twice." Simply put, where the Federal Government leads, State local governments and other sectors of the country follow.

While the Federal attitude towards arts funding affects the amount of funding which other sectors of society are willing to give, it also sets the tone for the type of funding. Last year's misinformation campaign caused other damage, that of potentially choosing projects to fund that are "safe," non-controversial or simply more traditional. This is a subject which this subcommittee and this Congress must weigh as well, for it goes to the very heart of what constitutes a free society and what role a National Endowment for the Arts should have in a society that is multi-faceted, multi-racial, and completely diverse. I might add that Congress has seen the result of cases which have been brought against the NEA regarding limitations on the content of grants. It is somewhat easy for this Congress to simply add language to a bill in an attempt to avoid that which some, perhaps even many, would find disturbing. It is much more difficult to do this and still maintain the principles of the Constitution.

I ask the subcommittee to seriously weigh what is gained by freezing the funding of the Federal arts agencies or pulling money away from the program disciplines against what is gained by these catalytic and effective funds. For FY '91, NEA program grants totaling approximately \$122.4 million generated \$1.47 billion in non-federal funds. That is a greater than 10:1 impact and a wallop of an effect.

To bring the NEA's discipline programs up to levels comparable to FY 1981—the last time there was significant increase in the NEA's budget—while taking into account inflation and the funding of the initiatives mandated in last year's reauthorization legislation, would require \$255 million. I believe that that is a fair amount to ask for the NEA and would mark a real commitment to preserving and developing our national culture.

Mr. Chairman, I would also like to praise the many and fine activities of the NEH and IMS, which, through aid to museums and other humanities organizations, help educate and engage our citizens.

SO CALL IT A VICTORY DIVIDEND

HON. ANTHONY C. BEILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BEILSON. Mr. Speaker, the New York Times yesterday published an article by our colleague from Massachusetts, Mr. FRANK, that deserves wide circulation. Titled "So Call It a 'Victory Dividend,'" he argues that we can indeed reduce our military spending by a

greater amount than agreed to in last year's budget summit, and use the dividend to reduce the deficit and to fund social needs here at home.

Mr. FRANK's article is beautifully written and well worth reading.

[From the New York Times, May 1, 1991]

SO CALL IT A "VICTORY DIVIDEND"

(By Barney Frank)

WASHINGTON.—What's in a name? Sometimes, hundreds of billions of dollars.

In 1989, with the Russian empire crumbling, some of us in Washington argued that the time had come to begin a shift of America's resources from the worldwide military competition, which we are winning decisively, to the global civilian area where we are lagging. It makes no sense, we said, to spend two to six times as much of our gross national product on the military as do our wealthy allies while they outsell America. It is poor policy, we argued, to spend more than \$100 billion a year defending Western Europe from the defunct Warsaw Pact while our deficit expands and our infrastructure decays.

Our mistake was calling this a "peace dividend." The phrase suggested that its advocates were naive about the world, apologetic about America's role in it, or both.

Consequently, when repression persisted in Russia, and America went to war in the gulf, the peace dividend was pronounced dead. Had the case for it depended on Mikhail Gorbachev becoming head of Amnesty International and Saddam Hussein being as reasonable as the Bush Administration thought he was before Aug. 2, it would deserve its demise.

But it didn't. And doesn't. Given the drastic weakening of the Communist military the great increase in industrial strength of our allies and America's proven military superiority over any likely adversary, a military budget that is less than two-thirds of our current expenditure would more than suffice to keep us the strongest power in the world.

What taxpayers are entitled to after 45 years of carrying a grossly disproportionate share of the non-Communist world's military burden is a "victory dividend." It is a dividend, because it is more than \$100 billion a year that we can use for health care, deficit reduction, education or any other purpose. It is a victory dividend because it has been made possible by our success in the cold war and the increased self-defense capability of our allies.

It is not a call to disarm. We should retain the ability to deter nuclear war, to deploy air, sea and land power rapidly around the globe when our vital interests are at stake, and to reassure weak nations threatened by belligerent neighbors. The consensus to keep such a force is overwhelming in Congress and the country.

In fact, the weapons used by the U.S. in the gulf were not the controversial ones of the 80's. The MX and Midgetman missiles, the B-1 and B-2 bombers, anti-satellite weapons, and Strategic Defense Initiative were irrelevant to victory in Iraq and will be to future conflicts of this sort. (The effort to claim the Patriot for the S.D.I. program is one of the great acts of intellectual piracy of our time.)

We demonstrably do not need a huge land force in Europe and a \$5 billion a year subsidy for Japan in the form of American forces stationed there. Nor do we need to add tens of billions of dollars to a nuclear deterrent already more than sufficient to its task.

The victory dividend can also be used for foreign policy objectives not achievable

through military strength. If we took a small part of the money we spend on NATO and applied it to debt reduction in Latin America, we would be better off morally and from the standpoint of national security.

There will be debate over how much of our victory dividend should be used to reduce the deficit, how much should go to meet social needs, and how much should be spent to avoid war. But properly understood—as a recognition of West's great success, rather than as a declaration that the world is now safe for pacifism—the case for a phased-in reduction of military spending should not be controversial.

In fact, the choice of reducing our deficit, inoculating our children against disease, and repairing our bridges and roads versus sending large sums to subsidize Japan and Europe should be an easy one.

FINANCIAL STATEMENT OF F. JAMES SENSENBRENNER, JR.

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SENSENBRENNER. Mr. Speaker, through the following statement, I am making my financial net worth as of March 31, 1991, a matter of public record. I have filed similar statements for each of the 12 preceding years I have served in the Congress.

ASSETS

Real property	Value
Single family residence at 609 Fort Williams Parkway, city of Alexandria, VA, at assessed valuation. (Assessed at \$651,800.00 Ratio of assessed to market value: 100 percent.) (Encumbered)	\$651,800.00
Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, WI, at assessor's estimated market value. (Unencumbered)	73,400.00
Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, WI, at 25/44ths of assessor's estimated market value of \$274,400.00. (Unencumbered) ..	155,909.09
Total real property	881,109.09

PERSONAL PROPERTY

No. of shares	Common and preferred stocks	Value
338	Firstar Corp. at \$31.375	\$10,604.75
467,216	American Telephone & Telegraph at \$34.25	16,002.15
558	Idaho Power Corp. at \$26.625	14,856.75
22	Ogden Projects Corp. at \$20.50	451.00
450	First Interstate Bancorp. at \$33.375	15,018.75
146,877	American Information Technologies at \$67.00 ..	9,840.76
193,145	Bell Atlantic Corp. at \$51.375	9,922.82
218,786	Bell South Corp. at \$53.25	11,655.30
100,337	NYNEX, Inc. at \$72.50	7,274.43
148	Pacific Telesis, Inc. at \$43.00	6,364.00
151,279	Southwest Bell, Inc. at \$56.125	8,490.54
199,542	US West, Inc. at \$39.125	7,807.08
649,438	Tenneco Corp. at \$42.375	27,519.94
580	Nevada Power Co. at \$21.50	12,470.00
838	Newell Corp. at \$32.00	26,816.00
1,440	General Mills, Inc. at \$57.00	82,080.00
800	Kellogg Corp. at \$93.375	74,700.00
2,000	Dunn & Bradstreet, Inc. at \$47.00	94,000.00
1,000	Halliburton Co. at \$46.25	46,250.00
18,176	Kimberly-Clark Corp. at \$87.75	1,594,944.00
500	Minnesota Mining & Manufacturing at \$88.50 ..	44,250.00
100	Rank Organization ADR at \$12.625	1,262.50
2,132	Exxon Corp. at \$58.50	124,722.00
1,162	Amoco Corp. at \$52.50	61,005.00
1,080	Eastman Kodak Co. at \$43.625	47,115.00
1,075	General Electric Co. at \$69.625	74,846.88
408	General Motors Corp. at \$37.75	15,402.00
20	General Motors Corp., series H at \$19.25	385.00
5,213	Merck & Co., Inc. at \$105.50	549,971.50
952	Warner Lambert Co. at \$74.50	70,924.00
700	Continental Corp. at \$29.25	20,475.00
200	Sears Roebuck & Co. at \$35.00	7,000.00
910	Ogden Corp. at \$20.00	18,200.00
455	OMI Corp. at \$6.75	3,071.25
418	International Business Machines, Inc. at \$113.875 ..	44,599.75

PERSONAL PROPERTY—Continued

No. of shares	Common and preferred stocks	Value
26	Sandusky Voting Trust at \$123.00	3,198.00
1,422	Monsanto Corp. at \$58.00	82,476.00
450	E.I. Du Pont de Nemours Corp. at \$37.125	16,706.25
450	Houston Industries, Inc. at \$36.125	16,256.25
525	Pacific Gas & Electric, Inc. at \$26.125	13,715.63
512	Wisconsin Energy Corp. at \$34.25	17,536.00
1,800	Abbot Laboratories, Inc. at \$48.00	86,400.00
1,410	Banc One Corp. at \$35.75	50,407.50
127	Premark International, Inc. at \$21.75	2,762.25
100	Unisys, Inc., preferred at \$10.00	1,000.00
33	Benton County Mining Co. at no value	Nil
Total common and preferred stocks		\$3,450,751.08

LIFE INSURANCE POLICIES

Face amount		Cash surrender value
\$12,000	Northwestern Mutual—No. 4378000	\$20,378.83
30,000	Northwestern Mutual—No. 4574061	48,597.81
10,000	Massachusetts Mutual—No. 416575	4,423.84
100,000	Massachusetts Mutual—No. 4228344	85,460.47
175,000	Old Line Life Insurance Co.	16,275.74
Total life insurance policies		170,136.69

BANK & SAVINGS & LOAN ACCOUNTS

	Amount
Bank One, Milwaukee, N.A.: Checking account No. 0046-2366	\$7,886.02
Bank One, Milwaukee, N.A.: Preferred savings account No. 4158-8070	18,954.54
Bank One, Milwaukee, N.A.: Regular savings account No. 497-525	641.40
Sergeant at Arms, U.S. House of Representatives: Checking account No. 7484	245.44
Valley Bank, N.A. of Hartland, WI: Checking account No. 03056664-06	121.28
Valley Bank of Hartland, WI: Savings account No. 03056544-11	539.92
Burke & Herbert Bank of Alexandria, VA: Checking account No. 601-301-5	577.37
Federated Bank, FSB of Butler, WI: Individual retirement accounts	32,710.03
Total bank and savings and loan accounts	61,676.00

MISCELLANEOUS

	Amount
1985 Pontiac 6000 automobile (at Blue Book retail value) ..	\$3,025.00
Office furniture and equipment (estimated)	1,000.00
Furniture, clothing and personal property (estimated)	125,000.00
Stamp collection (estimated)	28,000.00
Interest in Wisconsin Retirement Fund	34,036.24
Deposits in Congressional Retirement Fund	62,877.93
Value of deposits in Federal Thrift Savings Plan	22,939.47
Traveller's checks	6,650.00
20 foot Manitou pontoon boat and 35 HP Force Outboard motor (estimated)	5,500.00
Total miscellaneous	289,028.64
Total assets	4,852,701.50

LIABILITIES

	Amount
Sovran Mortgage Co. of Richmond, VA (amount due on mortgage on Alexandria, VA, residence) Loan No. 564377 ..	\$175,062.81
Miscellaneous charge accounts (estimated)	2,000.00
Total liabilities	177,062.81
Net worth	4,675,638.69

STATEMENT OF 1990 TAXES PAID

	Amount
Federal income tax	\$47,441.00
Wisconsin income tax	14,663.00
Menomonee Falls, WI, property tax	2,142.00
Chenequa, WI, property tax	7,537.00
Alexandria, VA, property tax	6,762.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner III and Robert Alan Sensenbrenner. I am fur-

ther the direct beneficiary of two trusts, but have no control over the assets of either trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of our sons and also are custodians of accounts established for the benefit of each son under the Uniform Gifts to Minors Act.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other State or foreign country.

COLOMBIA LOSES ANOTHER LEADER IN THE WAR ON DRUGS

HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. RAMSTAD. Mr. Speaker, on Tuesday, former Colombian Minister of Justice, Enrique Low Murta, was assassinated by two unidentified men. Low's assassination occurred on the day the Colombians were remembering the assassination of another Colombian Minister of Justice, Rodrigo Lara Bonilla, who was killed 7 years ago.

From 1987 to 1989, Minister Low championed for the extradition of drug traffickers to the United States and helped coordinate Colombia's successful antidrug crackdown initiated by President Barco. While serving in the Barco administration, Minister Low publicly called for the arrest of Pablo Escobar, Jose Gonzalo Rodriguez Gacha, and Jorge Luis Ochoa even though it meant putting his life in danger. Minister Low was not afraid to take the lead in ending the drug cartels' reign in Colombia. We in Congress must also continue to work to end the reign of drug dealers and drug traffickers here in the United States.

