

## EXTENSIONS OF REMARKS

**SALUTING THE CONGRESSIONAL  
SERVICE ACADEMY REVIEW  
BOARD OF THE HONORABLE  
ROBERT A. ROE**

**HON. ROBERT A. ROE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. ROE. Mr. Speaker, one of the more pleasurable duties of our elected office is that of recommending young men and women for appointment to our service academies. When I was first elected to this body in 1969, I established a Congressional Service Academy Review Board made up of outstanding community leaders to assist me in screening the many individuals who wished to be Academy nominees. Over the years, these Board members have taken their personal time to interview and review hundreds of applicants for these coveted positions. They have done a great service for me and the people of the Eighth Congressional District of New Jersey, and I take great pride in spending a few moments to recognize their exemplary leadership and dedication.

Mr. Speaker, in my tenure in Congress I have nominated 129 individuals who have gone on to graduate from one of the Nation's four military service academies. The Congressional Service Academy Review Board made these very important decisions, insuring that only the best and the most qualified individuals were selected free from any political considerations. In national recognition of their faithful and laudatory efforts, a special dinner will be held in their honor on June 26, 1992.

There have been 19 members of this Board and I would like to briefly mention each one.

A friend and adviser of mine for many years, the Honorable Cyril "Cy" Yannarelli was an original member of the Board. He is a very successful businessman and was a delegate to the White House Conference on Small Business in 1986. Cy is currently a councilman in the city of Paterson and has also served as a New Jersey State Assemblyman and freeholder director for Passaic County.

The Honorable Michael Milazzo, a long time businessman and civic activist, is currently the manager of administrative services with the private industry council of Passaic County and member of the board of directors for the Boys and Girls Club of Paterson. Mike has also held numerous public positions such as the commissioner of the Paterson Parking Authority and vice president of the Paterson Chamber of Commerce. He has been recognized by the Federation of Italian Societies, Nineteen Hearts Association, Mother Cabrini Society, and the South Paterson Businessman's Association as their "Man of the Year" for his outstanding civic works.

The Honorable Arnold Kelley, currently retired, has been extraordinarily active in veter-

an's issues. A veteran of World War II, he is a member of the American Legion and former Passaic County commander and serves as chairman of the Education and Scholarship Committee of the Department of New Jersey American Legion. He is chairman of its Congressional Liaison Committee and a member of the National Legislative Council.

An original member of the Board, the Honorable Milton Neil is an Academy Award winning animator with Walt Disney Studios in Hollywood and created the Howdy Doody character. His film credits include Pinocchio, Fantasia, Dumbo, Snow White, Three Caballeros, and numerous short features. He is currently working on animated educational films and the animator development program for young artists at Walt Disney Studios.

The Honorable James Drago, lieutenant colonel, U.S. Army retired, left the Army after 26 years of dedicated and exemplary service. He served two tours in Vietnam and held command abroad in Greece and Germany as well. He was highly decorated, receiving the Legion of Merit, Bronze Star, and Meritorious Service Medal. Since his retirement from the military in 1985, he has worked at AT&T Bell Laboratories as a Government security and project operations manager. All three of his sons are Army airborne ranger captains serving on active duty.

An original Board member, the Honorable Ansel Payne is a distinguished retired educator, who served in the position of board secretary/assistant business administrator for the Passaic County Board of Technical and Vocational Education. He has also been an elementary school teacher and vice principal with the Paterson Board of Education. He is a trustee of the New Jersey Library Association and a member of the New Jersey Education Association.

The Honorable Marilee Jackson is a councilmember from the first ward of the city of Paterson and serves as community coordinator for the commit project sponsored by the University of Medicine-Dentistry of New Jersey. She has long been a community activist serving as a community development specialist with the department of community development in Paterson and working with such groups as the NAACP, National Council of Negro Women, and acting as Passaic County coordinator of the New Jersey Black Issues Convention. She has received numerous local, State, and national awards for her tireless efforts in the community.

An original member of the Board, the Honorable Robert Pringle retired from a distinguished 30-year career in law enforcement. After working his way up through the ranks, he became chief of police in Wayne in 1981, retiring in 1986. He was a member of several police chief associations and a graduate of the FBI's National Academy in Quantico, VA. Also very active in his church, he was ordained a permanent deacon at Our Lady of Consolation Church in Wayne in 1976.