Currently, the Colombian assembly is rewriting Colombia's Constitution. I hope the Colombian assembly is not intimidated by what appears to be the drug traffickers' latest show of violence in the Government of Colombia. Colombia must continue to strengthen their justice institutions so crimes like the assassination of Minister Low do not go unpunished. Here in the United States and Colombia, the message to drug traffickers must remain clear—you will pay for your crimes.

TRIBUTE TO ARDY SHAW

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. CUNNINGHAM. Mr. Speaker, I rise today to pay tribute to one of San Diego's foremost community leaders, Ardy Shaw. Ardy is going to be honored on Friday, May 10, at a gala dinner to benefit YMCA services. It is fitting that Ardy Shaw is the focus of this event, as she has long taken a leading role in programs to benefit the children of San Diego.

Ardy Shaw is something of a rarity, in that she is a native San Diegan. But equally rare is her commitment to giving something back to

her community. She is an inspiration to those whose lives she touches, and I am proud to call her a friend.

Ardy chose journalism as a career. For 13 years, she has worked for the San Diego Union, in a variety of roles, but always in positions with great contact with the community. Beginning in 1978, when she joined the newspaper, she has been tapped as a sort of ambassador at large for the Union. Since 1985, Ardy Shaw has served as executive assistant to the editor, with special responsibilities for community relations. Among other projects, Ardy has been active in working in our public schools, and community organizations such as the responsible hospitality committee, the Literacy Council, and the United Way.

She is also well known in the San Diego area for her 10 years as producer and host of talk radio programs on KSDO-AM and KPBS-FM. Later, she served as a commentator for KSDO radio, as well. Here again, Ardy provided a vital link for the San Diego area, illuminating problems and helping to find solutions.

Ardy has chosen to make a difference in the quality of life in San Diego, most especially through her involvement with the YMCA. As vice chair for the board of management of YMCA's human development services, Ardy Shaw has helped an organization that touches the lives of thousands of San Diegans each year. YMCA's human development services provides shelter and counseling for abused children, troubled families, and teenagers in crisis. Their leadership in the prevention and treatment of child abuse, alcohol and drug abuse has quite literally saved lives.

The YMCA human development services benefit honoring Ardy Shaw will raise funds needed to support 7 YMCA services. I salute them for their efforts in the San Diego community and I also salute my friend, Ardy Shaw. Mr. Speaker, I know my colleagues join me in recognizing Ardy Shaw, one of the true heroes of San Diego.

FEDERAL FACILITIES COMPLIANCE ACT OF 1991

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GEPHARDT. Mr. Speaker, I am proud to join with the gentleman from Ohio [Mr. ECK-ART] as an original cosponsor of the Federal Facilities Compliance Act of 1991. This legislation, twice approved overwhelmingly in the last Congress, deserves enactment without delay.

Some of our Nation's worst polluters are not fly-by-night companies, but Federal agencies. The Departments of Energy and Defense together generate over 20 million tons of hazardous and radioactive wastes per year. For years, these and other agencies have mismanaged their handling of these hazardous, radioactive, and mixed wastes, badly contaminating the air, soils, and waters of many communities.

Places like Rocky Flats, Hanford, Fernald, and Savannah River have garnered most of the attention—but the fact is that agency pollu-

tion has endangered human health and the environment across the country.

The Congress passed the Resource Conservation and Recovery Act precisely to require the proper handling and disposal of solid and hazardous wastes. The RCRA law gave the Environmental Protection Agency and the States the leading role in cleaning up hazardous waste sites. Unfortunately, several of our Federal agencies have resisted EPA and State cleanup efforts, contending that they cannot be compelled to take action, even if they previously might have agreed to do so.

This legislation has one simple goal: To require that these Federal Agencies abide by our environmental laws. There should be no double standards. Local and State governments and private companies must abide by these laws; certainly the Federal Government must do the same.

The EPA and the States, if they are to be given the responsibility for environmental protection, must have the authority to enforce the law. In spite of extremely tight overall budget constraints, the Congress has consistently provided more funds for the defense facility cleanups than the amounts requested by the administration. The administration needs to demonstrate its seriousness and address this issue.

The Federal Facilities Compliance Act means a lot to the citizens of St. Louis. The St. Louis Airport storage site, used to dump radioactive wastes dating back to the Manhattan project, has contaminated some areas with significant amounts of radioactive materials. The Department of Energy must be required to abide by the law and the obligations it has to our community. This legislation can help ensure this.

The good intentions of Federal agencies must be backed up by meaningful action and enforceable agreements. I urge my colleagues to join me in insisting that the Federal Government meet its responsibility to be a good steward of our environment, and a guardian of the public health.

DESTINATION: PEORIA

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MICHEL. Mr. Speaker, it has been widely reported that Americans today, unlike those of a few decades ago, are now leaving the metropolis in search of smaller cities. Reasons for this exodus include the desire to live in a community where there are fewer traffic hassles, less crime, and an overall improvement in the quality of life, while at the same time offering all the benefits of a large infrastructure. Peoria, IL, is such a city.

Peoria offers diversity—in businesses and in technology. Peoria can boast—along with being the three-time recipient of the All-America City Award—of its Northern Regional Research Center, the second largest laboratory of the U.S. Department of Agriculture, and businesses such as Caterpillar, Inc., Keystone Steel & Wire, Centel, and Archer-Daniel Midland—just to name a few.

"Will it play in Peoria?" isn't just a phase anymore. It has become the standard that other cities will strive to live up to.

At this point in the RECORD, I would like to insert four articles which appeared recently in the United Express Airlines magazine. Destinations: "Peoria Ascendant," "Profiling Peoria Business," "At the Frontiers of Biotechnology," and Pursuing the Muse in Peoria."

PEORIA ASCENDANT

Since the turn of the century when more than half of America's people lived on farms and small towns, there has been a steady migration of population to major cities to the point that more than 85 percent of all Americans live in cities of 1 million or more and fewer than 3 percent live on working farms and ranches. Now this trend is ending.

There are any number of dissertations on the reasons for the general exodus of industry and people from the big cities.

Largely, it is because these cities have outgrown their charters and now spill across city, county, and even state boundaries, into such a welter overlapping and redundant jurisdictions that they are ungovernable. And because they cannot be governed, traffic cannot be managed, crime cannot be controlled, the environment cannot be protected, their infrastructures are crumbling beyond repair, and excellence in anything is seldom attained in spite of exorbitant taxes.

Those leaving Megalopolis and Gotham are not going back to put up hay on Grampa's farm or to cut stovepipe in Dad's Own Hardware Store in Boonville. They're citified, they like the best the city has to offer, and they are finding it in what demographers and sociologists call "the second-tier" cities, that range from as small as 75,000 to upwards of 1 million population.

These are the places that are governable, and where those doing the governing are visible and thus accountable to those being governed.

The second-tier cities are the new boomtowns of America. They have all of the metropolitan assets, but little crime, no traffic gridlocks, good schools solid infrastructure, and affordable housing. In short, they're better placed to live—as an individual or as a corporation.

Over the past several years, Peoria at 350,000 population has become an exemplar of the best of the second-tier cities, and this message has been played to world through international news services through international news services like Reuters, through international business magazines like The Economist, through national newsweeklies and network television, and—perhaps most importantly—through the word-of-mouth of executives of Peoria-based corporations that do business around the globe.

Peoria is indeed "playing to the world." Don't, however, make the mistake of thinking that Peoria is typical. It ain't.

Situated midway between Chicago and St. Louis, Peoria was once sort of a vest pocket version of each: maker of beer and whiskey, of steel and heavy machinery; a Corn Belt river port where bargemen and railroaders loaded out coal and ore and loaded in the cases and kegs and big yellow tractors and the corn and hogs and cattle from rich farms surrounding Peoria and from its sprawling stockyards. "Blue collar" summed it up precisely and Peoria was proud of it. "Yes, but will it play in Peoria?" was never a pejorative as it was a kind of litmus test of the core value of an idea.

Emerson's essay on "the uses of adversity" has its case in point in Peoria.

Martin Mini, executive director of the highly-professional Peoria Economic Development Council, says that up until 1980 three out of four area jobs were blue collar. "Now it's one out of two," he observes, adding that, "it was the heavy decline in blue collar employment that led us to diversity."

Telecommunications, insurance, direct marketing, aerospace, automotive aftermarket, electronics, medical specialties, bio-technology, graphic arts, publishing, warehousing and distribution, regional and national headquarters, government, conventions and tourism, education, government . . . Peoria has diversified with might and main.

While the brewery and distillery that closed down during the decline are likely gone forever, Caterpillar and Keystone Steel have stanch their wounds and are now growing vigorously again, competitive in global markets because of stream-lined organization and the latest in production equipment and facilities.

Mini is highly optimistic that more companies will find Peoria as a place to do business and that those already established there will prosper.

"Peoria and the other second-tier cities have all been doing well in the face of a recession," he states. "We are not to go overboard on growth just for its own sake, but believe all parts of the equation are there for us to make solid progress to the turn of the century and beyond."

He is particularly sanguine about trade agreements that will begin to manifest their benefits in the coming decade.

Since 1970, the volume of world trade has increased by some 240 percent, and trade between the U.S. and Asia now exceeds that between the U.S. and Europe. Over the past 15 years, the U.S. has gone from being the world's largest creditor nation to world's largest debtor nation, and balance-of-trade deficits still plague the U.S.

In 1987, an agreement was signed between the U.S. and Canada that will eliminate all tariffs and trade barriers between the two nations. One phase of tariff reductions has been made; another reduction will take place in 1992, and the final reduction is to take place in the year 2000. Canada is the largest trading partner of the U.S., at approximately \$70 billion a year.

A similar agreement between Mexico and the U.S. is just in the beginning discussion stages.

In 1992, the European Economic Community will come into being, and it will eliminate trade barriers among 12—and possibly more—European nations. The EEC will become an enormous market—324 million people and an aggregate "GNP" of \$4.7 trillion (vs. 249 million people and a GNP of \$3.8 trillion for the U.S.).

The disintegration of the Eastern Bloc, and the shift of the Communist countries from planned to market economies may also create vast trade opportunities in Eastern Europe and the Soviet Union.

What makes Mini so optimistic that Peoria will play a significant role in global trade are a number of factors, key among them that many Peoria-based companies are strong exporters with long experience of doing business overseas as part of their corporate cultures.

"Global communications is one factor. So is air service that makes it possible to connect through Chicago or St. Louis within an hour, and from them to go nonstop to prin-

cial markets of Canada, Mexico, Europe, South America, the Pacific Rim, and Asia within the same day. So is low-cost water transportation, and a number of other things," he states. "But almost none of the other second-tier cities are headquarters to companies like Caterpillar, that does 60 percent of its total sales as export."

There's no intention of ignoring possibilities closer to home. "One of the appeals for U.S. companies that Peoria has the most affordable housing in America," Mini notes. "Also, we have a very strong story to tell about productivity."

Plentiful clean water, reasonable utility rates, competitive construction cost, clean and efficient government with a high return of services per tax dollar, are other inducements.

The Peoria EDC has the area's attributes catalogued in complete and current detail.

"Because we had our slump just at the beginning of the 1980s when other more-diversified places were going strong, Peoria didn't get overextended in offices or apartments or homes," Mini says.

"That was sort of luck in a way, but now we're solid in every way and we intend to stay that way."

"Does it play in Peoria?" The real question is for an expansion-minded company to decide whether it's good enough to play in Peoria.

PROFILING PEORIA BUSINESS

Historians correctly observe that Peoria was a melting pot of cultures and races long before the idea occurred to other parts of America. The same amalgam of corporate cultures, management techniques, and new technologies has been taking place in Peoria for nearly a decade, and the result is that almost everyone is thriving in the face of a national recession and in spite of aggressive foreign competition . . . and newcomers big and small have been coming to Peoria in increasing numbers.

As a consequence, the pattern of business in Peoria is so diversified that there is almost no pattern whatever except for that of success.

Caterpillar came to Peoria in 1925, and its big yellow tractors, bulldozers, scrapers, and graders revolutionized earth-moving. If Ford put America on wheels, it was Cat that made the highways for the wheels to run on, and made possible the construction of the airports and the huge dams built in America during the decades of the 1930s through the 1960s.

Its domestic market softened by major completion of the Interstate Highway System, Caterpillar was also pounded hard by exports to the extent it sustained a billion-dollar loss and had to cut its work force by more than half in the early 1980s. Cat dug in, modernized, and fought back so successfully that its payroll is growing again and that now approximately 60% of its total sales are from exports. With some 21,000 employees in its Peoria-area facilities, Cat is by far Peoria's largest employer.

Ironically, the Japanese heavy-equipment company of Komatsu which marched away with so many of Cat's customers during the late 1950s and early 1980s, also discovered Peoria, and in a joint venture with Dresser, formed the Komatsu-Dresser Company Haulpak Division. Haulpaks are the gigantic 100-yard capacity dump trucks used in continuous strip-mining and other operations where high-speed, high-volume hauling of overburden, coal, or ores is essential. K-DC has about 900 employees in Peoria.

Keystone Steel & Wire, which suffered simultaneously with Cat from many of the same problems, also emerged very successfully from its trial and is the second largest manufacturing employer in Peoria, with a workforce of over 1,500.

In the non-manufacturing sector, medicine and education are the largest employers. St. Francis Medical Center has 3,300 employees, Methodist Medical Center has 2,500, Peoria School District has some 2,100, Bradley University has 1,200, Illinois Central College has 1,100, and Proctor Community Hospital has about 1,000.

Centel is a strong voice within the Greater Peoria area—literally.

The telecommunications leader provides regular phone service in Peoria and through Centel Cellular—phone service for the entire Greater Peoria area. At Chicago's O'Hare International, Centel has a unique equipment system for United Airlines' reservations, providing all-digital and fiber optic redundant systems which are virtually fool-proof. Centel is similarly a positive force in other communities within its nine-state service area.

Fleming-Potter Company, Inc., not exactly a household word even in Peoria, is nonetheless a manufacturer whose products are frequently on everyone's lips. The company makes perforations and printing and manufactures seals—by the hundreds of millions. You and I encounter F-PC products when we affix a stamp to subscribe to a magazine and thereby try for a sweepstakes prize, open a carton or bottle of a fresh fruit juice or ponder the label of a bottle of wine, or remove the seal from any of the hundreds of products we encounter daily. Fleming-Potter, the name that's just on the tip of your tongue, employs about 550 people.

Two other Peoria companies, largely unknown except in the world of advertising, are Multi-Aid Services, Inc. (312 employees) and Dynamic Graphics, Inc. (150 employees), whose products are likely before your eyes many times a day. They design advertising and ad components such as illustrations, cartoons, and borders which they supply to ad agencies, newspapers, book publishers, and printers. Books of "slicks" or "clip art" and their monthly supplements are still a substantial part of the business, but increasingly the images are transmitted computer-to-computer via modem or compact discs.

Peoria has a substantial and growing community of direct marketing companies: Foster & Gallagher with 900 employees, Ruppman Marketing Services with over 400, and Customer Development Company with 380. The newest addition is a new direct mail center for Mail Tech Enterprises, Inc. with a 72,000-square foot facility from which it operates as a direct mail distributor, service such clients as Publishers Clearing House, the American Lung Association, and a number of Fortune 500 corporations.

Financial institutions are also important factors in the economic life of the Peoria area. Pekin Insurance with 600 employees, First of America Bank Illinois NA with over 425, RLI Corporation (specialty insurance) with about 350, Construction Equipment Federal Credit Union with 300, and Illinois Mutual Life & Casualty Company with 200 are major players in this arena.

In addition to what's already mentioned, here's some more of the diversity of companies operating in the Peoria area:

Morton Buildings, steel and wood buildings for commercial, industrial, and agricultural purposes. UNR-Rohn, Inc., microwave towers. Sherex Chemicals, industrial chemicals.

International Paper, paper products. B.F. Goodrich, vinyl, other plastics, and rubber. DMI, Inc., farm equipment. L.R. Nelson, lawn irrigation equipment. Pekin Energy, fuel-grade ethanol. Archer-Daniel Midland, grain processing. Libby (Carnation), pumpkin processing.

Other recent newcomers to the area accentuate the breadth of the spectrum of companies that have determined Peoria is the best place for them.

TransTechnology Electronics, Inc. has consolidated its \$200 million-dollar-a-year high-tech engineering and manufacturing operations for aerospace, defense, and industrial products in Peoria.

Union Sangyo America, Inc., a Japanese-Korean-American enterprise, manufactures over 24 million automotive filters a year in its new \$20 million plant in Peoria County.

Preco, Inc. has completed a 10,000-square foot building in Peoria to manufacture electronic backup alarms used on fork lifts and other industrial and construction equipment.

Brown Moulding Company, Inc. recently opened a national distribution center in Peoria. The company is the nation's largest supplier of unfinished wood millwork, serving major do-it-yourself building centers and wholesale builder supplies for contractors.

Each new ingredient in the melting pot is adding to the zest of prosperity.

AT THE FRONTIERS OF BIOTECHNOLOGY

The Northern Regional Research Center at Peoria is the second largest laboratory of the U.S. Department of Agriculture, and most communities in possession of a facility like that would happily bask in the reflected glory of the pioneering work accomplished at that lab.

Peoria, though, believes not only in gilding the lily, but in making ten lilies grow where only one grew before, in adapting it to equatorial and polar climates, in learning how to process it for industrial solvents and fuel, make it cure a wide spectrum of diseases, and in providing a basis for exports that will overcome the troublesome balance-of-trade deficits and bring roses to the cheeks of all those ashy pale Federal Reserve Board governors.

Well, we do exaggerate. But only a little.

As prestigious as the USDA Center is, the relatively new Biotechnology Research & Development Center (BRDC) housed there has wide-ranging goals that—if successful—will multiply the efficiency of American agriculture many times over, make existing businesses grow, and create entire new industries.

BRDC is a unique hybrid, focusing research efforts in bio-technology and genetic engineering by federal and state government agencies, private industry, and academia.

Its matter-of-fact approach to tomorrow is one that virtually insures steady progress and may well yield major scientific breakthroughs.

Most remarkably, BRDC is no superbureaucracy, but has a total staff of what Executive Director Grant Brewen describes as "three and a half people."

The body may be small, but it has muscles all over it. BRDC's seven shareholders include Amoco Technology, American Cyanamid, Dow Chemical, Hewlett-Packard, ECOGEN, Inc., INCERA Group Inc., and the Peoria Economic Development Council and CILCORP as a joint venture.

The annual \$4 million budget currently includes 55 research contracts with 11 universities and five agricultural research organizations. More contracts with additional uni-

versities are contemplated for the near future.

Six principal areas of research are now under investigation:

Plant and molecular biology.

Bio-catalysis to identify micro-organisms that perform uniform chemical conversions vital to metabolic pathways.

Natural products that include a variety of natural pesticides, fungicides, herbicides, and mildewicides; and delivery technologies for crop protection and animal care.

Animal health care.

Fermentation processes to control systems and to develop and monitor batch processes, oxygen tensions, and other factors that affect high-value pharmaceuticals, such as insulin and ethanol production dependent on yeasts and other fermentation agents.

Basic molecular biology and genetic engineering.

Some of the research is being conducted by the University of Illinois at Urbana, the National Center for Crop Utilization Research at Peoria, Northern Illinois University at DeKalb, Northwestern University at Evanston, Iowa State at Ames, Johns-Hopkins University at Baltimore, the University of Iowa at Mason City, New York University at Sunnybrook, and . . . well, you get the idea . . . the powers who know how to make things grow and how to make things out of the things that grow.

The thing to keep in mind is that many of the things that will keep you feeling better, looking better, more comfortable, living longer, having more conveniences, and enjoying a good job are first going to play in Peoria.

PURSuing THE MUSE IN PEORIA

Somewhere it sticks in your mind that Fibber McGee and Molly of the crashing closet who played a gentle spoof of domesticity on Tuesday night radio during the 1940s were from Peoria even though they said it was Wistful Vista.

That leaves you grandly unprepared for what you actually find.

Begin with the gleaming \$64 million Civic Center on a manicured 20-acre site. This convention and entertainment complex has an 12,000-seat arena and a 2,200-seat theater, and is home to some of the finest cultural aggregations ever to rosin a bow or step into a tutu.

The Peoria Symphony Orchestra, one of 10 oldest in the United States, has played at the prestigious Bodensee Festival in Germany, and the Peoria Ballet has performed at the equally prestigious Edinburgh Festival in Scotland. The Peoria Players Theater is the fourth oldest in the U.S. There are also the highly-regarded Peoria Civic Opera, the Peoria Area Civic Choral, the Broadway Theater Series, the Children's Theater, the Lakeview Museum of the Arts/Sciences, and numerous other university-affiliated and community theatrical and musical groups.

If something a bit more on the casual order is your preference, there's the Peoria Municipal Band, and there's spontaneous jazz at the Fulton Plaza downtown, where—if music is not enough to satisfy the inner person—there are hot dogs, sausages, grilled pork chops, and Chinese, Lebanese, and Italian offerings from the colorful pushcarts that cater to music lovers, office workers, shoppers, strollers, and visitors.

Bill and Carol DeBoard, emigres from the corporate life, launched Peoria's first pushcart in 1980, and since, pushcart vending has become something of a local industry, albeit

more charmingly picturesque than most enterprises.

Paddle-driven steamboats once played an important part of Peoria's economic life, and you can catch an authentic glimpse of those days at Jumer's Boatworks, where there is The Belle Reynolds, a floating maritime museum built inside a operable 170-foot tugboat, and The Katie Hooper, a floating restaurant and lounge, and where—if you feel inclined to go cruisin' down the river on a Sunday afternoon—you can board The Spirit of Peoria, a 125-foot excursion paddlewheeler, and do just that.

Should paddlewheelers stimulate you to play the riverboat gambler as did the darkly-handsome Howard Keel so memorably in the movie, you can do that, too, come April, when riverboat casino gambling comes to Peoria and East Peoria in the form of a new three-deck vessel that can carry 1,200 passengers.

The Illinois Gaming Board has authorized only five such licenses for floating casinos on the Illinois River from Chicago down to East St. Louis where the Illinois flows into the Mississippi.

You can hold your ace-queen full-house close to your embroidered vest or bet red or black or shoot craps in luxuriant ease, because the boat will have a staff of 800 for three-shift-a-day operation.

Over 50 hours a week of live thoroughbred and harness racing is shown via 175 television monitors at an off-track betting facility named Arlington-in-Peoria.

Team sports are popular, and both the Braves, Bradley University's perennial powerhouse basketball team, and the Rivermen, a farm team of the St. Louis Blues professional hockey team, play at Carver Arena in the Peoria Civic Center. The Peoria Chiefs are the Class A farm team of the Chicago Cubs, and play their 70-game home schedule at Meinen Field. The Peoria Polo Club also provides thundering action each Saturday during its July-September schedule.

There are nearly a dozen public golf courses in the Peoria area, and most of the area country clubs offer reciprocal playing rights to members of clubs elsewhere. Organized leagues for rugby, soccer, volleyball, lacrosse, swimming, tennis, softball, archery, karate, and golf flourish in Peoria.

Not including the privately-owned 1,850-acre Wildlife Prairie Park, there are more than 12,000 acres of public parks and recreation areas in the area.

Peoria's 1991-92 Tricentennial observances will crowd an already full calendar of events. One of the centerpieces is Steamboat Days, which will observe its 20th anniversary in 1991 and expected to attract far beyond the 100,000 people it normally draws. The Steamboat Days Classic Foot Race, a 15K ranked as one of the top races in the United States, the Steamboat Classic NRRRA Road Race, and steamboat races begin the summer season; the Taste of Peoria and the "Rib Bib Cook-off" bring throngs in August; and the spectacular pre-Christmas "Parade of Lights" in East Peoria caps the year.

What's your pleasure? Peoria has it.

MARTIN LUTHER KING, JR.
FEDERAL HOLIDAY COMMISSION

HON. TOM SAWYER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SAWYER. Mr. Speaker, today I am pleased to introduce legislation, along with 24 of my colleagues, to amend the Martin Luther King, Jr. Federal Holiday Commission Extension Act.

The Commission was established in 1984 to encourage appropriate ceremonies and activities relating to the observance of the Federal legal holiday in honor of Dr. King. When the Commission first began its work, only 17 States observed the holiday. Today, all but 2 States have made Dr. King's birthday a paid holiday, and over 100 foreign countries celebrate the occasion, as well.

Because the Commission received no Federal funding prior to 1990, and has had difficulty developing a successful fundraising program, it is apparent that its annual appropriation of \$300,000 is not sufficient to retain qualified staff and carry out the wide range of activities that the Commission has planned. A key factor relating to the Commission's inability to raise enough funds from outside sources is that it competes for private donations with the Martin Luther King, Jr. Center for Non-violent Social Change.