The Honorable Helen Dugan is extraordinarily active in her community and in the family business, serving as vice president and treasurer of Warner Communications, Inc. in Upper Montclair. She has served in the PTA, Cub Scouts, and as a member of the Parental Advisory Board at Fairleigh Dickinson University. She has also taken an active leadership role and is very involved with several distinguished historical and hereditary societies such as the Daughters of the American Revolution, the General Society of Mayflower Descendants, the Huguenot Society of New Jersey, and the Passaic County Historical Society.

The Honorable Howard Lee Ball, another of the original members of the Board, has been involved in print journalism for over 30 years. Currently, he is the editor and general manager of the Suburban Trends of Butler and Morris County. He has also been affiliated with the Paterson Morning Call, Paterson News, Bergen Record, and Matzner Newspapers. He is adjunct professor of journalism at William Paterson College and is a newsman at several local radio stations. In addition, Howard is a past president of the Sons of the American Revolution and Dominie General of the Descendants of the Founders of New Jersey.

The Honorable Thomas D'Alessio is the county executive for Essex County and served as the sheriff there for three terms. A career law enforcement professional, he served on the Governor's Advisory Council on Drug and Alcohol Abuse, the Missing Persons Commission of New Jersey, and is the former chairman of the Essex County Youth Services Advisory Board and the Family Court Advisory Board. He is well known for his efforts in the educational training of his law enforcement officers in Essex County and the establishment of the first bomb squad in the area.

The Honorable John Ciuba is currently the corporate account executive with Peribot Chemical of Wayne and was formerly the national accounts manager for Essex Industrial Chemicals, Inc., in Clifton. An original member of the board, he has a long list of professional and civic involvement including that of being the founding chairman of the Private Industry Council of Passaic County. He was the 59th president of the Sales Association of the Chemical Industry and was its 12th "Professional of the Year." He is also active with the League of American Poles, the Clifton Elks, has coached both little league baseball and football, and has chaired the United Fund in Clifton.

The Honorable Peter Sandfort is an original member of the board and is currently the president of the Dutch Mill Baking Co. and affiliated with the Van Dyk Ice Cream Co. An extraordinarily successful businessman for over 50 years, he formerly owned Garden State Farms with a chain of over 150 stores statewide. He has devoted many years to philanthropic organizations and currently serves

\* 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.

as chairman of the Eastern Christian Association Endowment Fund. He is also a member of both the Hawthorne and Wyckoff Rotary Clubs.

The Honorable Karen Breslow is an experienced educator having taught in the Oakland and Wayne school systems. She is also very active in civic and education groups such as the American University Women, the American Cancer Society, Cystic Fibrosis, American Heart Association, and the Women's Auxiliary at Barnert Hospital of Paterson.

The Honorable William Naughton, chaplain captain USAFR, or "Father Bill" as we know him, is a dedicated member of the clergy who has given himself to the cause of helping others. Ordained in 1972, he has very impressive ministerial experiences including, pastoral counseling at Riker's Island, the Holy Name Center for Homeless Men, New York City; and Viva House—Soup Kitchen, Baltimore. He is also police chaplain for the Clifton PBA, chairperson of the Board of Trustees for the New York Theological Seminary, New York City; and affiliated with the Passaic Valley Hospice in Totowa and Clifton Mental Health. In addition to his work on the Review Board, he is himself a captain in the U.S. Air Force Reserve.

The Honorable Harry Morere has devoted all his adult life working diligently in both the public and private sector for the good of his community and State. For 13 years, he served as an alderman in the city of Paterson, for 20 years as the traffic maintenance supervisor on the Passaic County Road Department. He retired after 22 years from the Wright Aeronautical Corp. He is also affiliated with the Disabled American Veterans, American Legion, and the Golden Circle of Wayne.

The Honorable Alex Bidnik is a retired publisher and editor of the Independent Prospector and several other publications, who now devotes himself to speechwriting and marketing consultation. He was voted Clifton's "Man of the Year" in 1966. He was a valued member of the Board for 10 years and was very involved with local senior groups and the Boys' and Girls' Club.

The Honorable Samuel Jarkey is an educational professional who spent 36 years in the Passaic school system as a high school teacher, vice principal, principal, and secretary to the board and business administrator to the Passaic Board of Education. An original member of the Board, he is also active with the Knights of Columbus, American Legion, Passaic Time Out Club, board of directors of the Boys' and Girls' Club of Passaic, and board of directors of the Wayne Senior Citizens' Runymede Corp.