I want to point out that the missions of the Commission and the King Center greatly differ in scope and in kind. The Commission provides guidance to State and local holiday commissions, responds to thousands of inquiries, and distributes educational materials in conjunction with the celebration of the King holiday. The King Center, a memorial to Dr. King, promotes Dr. King's philosophy and strategy of nonviolence through seminars, workshops, and training programs for youths, teachers, community leaders, administrators, and others. The Commission's authorizing legislation expressly prohibits the Commission from expending any funds for the purpose of organizing campaigns to protest social conditions or promote civil disobedience.

The legislation that I am introducing today would do the following: First, increase the Commission's annual appropriations to \$500,000 in fiscal year 1992, and \$700,000 in fiscal year 1993; second, increase the staffing positions from five to eight; third, increase the at-large membership from 23 to 30; and fourth, increase the rate of maximum pay for Commission staff from GS-13 to GS-15.

Aside from increasing the Commission's annual appropriation, the amendments would result in no additional costs. Actually, amendments No. 2 and No. 3 could not be carried out without increasing the Commission's annual appropriation. There is no cost associated with amendment No. 4.

During his lifetime, Martin Luther King, Jr., represented hope to millions of Americans. Today, with the critical problem of drug abuse, and high dropout and unemployment rates among minority youth, I believe that these amendments will assist the Martin Luther King, Jr. Federal Holiday Commission as it continues Dr. King's legacy of bringing hope to

many young people who have lost sight of the dream.

HOSPICE CARE PROGRAM FOR
VETERANS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DORGAN of North Dakota. Mr. Speaker, today I am introducing legislation with my colleagues Mr. BILIRAKIS, Mr. PENNY, Mr. PAXON, Mr. PANETTA, and Mr. LEHMAN of Florida that would establish a hospice care pilot program for terminally ill veterans. Under this legislation, the Veterans Administration would establish at least 30 pilot hospice care programs in VA facilities throughout the country for the purpose of providing hospice care. This legislation authorizes VA facilities to contract with hospice programs that are currently certified with the Medicare Program to provide home-based hospice care for terminally ill patients who would rather be cared for at home in their final days as an alternative to institutionalized care.

Hospice care is an alternative way of caring for those who are terminally ill. In the unfortunate situation when a veteran is diagnosed with terminal illness, it is more unfortunate when he or she has no option to receive care in the comfortable, familiar setting of their home. Hospice is a home-based form of care that nurses not only the physical pain of terminal illness but the emotional, psychological, and spiritual challenges of dying. Many individuals would rather stay at home in a setting they are more comfortable with than spend their final days in an institution.

For several years, the Medicare Program has recognized the importance of hospice care. Not only does hospice provide patients with a quality alternative to institutionalized care in a terminal situation but hospice does so in a cost-effective fashion. Institutionalized care is expensive, whether it is in a private sector hospital or in a veterans' facility. Hospice provides an alternative way to care for the terminally ill at home with lower cost and quality care. The Medicare Program has covered hospice services for the terminally ill for several years now and I strongly believe that this is one of Medicare's biggest success stories. I believe that veterans and the VA health care system would equally benefit if hospice care was utilized to a greater extent than it is currently.

It is my understanding that currently, the VA has some hospice programs in VA facilities. I think that this is wonderful but it seems to me that the VA ought to provide more opportunities for terminally ill veterans to receive hospice care. For some VA facilities, establishing their own hospice care program is not feasible. A shortage of resources—both financial and professional—prohibit the VA from offering hospice care to terminally ill veterans. It seems to me that the VA could contract for hospice services and offer hospice care as an option with hospice providers that the Federal Government has already certified and is currently using to treat patients covered in Fed-

eral programs like Medicare and Medicaid. Veterans organizations such as the American Veterans of World War II, Korea and Vietnam [AMVETS], the Disabled American Veterans [DAV], the Paralyzed Veterans of America [PAV], and the Veterans of Foreign Wars [VFW] recognize the importance of hospice care and have recommended that hospice programs be established in every VA medical center in the country.

That is why I have proposed this legislation. This bill would authorize the VA to establish a pilot program with Medicare certified hospice programs which would care for veterans who are receiving care in a VA facility and are diagnosed as terminal, that is, they have been given less than 6 months to live. The services covered under this program as well as the per diem rate paid to the hospice program for providing services would be the same as provided under the Medicare Program. In short, the VA would use the Medicare Hospice Program as a model to provide hospice care to more veterans.

Similar to the provisions under the Medicare Program, the pilot program suggested in this legislation would allow terminally ill veterans to elect hospice care as an alternative to receiving care in the institution. Upon election of the hospice benefit, the veteran would waive his or her coverage in a VA facility for services related to their terminal illness—thereby substituting home care for institutional care. The home care services would include physician services, nursing care, physical, occupational, or speech therapy, social services, homemaker services, medical supplies, counseling, and short-term inpatient care if needed.

I firmly believe that this pilot program will not only enhance the lives of terminally ill veterans but it would also benefit the VA health care system. This legislation requires the VA to conduct a study of this pilot program and to report to Congress on the quality of care provided and the feasibility and cost-effectiveness of the hospice care pilot project. I am confident that the results of this study will reveal that providing the option for hospice care to veterans is positive for patients in VA facilities and the system as a whole.

It is my understanding that Senator JOHN MCCAIN intends to introduce this bill in the U.S. Senate in the near future.

I urge my colleagues to support this legislation.

VIOLATION OF HUMAN RIGHTS

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. MOORHEAD. Mr. Speaker, less than 2 weeks ago, many of my colleagues and I spoke from this same podium to remember the Armenian genocide of 1915 to 1923. We hope in remembering, that such atrocities will never happen again. But history has been a cruel teacher, showing us that gross inhumanity has not perished from this Earth.

Today, I rise not to speak of genocide, but of naked violence being perpetrated against the Armenian people in the villages of

Getashen and Martunashen, two Armenian subdistricts in Soviet Armenia's neighboring republic of Azerbaijan.

According to eyewitness accounts, I am saddened to report that not only Azerbaijani forces, but Soviet forces as well moved into these villages on April 30, killing at least 35 Armenians, injuring countless others, and taking 75 people hostage.

This invasion magnifies even further the disintegration of President Gorbachev's democratic reforms and the desperate economic situation that has led him to capitulate to the military hardliners in his country.

While I was dismayed to hear that so many Armenians, including women and children, had been killed, I cannot say I was surprised. Over the past 3 years, the world has witnessed Azerbaijan steadily increase its pattern of massacre and deportation against the Armenians in and around Karabagh, an overwhelmingly Armenian enclave inside Azerbaijan.

The incidents in Getashen and Martunashen are simply the latest expression of Azerbaijan's desire to rid the entire region of Armenians.

Through its complicity in this invasion, the Soviet Central Government sanctions the racist schemes of the Azerbaijani Government. Those Soviet officials who gave the orders for the invasion, has effectively become partners in this brutal and unconscionable action.

The Soviet Government should immediately give the order to reverse the offensive nature of its forces and have them assume their proper function in protecting the region's residents from Azerbaijani aggression.

I urge my colleagues to join me in speaking out on this violation of human rights.

POLISH CONSTITUTION DAY

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. ATKINS. Mr. Speaker, I rise today to commemorate the 200th anniversary of the first democratic Polish Constitution, which was adopted only a few years after our own Constitution on May 3, 1791. Mr. Speaker, the adoption of the Polish Constitution was a truly significant achievement which allowed for a peaceful transformation from a repressive autocratic government into a representative government of all the people. The extraordinary Polish Constitution reflected many of our own country's values, such as majority rule, elections by secret ballot, religious tolerance, and equal justice under the law. The Polish Constitution marked the beginning of democracy in Eastern and Central Europe.

Tragically, before the Poles had the opportunity to fully enjoy the benefits of their new remarkable Constitution, their homeland was divided among the autocrats of Austria, Prussia, and Russia. And, with the exception of a brief period after World War I, the Polish people continued to live under repressive regimes until the recent extraordinary blossoming of freedom there.

In recognizing today the anniversary of the Polish Constitution, one not only recognizes

those who created it, but also those who have devoted their lives to the principles expressed by the Constitution. These people include individuals such as Thaddeus Kosciuszko and Lech Walesa, and the 10,000 Polish officers and intellectuals who were massacred in the forests of Katyn. In addition, we pay tribute to hard working Polish-Americans here in the United States who have never given up the cause of freedom in their native land.

ANTI-CROATIAN TERRORIST ACTIVITIES

HON. JOE KOLTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. KOLTER. Mr. Speaker, just today I have received distressing news of army-backed terrorist anti-Croatian actions escalating in Croatia. Just today two policemen were murdered by these roving bands of terrorists in Bibinje, a Croatian town outside of Zadar, and a town near Vokovar, which is quite a distance away from the first town.

These insidious and systematic unprovoked attacks by the terrorists are all the more alarming because of the news that the army, rather than playing a peacekeeping and moderating role, has reportedly armed the terrorists in an effort to incite a Croatian response and thereby offer the army an alibi to install martial law.

The increased level of terrorist and army activity since January 24 and 25 have, according to Croatian governmental sources, increased both terrorist and army activities as the May 15, 1991, date approaches. May 15 is the date when the Communist President of Yugoslavia, Mr. Jovic, will be replaced by the democrat from Croatia, Mr. Stipe Mesic.

Mr. Speaker, the United States must at the very least come out against these terrorist activities and state that we support a dialog and not violence.

I fear that unless the United States immediately comes out with such a stand that we may unwittingly promote a civil war.

CALUMET REGION MONTESSORI SCHOOL CELEBRATES 25TH ANNI- VERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. VISCLOSKY. Mr. Speaker, it is my pleasure to pay tribute to the Calumet Region Montessori School of Hobart, IN on the occasion of its 25th anniversary.

The Calumet Region Montessori School, CRMS, was founded in 1966 with a belief and a dream. The belief was in the philosophy of Dr. Maria Montessori and the dream was to establish a Montessori school in northwest Indiana. In September 1966, two preschool classes began in the Glen Park section of Gary. Various subsequent locations housed classes until 1968 when land was purchased

in Hobart. The school, at 2109 East 57th Avenue, was designed from the ground up as a Montessori school. Classes started in March 1969. In time, an elementary program, parent-toddler classes and new wings were added. Today, children from 18 months to 12 years of age attend the school.

As CRMS begins its second 25 years, we all owe a debt of gratitude to the many parents, staff, and friends who have kept the dream alive.

Special recognition goes to the following people who gave freely of their time, talents and money in the early years. Arthur and Anne Collins, two of the original four founders of CRMS. Arthur was also an incorporator and the first president of the board; Richard Meyer, board president and parents group president; Pay Meyer, board member and administrator; Eugene Haller, board president and member; Rev. John P. Jackson, first headmaster and director; Judy Jackson, school secretary and parents group president; Marvin Syren, first parents group president; Karen Syren, school secretary; Lewis Ciminillo, president of the board; Maxine Ciminillo; Rosie Gulassa-LePell, first directress, head directress and administrator; David McAfee; Nancy McAfee, president of the board and accountant; James Newman; Mary Alice Newman, board member and founder of the school site; Peter Wilke; Martha Wilke, board member; Richard E. Kirscher, board member; Dorothy Kirscher; Dr. George and Helen Volan; William Conjelko, board member; Charlotte Conjelko, business administrator and parents group president.

Later, many dedicated themselves to enhancing CRMS. They include: Bruce Haller, board president; Bettie Haller; Oyidal Isakson, bookkeeper 1977-89; Stanley Christianson, board member; Elin Christianson; Lee Strawn, board president; Velma Strawn; Koppolu and Shakuntala Sarma; Violet Potts, staff; Dr. Vidyadhar and Suhasini Gandra; Sandi Zeigler, directress; Dr. Derek Dawson; Jacqueline Dawson, parents group president; Dr. and Mrs. P.R. Unni; Dr. K.V. Pillay, Girija Pillay, board member; Dena Yuriga, parents group officer, Dr. David and Claire-Lynn Chube, Dr. David and Ruth Ross, Rudy Schneider, Renate Schneider, board president; Bob Smith; Rita Smith, board member; Mamom Powers; Cynthia Powers, board president; Karen Rake, board member; Jane Barnes, staff; Jo Ann Wozniak, board president, parents group president, acting head administrator; Daniel Wozniak; Dick Rossi, Dr. Veera and Sharon Porapaiboon; John Siroky, board member; Michelle Siroky, parents group president; Dr. Sunchai and Sayumporn Senasu.

CRMS exists as a center for learning and caring. Special tribute must be paid to the current staff. Sue Rossi, administrator; Carol Sistanich, secretary; Iris Fogarassy; directress; Marianne Lind, head teacher; Lyn Ochs-Manchak; Jean O'Neill; Mary Ann Pimental; Carole Rowe. Paraprofessionals include: Ruby Barnes; Claudia Graham; DeLoise Johnson; Patricia Mikaitis; Joyce Miracle; Lorraine Pimental; Sandra Will, and Brenda Jones. Margaret Medina; Molly Miller-Bartrom. Carolyn Dalrymple and Joy Staff comprise the support staff.

Marianne Lind, toddler directress, celebrates her 24th year at CRMS. Marianne's loving and caring has instilled a love of learning in countless children.

The persons currently setting policy for CRMS as members of the board of directors are: Judy Haller, president; Frank Lazzaro, vice president; Bobbie Cobbs, secretary; Steve Bolanowski, treasurer; Susan Cohen, Jane Ellis, Debra Fleeger, Johnny'e Ford; Glenn Gintert; Paul Kern; Bert Owens; Madhukar Ranade.

Parents who are active at the school include: Phyllis Allen; Lynn Bolanowski; Shirley Brigewater; Linda Chary; Debra Cheema; Greg Engelen; Peggy Gatlin; Robin Gintert; Colleen Greichunos; Dolly Harris; Julie Hudson; Paula Johnston; Cheryl Keller; Laura Hannon; Pattie Maggie; Rick and Teresa Markle; Marielle Martin; Mary Ann McNiece; Bernadette Monda; Georgiann Pangere; Karen Ranade; Kamini Sawlani; Randy and Pamela Strapon; Dennis and Cynthia Sviar; Susan Wright.

I have utmost respect for each and every one of these individuals who has given of himself or herself for the cause of education and the advancement of our children. To recognize Calumet Region Montessori School of Hobart during this critical period for education in our country is indeed an honor.

PARTNERSHIPS FOR THE ENVIRONMENT

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SAXTON. Mr. Speaker, over the past 2 years, I have been involved with an important effort to reevaluate the way Government organizes, prioritizes, and manages environmental research and development. Last year, many of you joined me in this effort by supporting a study to be conducted by the National Academy of Sciences to investigate the concept of establishing a National Institutes for the Environment—the NIE—patterned after the National Institutes of Health. That study is about to commence and will gather together scientists from across the board to objectively investigate the multifaceted issues surrounding the environment and the need for competitive and aggressive research and development into the solutions we so desperately need.

In many of my discussions with scientists around the Nation and neighboring countries, the problem of adequately funding competitive research has been an issue of serious concern. The need to encourage more support and involvement from the private sector in these matters is essential if our country is going to continue taking the lead on matters of environmental stewardship and technological innovations for solutions to the many aspects of pollution, contamination and resource recovery.

I am pleased to bring to the attention of the House a program, financed by a company in the private sector, that will help educate the environmental leaders of tomorrow and pro-

vide resources vital to the support of environmental science.

Called the Partnership for Environmental Education, it is being undertaken by Times Mirror Magazines and was unveiled on May 1, 1991, with the support of Administrator William Reilly, head of the Environmental Protection Agency, and Frank Bracken, Deputy Secretary of the Interior.

Times Mirror Magazines is a media company with 10 national magazines with more than 30 million readers. Publications include Field & Stream, Outdoor Life, and Popular Science. Currently, Times Mirror Magazines carries a quarterly editorial on key conservation issues in all 10 magazines simultaneously, something I understand to be unique in the magazine industry.

In addition, the company started the Times Mirror Magazine Conservation Council to use their communicative strengths to address conservation issues.

To encourage its advertisers to also try and increase public awareness of environmental problems and their solutions, Times Mirror Magazines decided to initiate the Partnership for Environmental Education. This program takes 2.5 percent of the revenues from advertisements containing messages about environmental problems and solutions and invests those funds in environmental education and science programs.

Besides helping to educate the environmental managers and scientists of tomorrow, the program also is a dramatic shift from the traditional method of supporting environmental research through public mechanisms only. The use of public/private initiatives to support competitive research and development is vital for meeting the challenges of environmental restoration, conservation, and stewardship. I hope this is the beginning of what will emerge as an expanding trend.

At the May 1 launch, an initial \$10,000 donation was made to the National Environmental Education and Training Foundation. We created this Foundation last Congress to use public and private dollars to improve environmental education. Times Mirror Magazines was the first company in the private sector to make a donation. However, the partnership is expected to raise hundreds of thousands of dollars for environmental science and education into perpetuity, some of which will be donated to the National Foundation, and some which will be invested in other worthwhile projects.

I believe we all recognize that the solutions to environmental problems, and the successful integration of economic growth with environmental protection, is dependent on public-private partnerships. Only through the efforts of the private sector can comprehensive public education be successful in changing the many behaviors which have harmed our environment and natural resources. And only through the involvement and support of the private sector can we stimulate the competitive entrepreneurship necessary for developing future solutions to our inherited problems from the past.

Historically, support for the environmental sciences has been dependent on political mood-swing—at the mercy of whatever new winds may blow over Capitol Hill. It is high

time the environment be given an equal footing in the economic agenda of this country. Creative, non-traditional initiatives such as this must be encouraged, particularly at a time when budget constraints often allow only the more "sexy" environmental topics to compete for scarce funding.

I applaud Times Mirror Magazines and hope this is just the beginning of an emerging trend toward public/private partnerships in environmental education, research, and development.

UNITED STATES INTENDS TO
TAKE WAR ON DRUGS SERIOUSLY

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. ORTIZ. Mr. Speaker, I rise today to bring attention to the horrible travesty that occurred Tuesday in Bogota, Colombia. On Tuesday Enrique Low Mitura, a former Colombian Minister of Justice was assassinated by two unidentified gunmen. Mitura was a strong supporter of extraditing drug criminals to the United States. This assassination took place on the seventh anniversary of the murder of Colombia's Minister of Justice, Rodrigo Lara Bonilla. This unfortunate incident clearly demonstrates what dangers statesmen in the Andean countries face by standing up against drug traffickers. This incident sends a strong message to the leaders of our country that we must continue to support efforts to combat drug traffickers in Colombia and other Andean countries. We must continue to demonstrate that the United States intends to take its war on drugs seriously. I urge my colleagues to join me in supporting the valid efforts of men such as Enrique Low Mitura.

SOVIET INVASION OF ARMENIAN
VILLAGES

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. LEHMAN of California. Mr. Speaker, I rise today to speak of the troubling situation in the Soviet Republic of Azerbaijan. A week ago, Soviet internal ministry troops, joined by Azerbaijani forces, surrounded and bombarded the Armenian villages of Getashen and Martunashen, located to the north of Karabagh. Two days ago, they broke through the resistance offered by the villagers and swept into the towns, killing more than 22 Armenians, leaving scores wounded, and taking 75 hostages.

The leadership of the Azerbaijani Republic's government has for the last 3 years, pursued a brutal policy of harassment, intimidation, and terror intended to drive out the Armenian residents of Karabagh and Azerbaijan.

Sadly, the Azerbaijani government has been largely successful in their efforts. Since 1988, massacres and local deportations in Sumgait, Girovabad, Baku, Azat, Kamo, and throughout Azerbaijan have taken hundreds of lives and

made refugees of hundreds of thousands of Armenians.

While it is too early to determine exactly who is responsible for this massacre, it is clear that the Soviet forces should not be involved in the invasion of Armenian villages and the killing of civilians, including many women and children.

Mr. Speaker, the Soviet forces should withdraw at once. If Moscow seeks a role in the region, it should be as a peacemaker, not as a tool of the Azerbaijani government.

H.R. 1

HON. FRED GRANDY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GRANDY. Mr. Speaker, today I rise to shed light on one facet of H.R. 1, the Civil Rights Act of 1991. H.R. 1 provides for unlimited money damage awards to be levied by juries. The bill specifically authorizes juries to award both punitive and compensatory damages, for example tort-like pain and suffering damages, without placing any limitations on the size of these awards. This brings to the forefront a major question—whose interests are ultimately being served by this legislation. Testimony on this is extensive and succinct—lawyers.

This is not some prediction conveniently manufactured by opponents of this legislation. This fact has been repeatedly echoed in court decisions discussing the impact of punitive and compensatory damages.

Currently, employment law remedies include backpay, reinstatement, injunctive relief, and attorneys fees, remedies known as make whole relief. Also, trials take place before a judge, not a jury. H.R. 1 would completely revise the nature of title VII.

I believe the awarding of punitive and compensatory damages in section VII and section VIII cases would encourage litigants to bypass the EEOC settlement process and go directly to Federal court. This approach would encourage confrontation and litigation, as well as lengthy judicial proceedings. Our present system demonstrates that such incentives create new jobs for lawyers but not increased civil rights for Americans. I encourage Members to oppose this change in our current law.

SENSELESS MURDER OF
ARMENIANS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. PALLONE. Mr. Speaker, I rise today to express my outrage over the senseless murder of Armenians in Getashen and Martunashen. Just this Tuesday, Armenian residents of these villages in Azerbaijan were overrun by Soviet and Azerbaijani forces. More than 60 men, women, and children in these villages were murdered for no other reason than the desire of the Azerbaijani Govern-

ment to eliminate the Armenian minority within its borders.

Late last week, Soviet troops, assisted by Azerbaijani forces, surrounded, blockaded, and then bombarded the Armenian populated villages of the Getashen and Martunashen subdistricts of Azerbaijan, located just to the north of Nagorno-Karabagh. Tuesday morning, acting on orders from Soviet Interior Minister Pugo and Internal Security Forces Commander Shatalin, these combined forces overran the Armenian villages defending Getashen and, armed with tanks, armored vehicles, and artillery, forced their way into the villages. The Armenian population, left defenseless against violent searches, beatings, and indiscriminate killings, suffered more than 60 deaths, scores of injuries and 75 hostages, according to Armenian National Committee of America sources and CNN reports. Like so many instances of this brutality, many of the victims of this assault were children.

For more than 3 years, since February 1988, Armenians living in Nagorno-Karabagh and Azerbaijan have been the target of an unrelenting campaign of violence and intimidation, aimed at driving them from their homes. The history of these past 3 years in the Caucasus has been one atrocity after another.

In February 1988, Armenians were massacred and eventually forced from the city of Sumgait; again in September of that same year we witnessed the same pattern of violence in Girovabad. In January of last year, the world protested the outbreak of anti-Armenian violence in Baku, which left more than 70 dead, and led to the exodus of hundreds of thousands of Armenian refugees, most of whom, to this day, are without homes and jobs. Late last year the Armenian towns of Azat and Gamo, having been issued an ultimatum by the Azerbaijani leadership demanding that they leave, were forcibly emptied by Azerbaijani forces.

This most recent outbreak of anti-Armenian violence ought to be condemned. The Soviet Central Government, if it is to have any claim of governance, must at the very least protect the lives and rights of its citizens. The continued use of force, the continued massacre of innocent people, the continued brutality in its relations with the Republics will lead only to Moscow's isolation from the Republics and from the rest of the world.

HONORING DR. JOHN D. RANDALL,
MOUNT SAN ANTONIO COMMUNITY COLLEGE DISTRICT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. TORRES. Mr. Speaker, I rise today to recognize a special individual, Dr. John D. Randall, superintendent/president of Mount San Antonio Community College, CA. Dr. Randall is retiring as president of the college and will be honored at a retirement celebration on Saturday, August 24, 1991.

Dr. Randall served as superintendent/president of the Mount San Antonio Community

College for 14 years and 32 years in the community college system.

Dr. Randall was born on April 11, 1931, in Denver, CO, and his family moved to California when he was 9-months old. In 1958, he graduated from the University of California, Los Angeles with a bachelor of arts degree, and the following year he obtained his master of arts from California State University at Long Beach. He later received his doctorate's degree from the University of Southern California.

He met and married the former Barbara French and together they have two children, Linda Mitchell and Mark Randall. Additionally, they have two step-grandchildren.

Dr. Randall has dedicated his career to the field of education. After serving over an 18-year period as a mathematics instructor, division chairman, dean, and vice president of instruction at Cerritos College, Dr. Randall moved to Mount San Antonio College as its superintendent/president. President Randall earned a local reputation as a strong leader in the wake of proposition 13 and budgetary cuts in the late 1970's and early 1980's. He later earned statewide recognition, serving as president of the Chief Executive Officers of the California Community Colleges and as interim chancellor of the 107-community college system.

Dr. Randall and his wife are former residents of West Covina and currently reside in San Dimas, CA. Randall states, "I'd like to think I'm a good communicator. Being honest, straightforward, and telling things as they are help in the communication process and enhance credibility."