The Honorable Monsignor Joseph Brestel, Vicar General, PA for diocese of Paterson, was an original member of the Board and is a dedicated servant of God and his church. He has spent his life aiding his fellow man, assisting those in need, giving guidance to those in despair, and giving humbly of himself where-ever the opportunity was afforded.

Mr. Speaker, these are but brief references to these outstanding men and women. Words are insufficient to describe the tremendous achievements and inspirational examples created by this distinguished group of outstanding individuals. It has been my high privilege and

indeed good fortune to have had the opportunity to work with this prestigious group of men and women, and I am proud to share this experience with my colleagues here in the House. The people of the Eighth Congressional District of New Jersey have been served well by their efforts and it is extremely appreciated by all of us.

**A TRIBUTE TO LUIS HERNANDEZ  
AND THE LATIN CHAMBER OF  
COMMERCE OF MIAMI BEACH**

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, it is my great pleasure to recognize the Latin Chamber of Commerce of Miami Beach and its president, Luis Hernandez, for their continual assistance to the residents of south Florida.

Since its inception in December 1988, the chamber has worked vigorously to promote the businesses and assist the growing Hispanic community of Miami Beach. The chamber also has maintained a telephone help line with such information as senior services, employment opportunities, and a listing of low cost housing.

The chamber hosted a tribute to Dr. Luis Botifoll, chairman of Republic National Bank, for his unselfish contributions to the south Florida area and to its large Hispanic community. Among the invited guests were the Honorable Seymour Gelber, Mayor of Miami Beach, and Commissioner Abe Resnick.

I extend my sincere wishes for Mr. Hernandez' and the Latin Chamber of Commerce of Miami Beach continued success in their efforts to improve the economic vitality of Miami Beach. This economic vitality is important because with it come jobs and social stability to our community.

I would also like to take this opportunity to thank the following individuals in the chamber's board of directors: Iris Hernandez, first executive vice president; Abe Resnick, second executive vice president; Pedro Betancourt, vice secretary; Andres Herrada, treasurer; Modesto Alvarado, vice treasurer; Dr. Jorge Dorta Duque, director; Rolando Gonzalez, director; Angel Lopez, director; Gerardo Chavez, director; Carlos Solano, financial adviser; Blanca Parets, banking adviser; Dr. Juan Carlos Perez and Dr. George Cardet, legal counsel; Mario Vazquez, public relations; Manolo Warszawski, press secretary; and Mercy Freyre.

**LARRY VELDHEER—40 YEARS OF  
SERVICE**

**HON. GUY VANDER JAGT**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. VANDER JAGT. Mr. Speaker, "I want it to go smoothly for the city, so I gave them plenty of time." Gave them 40 years, in fact.

And it was typical that when Zeeland, MI, police chief, Lawrence Veldheer chose to re-

tire after 32 years at the helm, he announced his intention some 6 months in advance—to "give them plenty of time." It was also typical that, when asked what he was going to do, Larry Veldheer did not hesitate to point out that he was ready to "volunteer—all over" for the American Red Cross and the Third Christian Reformed Church to which he and his wife Wilma are committed.

A native of the Holland/Zeeland area, Lawrence Veldheer attended Holland public schools, served in the Army as a military policeman in occupied Korea, and has always dreamed of being a policeman. The little boy whose bike has an antenna for his police radio, grew into a man dedicated to the service of his community, and, at 32 years, one of the longest serving chiefs of police in the State of Michigan.

Larry and his wife Wilma are the proud parents of four children, Laura, David, Diane, and Marjorie, and have taken an active role in their church and community. All the while, Larry has been active in professional organizations and has served in all of the offices of the Michigan Police Chiefs Association.

I am pleased to be able to recognize Larry and to wish both he and Wilma the joys of their retirement of continued service and caring. Two local newspapers, the Holland Sentinel and the Grand Rapids Press have featured pieces on Larry Veldheer and they tell his story of dedication and service so well that I commend them to my colleagues—from being "an inch too short" Larry Veldheer rose to serve in a way that commands accolades a mile long:

**POLICE CHIEF RETIRING BUT WILL STAY  
ACTIVE IN PUBLIC SERVICE**

(By John Burdick)

When Zeeland Police Chief Lawrence Veldheer retires this summer, his career of public service won't end. It will just take on a different form.

After 40 years with the police department, Veldheer plans to volunteer "all over" with the disaster relief committees of the American Red Cross and Christian Reformed Church.

Veldheer said he and his wife, Wilma, "will go wherever they need us," whether to help poor people in states such as Mississippi or in foreign countries such as Mexico and Honduras.