Mr. Speaker, the board of trustees and the community will host a brilliant gala on Saturday, August 24, 1991, at the Biltmore Hotel in Los Angeles to honor Dr. John D. Randall for his tremendous contributions in the field of education. I ask my colleagues to join me in saluting Dr. Randall for his outstanding record of educational service to the California Community College System.

IN RECOGNITION OF THE ACCOMPLISHMENTS OF ROYAL FURGESON, JR.

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. COLEMAN of Texas. Mr. Speaker, I rise today to honor an outstanding citizen of El Paso and Texas, a great American, Mr. Royal Furgeson, Jr., on his being named recipient of the University of Texas School of Law 1991 Alumni Award for Distinguished Service.

Mr. Furgeson has been an important asset to the El Paso legal community since moving to west Texas in 1970. Mr. Furgeson received his doctor of jurisprudence from the University of Texas School of Law in 1967, after which he served in Vietnam in the United States Army. He has also been active in many civic endeavors throughout the community. He has served as president of the El Paso Bar Association in 1983 and president of the west Texas chapter of the Federal Bar Association

4 years later. He has been active in Keep El Paso Beautiful, Leadership El Paso, and the Cathedral High School Parent-Teacher Association, just to name a few of his volunteer commitments.

Because of his work, Mr. Furgeson has received various State and local awards which illustrate the community's appreciation for his concern and commitment.

Royal has been a legal colleague and a supporter, but more importantly, a friend to whom I know I can call on for wisdom and guidance.

Mr. Speaker, I laud Royal Furgeson's commitment and service to El Paso, and congratulate him on receiving this honor from the University of Texas. I ask my colleagues to join me in wishing him well in all his endeavors.

THE LONG ISLAND CENTER FOR BUSINESS AND PROFESSIONAL WOMEN

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SCHEUER. Mr. Speaker, there is an organization in my district of Nassau County, NY, which is opening doors for women in the business world. The Long Island Center for Business and Professional Women provides a much needed resource for these aspiring entrepreneurs. On May 9, this group is holding its 12th Annual Achievers' Awards dinner honoring seven outstanding citizens from Long Island. I would like to pay tribute to these women, and to the center itself.

The 1991 honorees have displayed distinction in a variety of fields. The award for excellence in business goes to Susan L. Farrell, the territorial sales manager for Allstate Insurance. In education, Virginia Dunlap Ettrick is honored for her work at Edmund W. Miles Junior High School in Amityville, NY. Jane S. Gittin, the publisher of The Women's Record, is cited as entrepreneur of the year. In health care, the honoree is Dr. Virginia F. Sendor, M.S., the founder and executive director of Long Island Foundation for Hospice Care & Research, Inc. In law, Helen Carroll Schofield, Esq., is cited for her work as the legal counsel to the Nassau County Coalition Against Domestic Violence. The award for excellence in medicine goes to Dr. Karen M. Kostroff, M.D., a breast surgeon at the Long Island Jewish Medical Center and North Shore University Hospital. Last, the center is honoring Winifred S. Freund with a special award for her work as a consultant for Corporate Child Care.

These honorees reflect the increasing numbers of women who have earned distinction in the professional world. Unfortunately, women still encounter obstacles which can hinder their professional development, particularly in the management level. The Long Island Center for Business and Professional Women is important because it helps women break through these barriers. We should congratulate the center, and these distinguished women, for a job well done.

TRIBUTE TO THE NEW YORK
SOCIETY FOR THE DEAF

HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. GREEN of New York. Mr. Speaker, I rise today to recognize the New York Society for the Deaf [NYSD] which will celebrate its 80th anniversary with a reception in New York City on May 9, 1991.

All proceeds from the NYSD's anniversary reception will fund a renovation of the special facilities in the Tanya Towers Apartment Complex located in my congressional district. The Tanya Towers Apartments provide affordable independent apartment living for older deaf and deaf-blind people as well as other disabled individuals.

I especially should like to commend Mr. Joseph G. Blum, who will be honored by the NYSD at the reception, for his commitment to the plight of severely disabled individuals. Mr. Blum has demonstrated his dedication by working with the New York Society for the Deaf for the past 60 years as an active member, counsel, president, and now as chairman of the board.

I join my colleagues in extending thanks and congratulations to the New York Society for the Deaf upon its landmark anniversary. It is my hope that the NYSD continues its efforts to reach out to disabled individuals in need.

THE 200TH ANNIVERSARY OF THE
POLISH CONSTITUTION

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BONIOR. Mr. Speaker, Friday, May 3, 1991, marks the 200th anniversary of the Polish Constitution of 1791. On that day, the first constitution in Europe was approved by the Polish Diet. This landmark document embodied the dedication of the Polish people to the principles of freedom, justice, and individual liberty.

One of our Founding Fathers, George Washington, wrote, "Poland, by the public papers appears to have made large and unexpected strides toward liberty, which, if true reflects great honor on the present King, who seems to have been the principle promoter of the business." The public papers were true. In fact, the Polish Constitution expressed the philosophy of our own Constitution and Declaration of Independence.

Unfortunately, neighboring Russia did not like the strides being taken in Poland. Within a year, Russian troops invaded, and Poland was subjected to further partition among its hostile neighbors. For the better part of two centuries, the Polish people suffered repression from one source or another. Throughout this extremely difficult time, the Polish people retained an unwavering dedication to freedom and democracy.

It is no accident that the tide of freedom sweeping across Eastern Europe began in Po-

land. The Polish people approved the first European constitution in 1791, and they were the first to throw down the shackles of communism in 1989. Thanks to the courage of the Polish people, Eastern Europe has entered a new era of freedom and hope. It is fitting that last year May 3 was reinstated as a national holiday in Poland after being abolished by the Communist government in 1945.

In America, Polish-Americans have made tremendous contributions to this country. Michigan is blessed with a large and very active Polish community. Polish-American arts and veterans groups are sponsoring a number of events to celebrate this important historical event.

Mr. Speaker, in conclusion, I'd like to join the Polish-American Congress, Michigan Division, The American Polish Cultural Center, and people across this Nation and around the world in celebrating the 200th anniversary of the Polish Constitution.

USTA SUPPORTS H.R. 1527

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. TAUZIN. Mr. Speaker, I want to publicly recognize the strong support of the United States Telephone Association [USTA] for H.R. 1527, the Telecommunications Equipment Research and Manufacturing Competition Act of 1991. This legislation, introduced by my colleague from Kansas, Mr. SLATTERY, and me in March, would permit the regional Bell operating companies [RBOC] to manufacture telecommunications equipment in the United States subject to specific regulatory safeguards. H.R. 1527 is virtually identical to S. 173, the RBOC manufacturing relief bill introduced by my good friend from South Carolina, Senator FRITZ HOLLINGS. This bill is pending full Senate approval after being reported out of the Senate Commerce Committee by a vote of 18 to 1.

The support of the USTA for both bills is especially significant because it reflects a consensus view of the Nation's local exchange carrier industry as a whole. USTA represents over 1,100 local exchange carriers, ranging from the very largest to the very smallest, which provide local telephone service to virtually the entire U.S. population. Consequently, USTA support for removal of the manufacturing restriction on the RBOC's is affirmation that the proposed legislation, H.R. 1527, is good public policy.

As drawn from the USTA position statement, RBOC entry into manufacturing will give advantages to other local exchange carriers because of their shared interests in the development of advanced local network equipment and the maintenance of a seamless nationwide network. The USTA position statement also alludes to the potential contribution of RBOC manufacturing to building the Nation's telecommunications infrastructure and extending that infrastructure to encompass the Nation's rural areas.

Mr. Speaker, H.R. 1527 now has the endorsement of the local exchange carrier indus-

try as represented by USTA and the industry's major union as represented by the Communications Workers of America, among numerous other public interest groups. The recent addition of the USTA, however, adds momentum to the support effort and increases the possibility that a RBOC manufacturing relief bill will pass in the 102d Congress.

UPON THE RETIREMENT OF CAROL
W. GUTHRIE

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. THOMAS of California. Mr. Speaker, I want to recognize Ms. Carol W. Guthrie on her retirement from Federal service after a 37-year career in financial management with the Department of Defense. For the past 14 years, Ms. Guthrie has served as deputy comptroller and senior financial manager of the Air Force Flight Test Center at Edwards Air Force Base in California, and has distinguished herself during that period as an astute manager of resources. She is respected throughout the Department of Defense for her creative thinking, strategic vision, and effective leadership.

Ms. Guthrie has distinguished herself as a pioneer in the field of resource management during her service as deputy comptroller and senior financial manager for the Air Force Flight Test Center. Through her advanced planning and forecasting and ability to apply advanced technical concepts and management techniques, she has placed the Air Force Flight Test Center in a position to meet the challenges of the future. Ms. Guthrie has played a major role in the planning, provisioning, and testing of many Air Force programs, including the F-15, Advanced Tactical Fighter, and the B-2. She has provided the commander, his staff, and the test program managers timely and accurate information, insight, and recommendations on how to best meet mission objectives by maximizing their financial resources in a limited and declining funding environment.

Mr. Speaker, I thank my colleagues for allowing me this opportunity to honor Carol W. Guthrie on her retirement. She has been a great friend to the Air Force Flight Test Center.

THE FEDERAL FACILITIES
COMPLIANCE ACT OF 1991

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. BLILEY. Mr. Speaker, I rise in strong support of the Federal Facilities Compliance Act of 1991. Each year, Federal facilities generate millions of tons of hazardous waste. I find it unconscionable that some of the most horrifying stories of noncompliance with our hazardous waste laws deal with Federal facilities. This legislation correctly recognizes the fact that this Nation's ground water cannot tell

the difference between Federal pollution and the rest of the country's pollution.

This amendment clarifies the existing waiver of sovereign immunity in section 6001 of the Resource Conservation and Recovery Act [RCRA] to provide that Federal facilities are subject to the same enforcement sanctions, including civil penalties, that apply to State and local governments and private companies. It also restores the Environmental Protection Agency's ability to use administrative orders to resolve regulatory violations at Federal facilities. For too long, Federal facilities have been like the coach's son—not forced to do the drills like the rest of the team. Well, this bill puts an end to favoritism. It tells the Federal facilities: Practice what you preach.

This is not a radical concept. Congress has clearly waived sovereign immunity under the Clean Air Act, the Safe Drinking Water Act, and the Medical Waste Tracking Act. Under these laws States have shown reasonable, responsible behavior. I expect no different under this legislation. Of course, the best way of preventing any problems would be for the Federal facilities to be in compliance with the laws from the start.

Last Congress, the House passed similar language on two separate occasions. Unfortunately, the August body across the Capitol, the U.S. Senate does not feel that this is a priority. They have chosen to ignore this environmental double standard. So today we start anew in the 102d Congress, hoping the House will show its earlier wisdom by quickly acting on this bill.

This bill is a much needed tool to work for enforcement of our hazardous waste laws. I urge my colleagues to vote for fair play and a healthy environment. I urge their support of the Federal Facilities Compliance Act of 1991.

CENTENNIAL OF THE MACDUFFIE
SCHOOL

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. NEAL of Massachusetts. Mr. Speaker, today I am honored to pay tribute to the 100th anniversary of the MacDuffie School for Girls in Springfield, MA, a school I am proud to represent in my congressional district.

The MacDuffie School was founded in 1890 by Harvard alumnus John MacDuffie and his wife, Abby Parsons MacDuffie, a member of the first class to graduate from Radcliffe College. The MacDuffies were committed to furthering academic reform in the education of women and established their school as a model for other schools to follow. By the early part of this century, the MacDuffie School's commitment to education had earned it a strong reputation in the Springfield area.

The MacDuffie family served as heads of the school until 1941 when Ralph D. Rutenber and Cleminette Downing Rutenber began their 30-year tenure. During the Rutenber years, the MacDuffie School's reputation was solidified locally and extended across the Nation as well as abroad. Founded in the historic Bowles House, which was the former home of Spring-

field Republican newspaper owner Samuel Bowles, MacDuffie moved across Maple Street and acquired most of its current property between 1956 and 1968. The school also purchased and was given several beautiful old estates.

Today, MacDuffie's academically rigorous courses emphasize intellectual growth as well as character growth. The MacDuffie School is committed to creating a well-rounded young woman who has the confidence to excel in all of her endeavors. The school offers advanced placement courses, independent study courses, and the opportunity to engage in almost 30 afterschool activities. The current headmaster, Michael L. Cornog, has 20 years experience in leading independent schools in New England. MacDuffie has 140 students, 60 boarding and 80 day, in grades 6–12, who are taught in small classes by about 20 faculty members. The student body is diversified, representing 13 countries from throughout the world. Starting in the fall of 1991, the school will admit boys as day students for the first time.

Over the course of the past 100 years, MacDuffie has educated more than 2,000 young women. When asked about their memories of MacDuffie, alumnae recall such time-honored traditions as mountain day, international dinners and diversity day, the candlelight ceremony, and morning assemblies. For the past century, the role of women in our society has changed significantly. However, MacDuffie has always been and continues to be a small, supportive, academically sound school, which focuses on the growth of the entire student, where developing one's intellect and character are one in the same.

HAZARDOUS WASTE DISPOSAL

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. SPRATT. Mr. Speaker, I am introducing a bill today which attempts to restore some fairness to existing Federal laws governing interstate hazardous waste disposal.

Current Federal laws are hard on States like South Carolina which have disposal facilities and lax on States like North Carolina which have none and refuse to permit any. South Carolina is forced to be the burial ground for States which flout RCRA, by refusing to permit waste disposal within their own borders, while dumping it on our doorsteps and protesting any countermeasures we propose.

Last year, South Carolina took in thousands of tons of hazardous waste which we did not generate, we do not want, and from which we derive no benefit. This waste, much of which remains toxic for centuries, is a dangerous legacy for generations to come. While we take in this waste, several waste exporting States, including North Carolina, refuse to permit even one commercial landfill or incinerator to open within their borders.

A few statistics show the magnitude of the problem. Between 1985 and 1989, South Carolina accepted 627,000 more tons of hazardous waste than we exported. In 1989

alone, South Carolina accepted for treatment, storage, or disposal a net total of 148,000 tons of out of State; almost one-fourth of that came from North Carolina alone. South Carolina has one hazardous waste landfill and three commercial incinerators, one of which burns medical waste. My district hosts both an incinerator owned by ThermalKem in York County and a landfill owned by GSX in Sumter County, which is the second largest hazardous waste landfill in the Southeast. The owners of these facilities tout their operations as state of the art. But as members of this committee know, the art is in a very basic State. The ThermalKem facility has experienced three explosions in 4 years, including one last month, while the GSX landfill has suffered a series of tears in its liner. In 1988, over 90 percent of the waste burned by ThermalKem and 65 percent of the waste dumped in the landfill came from outside South Carolina. Seventeen percent of all the waste disposed of under the Superfund Program between 1984 and 1989 was sent to the GSX landfill in my district. Some of these sites were in our State; I have four NPL sites in my district, one of which is a wasteland of paint residues from the North Carolina furniture industry.

While South Carolina takes waste from 40 States, our largest single source is North Carolina. Between 1985–89, South Carolina accepted a total of 257,000 tons of hazardous waste from North Carolina. In 1987, the last year data is available, 65 percent of the total waste exported by North Carolina came to South Carolina.

Each time South Carolina tries to slow down the volume of imported waste, the Federal courts and EPA stop us. They tell us that we are violating the Constitution's commerce clause which treats the shipment of garbage and waste as interstate commerce under New Jersey versus Philadelphia. In 1989, for example, our State legislature approved a rule banning waste from any State which would not accept our waste—a simple rule of equity. A Federal judge overturned it as unconstitutional. The State has also tried to prevent existing facilities from expanding, since the lion's share of their waste comes from out of State, and we have more than enough capacity to serve South Carolina. This sort of limit would not discriminate against out-of-State waste, but even it has been blocked. On the other hand, when the North Carolina Legislature passed a law effectively preventing any commercial waste facility from opening, the Federal Government sat on its hands. Clearly, EPA and the Federal courts have been tougher on waste-importing States with existing facilities than on those States which have no disposal facilities, and are content to go on exporting their waste with a beggar-my-neighbor attitude.

In 1986, Congress began to recognize the need for fairness in interstate waste disposal by adding the requirement of capacity assurance plans [CAP's] to CERCLA. This requires every State to develop a 20-year plan assuring adequate capacity to manage the hazardous waste it generates. Those States which don't develop a plan, or which violate the plan they develop, lose their Superfund cleanup funds. This law should have led more States to develop the capacity to dispose of their own

waste, but so far it has not been very effective. What is lacking? We need effective sanctions and an EPA willing to enforce them.

Every State met the deadline for submitting a CAP, but three States, including North Carolina, have already failed to keep pledges made in their CAP's. North Carolina, for example, promised to select a site for a hazardous waste facility by December 31, 1990. But we are now 4 months past the deadline, and North Carolina still has not chosen a site and every effort Governor Martin has made to site a facility has been blocked. Yet EPA has failed to act. I would like to offer for the record a letter to Administrator Reilly signed by the South Carolina delegation calling on EPA to enforce the CAP requirement by suspending North Carolina's Superfund money. I would also like to offer the letter written by Administrator Reilly to Governor Martin, with some stiff warnings; but those threats have yet to be acted upon.

Since the existing laws have not worked, Congress needs to adopt stronger laws. Today, I am introducing a bill that I think will contribute to the solution. My bill gives EPA tougher sanctions to enforce the CAP requirement. It also gives States which are complying with the CAP requirement more control over waste entering their borders.

My bill has three parts. The first part provides broader sanctions against States violating the CAP requirement. The measure would require EPA to withdraw RCRA and HSWA delegated authority to any State not complying with the CAP requirement. States would not want to lose this authority, especially because withdrawal would mean the loss of Federal funds the States receive to enforce RCRA. In addition, the bill would allow EPA to suspend Superfund money gradually over a 1-year period rather than requiring an immediate cutoff. EPA has been unwilling to impose an immediate funding cutoff, and my hope is that this flexibility will increase the chances of EPA's taking at least some action against recalcitrant States.

The second part of my bill would allow those States with approved CAP's to reject permits for new or expanded waste facilities if the States do not need the additional capacity. At present, States like South Carolina can't reject permit applications for expanded facilities even if in-State disposal capacity far exceeds in-State generation. It is not fair for EPA to force States that are complying with the law and have permitted facilities in the past to accept larger and larger waste disposal facilities when many States have no facilities at all.

Third, the bill would allow a State complying with the CAP requirement to restrict imported waste so long as the restriction does not violate the State's CAP. One of the major weaknesses of the existing law is that states must "assure" a 20-year capacity even though they do not have the authority to control waste imports. As a result, they cannot be certain that the capacity they anticipate will not be consumed by other states' wastes. When Congress adopted the Low-Level Nuclear Waste Act, we gave States the authority to exclude waste from States outside their compact. It is only fair to allow a similar provision for hazardous waste.

I am not asking Congress to allow States to build walls around their borders to exclude waste imports. Obviously, States need—and should be encouraged—to cooperate in disposing of waste. And that is exactly what the CAP requirement contemplates by allowing interstate agreements.

In the long run, CAPs are only a partial solution to hazardous waste. We need incentives to minimize and recycle waste. And we need to continue rigorous regulation. I tell my constituents who live near hazardous waste facilities that they cannot expect these facilities to be closed down overnight; but they have every right to expect that the government which permitted these facilities is watching over them with a wary eye. In addition to the bill I am filing this week, I will be introducing separate legislation shortly which will impose tougher rules on waste facilities and thereby provide better protection to the public.

I have dwelt on the problem of interstate hazardous waste, but interstate solid waste is also a serious problem which calls for congressional attention. In my district, a Florida-based company is now trying to build what some believe may be the largest incinerator in the world. It would burn 8.24 million tons of municipal waste per year, the overwhelming majority of which would come from out of South Carolina. I think you would share my concern if such a facility were underway in your district; South Carolina should be able to say whether such a facility will be located within its borders.

To respond to the problem of solid waste, I am a cosponsor of H.R. 724, introduced by our colleague, Congressman BEN ERDREICH. This bill would require States to develop 20-year solid waste CAPs similar to the CAP's already required for hazardous waste. H.R. 724 would also authorize those States with approved CAP's to prohibit out-of-State waste if the State's CAP justify the limitation because of inadequate capacity. In this regard, H.R. 724 tracks similar provisions included in Congressman LUKEN's bill for reauthorizing RCRA, which he filed in the last Congress.

I urge the House Energy and Commerce Committee and the full House to consider the Erdreich bill and my bill and the burden borne by States like South Carolina and Alabama that have complied with RCRA. I believe our bills will restore some equity to interstate waste disposal, and I hope it will be included in the new RCRA.

SUPPORT SECRETARY KEMP'S AFFORDABLE HOUSING INITIATIVES

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 1991

Mr. DREIER of California. Mr. Speaker, on April 9, the Los Angeles Times published an article from the Rev. Jesse Jackson that is unjustifiably critical of Secretary Kemp's efforts to provide homeownership opportunities for low-income families. I would like to submit to the RECORD Rev. Jackson's article, along with Secretary Kemp's "Letter to the Editor," which

highlights a number of the inaccurate statements made by Rev. Jackson.

In addition to Secretary Kemp's response, I would like to draw attention to Rev. Jackson's statement that, after the Republicans gutted the housing budget, they "had a feeding frenzy on what little was left."

These accusations are ironic in light of public information about how one of Rev. Jackson's top fundraisers, A. Bruce Rozet, used his influence to earn for himself, his close associates and wealthy investors, millions of dollars from tax breaks and Federal housing subsidies at the expense of poor families and the taxpayers. As noted in the Washington Post article submitted below, Rev. Jackson benefited handsomely as well.

[From the Los Angeles Times, Apr. 9, 1991]

LOVELY WORDS FROM KEMP—HOUSE NO ONE

(By Jesse Jackson)

You tell a tree, the Scripture instructs, not by the bark it wears but by the fruit it bears. A fig tree may look good, but if it bears no fruit at blossoming time, all you are left with is a fig leaf. Remember this wise lesson when you think about the right to affordable housing in this country.

Housing and Urban Development Secretary Jack Kemp, who speaks about the urban crisis with more passion than most Democrats, argues forcefully about the benefits of home ownership for poor people. Home ownership, he says, will provide a sense of accomplishment, of pride, a taste of the American dream. It is a lovely speech, but it bears no fruit.

Every month, Kemp's department forecloses on more than 7,000 homes, taking them from families who have fallen behind on their mortgages. In the current recession, many working people are losing their jobs through no fault of their own. But strict HUD regulations keep most of them ineligible for the forbearance that the law provides to prevent foreclosures among those suffering from hard times.

As a result, HUD owns about 50,000 single-family homes nationwide. What it does with those homes is shameful. According to the research of Assn. of Community Organizations for Reform Now, a nationwide group of low-income people, HUD's houses often remain vacant for three years or more. This costs taxpayers an estimated \$8,000 per house per year, but costs the neighborhoods even more. Boarded-up homes become dens for drug dealers, safe houses for criminals, havens for runaways. They breed the crime and blight that drag the neighborhood down.

It doesn't get better when HUD unloads its properties. Does it set aside housing for the homeless? No. Less than 1% of the properties go to programs designed to house homeless families.

Does it help low-income working people gain home ownership, through a rent-to-buy program or with discount prices or mortgages that make the housing affordable? No. More than 50% of HUD's homes are sold to private speculators; in the District of Columbia, speculators buy 70% of the properties.

Speculators with cash in a recession can turn a fast buck, while families working to make ends meet can't find the financing they need. Now that speculators have sacked the savings and loans that were set up to provide mortgages for working people, the problem is worse than ever.

Kemp's housing program bears so little fruit in part because its roots have been so damaged. Remember the history of HUD over

the past decade of conservative rule. Ronald Reagan came in and gutted the housing budget, cutting it from \$30 billion in 1979 to \$7 billion in 1988. Then, the political piranhas of the Republican Party—consultants, donors—had a feeding frenzy on what little was left.

Former Interior Secretary James Watt got \$300,000 for making a phone call, what Washington lobbyists considers heavy lifting. Paul Manafort, partner to the President's campaign manager, collected \$326,000 for selling a useless New Jersey project. Sen. Alfonse D'Amato of New York even copped a swimming pool for his neighbors. In the end, an estimated \$3 billion was squandered.

When Jack Kemp and the kinder and gentler crowd came in, they began to clean up the mess—by calling a halt to the programs. Kemp cut off three programs completely. He lobbied against the National Affordable Housing Act. And he has not gotten around to changing programs that just don't make sense.

The law says that every American has the right to a decent and affordable home. We devote significant federal resources to housing—but little of it goes to the working poor. Four times as much tax money—in the form of homeowner deductions—goes to subsidize middle- and upper-income American homeowners than to low-income or poor working people seeking the same dream. Then HUD gives speculators the inside track on the few units that could be purchased by low-income people.

The Administration has no plan for adequate housing, offers not even the promise of a plan to rebuild the cities. Last week I walked through Philadelphia where whole blocks are lined with boarded-up and burned-out houses, pockmarked with vacant lots of rubble and garbage. Today, parts of Kuwait city look worse than those neighborhoods. But two years from now, Kuwait city will blossom and bear fruit. Philadelphia will remain barren. There is a plan to rebuild Kuwait city, but no plan to rebuild our cities or revive our rural towns. Isn't that a crisis worthy of presidential attention?

[From the Los Angeles Times, Apr. 26, 1991]

AFFORDABLE HOUSING

(By Jack Kemp)

Jesse Jackson's column (April 9) is so absurd that I have to believe he neither wrote the article himself nor saw it before it was published.

Jackson claims that "HUD's houses often remain vacant for three years or more" and that "less than 1%" are used to help the homeless. The facts are a little different: the average HUD home stays vacant for only six months, and up to 10% are used to help homeless Americans. The majority of houses must be resold to maintain the financial health of the Federal Housing Administration (FHA) fund, which provides housing opportunities for millions of low- and moderate-income families.

To suggest that the Bush Administration "has no plan for adequate housing" and that I "lobbied against the National Affordable Housing Act" is extremely irresponsible for a shadow senator in Congress. As Jackson must know, the Administration's hope and home initiatives form the cornerstone of the National Affordable Housing Act. Far from lobbying against it, President Bush and I urged the Democrats in Congress to fund the program this year, instead of waiting until 1992.

Unfortunately, the Democrats denied our request, opting instead to continue the failed programs of the past.

Perhaps if Jackson put as much effort into persuading his Democratic colleagues to fund President Bush's housing initiatives as he does waging *ad hominem* attacks on me, we might make some real progress in helping low-income families have access to decent, safe, affordable housing.

[From the Washington Post]

L.A. HOTEL WROTE OFF JACKSON CAMPAIGN DEBT

(By Susan Schmidt)

Jesse L. Jackson's 1988 presidential campaign was released from a \$30,000 debt by a Los Angeles hotel party owned by a major Jackson political supporter, housing project owner A. Bruce Rozet, according to former hotel employees. The debt was not reported to the Federal Election Commission as required under the election laws.

Former hotel employees said that the Hollywood Roosevelt Hotel also sent an undetermined amount of additional bills incurred by the Jackson campaign to a housing company owned by Rozet, who specializes in government-subsidized housing for low-income tenants.

Federal election laws require public disclosure of any contributions, whether in the form of cash or goods and services, and of all debts and debt settlements. No disclosure was made in Federal Election Commission reports. In addition, the law bars corporations from making contributions and limits the amount any individual may contribute to \$1,000 per election.

Rozet, whose relationship with Jackson was forged in the 1970s through their mutual interest in low-cost housing, has been a major fund-raiser for Jackson's presidential campaigns. His housing firm, the giant Los Angeles-based Associated Financial Corp., controls 45,000 government-subsidized housing units, many of which have been in severe disrepair, including the much publicized Tyler House in the District and Glenarden apartments in Prince George's County. Since the campaign, Jackson considering a run for mayor of the District, has tried to help Rozet settle a dispute with a highly critical Department of Housing and Urban Development.

Last spring, Jackson brought Rozet along when he made a courtesy call on newly installed HUD Secretary Jack Kemp, appeared at a Rozet-sponsored rally at Glenarden and wrote twice to Kemp seeking a meeting between top HUD officials and Rozet representatives. Associated Financial Corp. and Rozet have since been termed "slumlords" by HUD Undersecretary Alfred Dellibovi. Yesterday, HUD temporarily barred AFC and its affiliates from receiving further federal contracts while the department investigates the firms' activities.

A hotel employee sent to Jackson headquarters in Chicago in late 1988 to try to collect the \$75,000 in outstanding campaign bills reported in a memo to his superiors that the director of the campaign's finance committee balked at paying, asserting that the expenses were "a gift" from Rozet, according to two former employees who knew the contents of the memo. The Jackson aide, Cirilo McSween, said he could not recall making such a comment.

The former hotel employee, financial consultant Vincent Moteleone, confirmed that he personally drafted a letter from the hotel in late 1988 freeing the Jackson campaign of responsibility for \$30,000 in outstanding bills.

Five other ex-employees of the hotel, including the former controller and the former assistant general manager, recounted how some campaign expenses were billed to Associated Financial or written off as bad debts.

"I know a lot of it was billed to Associated or to [Rozet] personally," said Jane Pulsinelli, who was controller of the Hollywood Roosevelt in early 1988. "In the springtime, when Jackson was campaigning . . . bills were sent to AFC. . . . It was Rozet's personal thing—he's the one who was supporting Jackson."

Rozet, half-owner of Wilshire Investments Corp., operating general partner of the Hollywood Roosevelt, denied that AFC was billed directly for Jackson campaign expenses incurred there. He said he instructed his hotel manager to settle accounts with the campaign when a dispute arose over the bill, but he has said he was not a party to those negotiations and knows nothing about debts being written off. The hotel manager also denied that Jackson bills were sent to Associated Financial, and when asked whether debts were written off, declined to discuss the campaign's expenses.

Jackson said he was not informed about matters pertaining to hotel bills and was unaware of Rozet helping out with any hotel expenses. "Absolutely not" he said. "First off, we didn't need that kind of favor, and second, it would have been illegal. That was never discussed and it was not required." He referred inquiries about the bills to campaign officials.

National campaign treasurer Howard Renzi denied that Rozet took care of bills at the hotel. He said the campaign had refused to pay some bills—contending they were not authorized by the campaign—and had not reported any debt because for a time it was uncertain there actually was one.

James Hewitt, a lawyer for the Jackson campaign, acknowledged that the campaign violated federal election regulations by failing to report that it was running up debts at the hotel. "It should have been listed as a debt," he said declining to answer further questions.

The hotel was used frequently by the Jackson campaign in the months leading up to the June 1988 California primary. Some aides stayed there for weeks at a time, and it was the setting for a number of Jackson campaign events.

Associated Financial Corp. was billed for some of those costs, principally catering charges, according to former hotel employees. The \$30,000 written off as bad debt was part of \$75,000 in charges billed to the campaign, ex-employees said.

The Jackson campaign reported only the expenditure of \$45,500 at the Roosevelt. Campaign reports to the Federal Election Commission did not list any debt to the hotel throughout the campaign, as required by law. Nor is there a record of the campaign reporting that the bill was in dispute or that it was settled for less than its full amount, also required under election law.

Presidential campaigns often have chronic cash-flow problems and are frequently tardy in paying bills. The Jackson campaign was particularly disorganized.

Former employees said a dispute arose over the Jackson bills between Rozet and some of the hotel's other owners and managers, who wanted to collect.

As the campaign ran up bills, its failure to pay became a bitter joke among employees, some of whose paychecks were bouncing because of cash-flow problems, according to Pulsinelli. At one point, someone in the ho-

tel's accounting office posted a photograph of Jackson and drew in a cartoon-style bubble with the words "I'll never pay" coming from Jackson's lips.

Despite repeated efforts on the part of the hotel to collect on the mounting bills, the campaign made only one \$500 payment during the primary campaign, according to two former hotel employees. That payment, made by the California Jackson committee on May 20, 1988, came in only after a hotel official called Chris Hammond, manager of Jackson's California campaign, and threatened to lock one of Jackson's sons out of his room at the hotel. Hammond declined to be interviewed.

One former hotel employee who said he tried to get the bills paid said, "Quite often, when I would make a call, they [Jackson campaign aides] would say, 'Have you talked to Mr. Rozet about this?' 'One Jackson aide, he said, 'looked at me and said, 'Didn't Mr. Rozet talk to you? It's all been taken care of.'"

Sources said Monteleone, in his memo in the fall of 1988, reported telling McSween, the Jackson aide, that non-payment would violate campaign laws, and that he would contact the FEC if the bill was not paid. Within days, sources said, the hotel received a \$25,000 payment from the campaign. Later—after Monteleone threatened to go public with the problem—an additional \$20,000 arrived, in exchange for an agreement signed by general manager Bruno Fava forgiving the campaign for the remaining debt—\$30,000. Questioned about the memo, Monteleone said, "Yes, there was a memo."

McSween, who is currently handling the campaign's responses to an ongoing FEC audit, said in an interview that there was never a dispute about the hotel bill. Asked if he had claimed Rozet would pick up the expenses as a "gift," he said, "I cannot seem to recollect that."

Under federal law, a debt settlement—anything less than a full dollar for dollar payment of bills—must be formally approved by the FEC. The regulation is designed to prevent back-door contributions by corporations or individuals. FEC records reflect no request for approval of any debt settlement by the Jackson campaign. The campaign has until the end of the audit period to ask for permission to settle, but it must record any bills in dispute or settlements that have been made on reports filed regularly with the FEC. The campaign has not done that.

According to former hotel employees, certain other bills were sent directly to Associated Financial. Glen Crowell, controller and assistant general manager of the hotel until

late 1987, said a secretary at AFC sometimes made Jackson's reservations at the hotel and that on those occasions, the corporation arranged to be billed for the expenses.

If Jackson's arrival "was impromptu, he would pay," Crowell said. "If AFC made the arrangements, AFC would pay."

The campaign also put on a number of events at the hotel, including two fund-raisers: a cocktail party for several hundred and a dinner for about 100. Those bills were sent to Associated Financial, according to the former sales and catering employee who helped put them on.

Asked whether Rozet or AFC picked up some of the expenses billed to the campaign, Vivian Dixon, an accountant who handled the payments to the Roosevelt and is now controller of Jackson's national Rainbow Coalition, said, "That might be. I don't know whether they gave us rooms gratis or whatever the case might be. That would be the only thing they gave."

It was not possible to obtain a reliable figure from the campaign on what it spent at the hotel. Dixon said the national campaign had paid \$70,000 to \$80,000. "That's how much the bill was," she said.

She could not explain why records filed by the campaign with the Federal Election Commission show total payments to the hotel of \$45,500.

Asked if Rozet or Associated Financial picked up Jackson's campaign expenses, Fava, the hotel's general manager, said, "That's not true." He declined to discuss the matter further.

Rozet said he knew little about the campaign bills. Hotel managers "called me and said we have an outstanding bill and who do we deal with. I think that was at the tail end or right after the campaign was over. I said 'Deal with whoever you dealt with during the campaign.'"

Rozet said he picked up the tab for Jackson at some events at the hotel unrelated to the campaign. He threw a birthday party there for Jackson in October 1987, he said, and paid Jackson's room charges when he attended a few unspecified charity events at the hotel.

He said, however, that he had not promised the Jackson campaign free use of the hotel.

Rozet got to know Jackson about 12 years ago when Rozet began acquiring troubled housing projects from inner-city churches and turning them into government-subsidized tax shelters for investors. Jackson was then deeply involved in public housing issues. By Rozet's account, he has raised hundreds of thousands of dollars for Jackson's efforts to win the presidency. He was a

Jackson delegate at the Democratic National Convention and is on the board of the National Rainbow Coalition.

In May 1989, the Roosevelt sought reorganization under Chapter 11 of the federal Bankruptcy Code. The hotel, which has undergone \$50 million in renovations in recent years, remains open and continues to be operated by Rozet's Wilshire Investments Corp.

AFC, Rozet's housing firm, has been controversial in the Washington area because of poor conditions in the past at several of its local projects, including Glenarden, Tyler House and Sursum Corda apartments. HUD officials have contended that Rozet and his partners have not put enough money into those and other projects.

Jackson confirmed that he contacted HUD on Rozet's behalf last spring, but said he was unaware at the time that the agency took such a dim view of Rozet's company.

HUD was threatening to deny Associated Financial future contracts to operate subsidized housing in Oklahoma. Jackson's efforts did not change HUD's position on Associated Financial; in fact, Kemp has publicly criticized Rozet and the corporation, saying they profited from national housing programs at the expense of the poor.

Rozet said he knew nothing about Jackson writing to Kemp about the Oklahoma projects. "We never requested Jesse to do anything for us in housing," said Rozet. "Jackson has never intervened at HUD for me."

In an interview, Jackson said he was asked by Rozet and by tenants in Tulsa to talk to Kemp about the projects there. "The people in Oklahoma were asking us to help them and Bruce was part of that. They made the appeal to me and Bruce made the appeal to me," he said.

Jackson said he did not know details about the rehabilitation funds Rozet and the tenants were asking HUD to provide.

The first letter to Kemp, dated March 27, 1989, and obtained under the Freedom of Information Act, reads in part, "Dear Jack: I think we have an opportunity to turn a problem housing situation into a positive model for your housing philosophy . . . The owners . . . deserve an opportunity to be heard. Could we arrange a meeting between you and/or your staff, the owners, and representatives of the tenants to discuss their plan."

In a follow-up letter dated May 16, Jackson again sought a meeting between Rozet company representatives and Kemp's staff. "Could that meeting be scheduled? I believe their plan represents the best in public-private tenant participation."