Veldheer joined the Zeeland police force on June 6, 1952, was promoted to sergeant on Feb. 25, 1957, and was named chief on Sept. 12, 1959 taking over for Elmer J. Boss. On July 3, he will step down.

"The challenge has been tremendous," Veldheer said. "I love the work. But it is time to move on and let someone else have the reins."

He said the people he has served have been a big asset.

"I've felt a good, strong support from the general public over the years," Veldheer said.

The City Council has narrowed its search for his replacement to 14 candidates among 51 applicants. It plans to have the new chief hired before Veldheer leaves.

He will be difficult to replace, city officials said.

"Larry has given outstanding service to the city," Mayor Les Hoogland said. "He has run a good, clean department."

Veldheer has served under eight mayors. Hoogland added that Veldheer and his wife are very "civic minded" serving on several

city boards, service organizations, the historical society and at their church—Third Christian Reformed. Veldheer has held all the officer positions in the local Lions and Kiwanis clubs and the Michigan Police Chiefs Association.

Veldheer's boyhood dream was to become a policeman.

"As a little boy growing up on a farm north of Holland, I had a little wire on my bicycle that was my police antenna," Veldheer said.

He graduated from Holland High School and served three years in the military, including 23 months as a military policeman in Korea.

After the service, his dream was to become a state trooper. He went with his father to apply.

"Because I wasn't 5 feet 10 inches tall, I couldn't be a trooper," he said. He was an inch too short.

Veldheer joined the Holland Township Fire Department where he met Jim Flint, the township constable. Flint later was named police chief in Zeeland. They worked together at accident scenes and developed respect for each other's work.

"I received a call from him a month after I got married," Veldheer said. "He offered me a job."

Zeeland, a community of 5,400, a quiet—virtually all of its business are closed on Sunday and no alcohol is sold in the city. But Veldheer has seen his share of tragedies and "big city" crimes.

Some examples:

One of "the most horrific things" Veldheer has dealt with is the Holland man who shot his 5-year-old son and himself at Huizenga Park on Christmas Day 1988.

Veldheer stopped at gunpoint a man who had robbed a Benton Harbor business in the summer of 1965. An all-points bulletin was out. After spotting the vehicle, Veldheer pulled it over at Byron Road and M-21 and made the arrest. Police recovered more than \$5,000 along with some stolen whiskey and beer.

The Zeeland chief received a citation from the Michigan Law Enforcement Blockade Association for his part in setting up a roadblock while involved in a 100 mph chase in November 1974.

"I was right on his tail. He was flying. He went off the road on M-21 near the Black River bridge. It rolled over. It was just like in the movies."

The man had robbed two Grand Rapids banks.

In December 1967, three Indiana men had robbed a supermarket in Muskegon. Veldheer spotted the suspects' vehicle at Byron Road and M-21. After he had the necessary backup, police pulled the car over at 112th Avenue and M-21.

"It was kind of humorous. You could see them stuffing the money under the back seat," Veldheer said. Police recovered \$1,700.

#### ZEELAND POLICE CHIEF SET TO TRADE BADGE OF COURAGE FOR RETIREMENT

After nearly 40 years on the force, Police Chief Lawrence Veldheer said Friday he's ready to turn in his badge.

Veldheer, 64, is regarded as one of the longest-serving police chiefs in the state of Michigan, according to Tom Hendrickson, executive director of the Michigan Association of Chiefs of Police.

"Larry is right up there with the oldest (longest-serving), if he isn't the oldest," Hendrickson said. Veldheer has been Zeeland police chief for more than 32 years, first assuming the post in September 1959.

At the annual Christmas open house Friday at Zeeland Community Center, Veldheer and his wife, Wilma, announced his plans to stop down on July 3 of next year—giving the city six months to find a successor.

"I want it to go smoothly for the city, so I gave them plenty of time," he said.

Mayor Lester Hoogland praised Veldheer's professionalism and understanding of small-town law enforcement.

"Veldheer and other members of the department have made a tremendous contribution to safety and quality of life in Zeeland over the years," Hoogland said.

Veldheer joined the Zeeland Police Department on June 6, 1962, as an officer and succeeded Elmer J. Boss as chief.

Police work has always been the only work, as far as Veldheer is concerned.

"From the time I was just a little kid, riding around with cards on my bike, I wanted to be a police officer \* \* \*"

He soon heard of the opening for an officer in Zeeland, and that started the four-decade relationship.

#### INTRODUCTION OF THE MARITIME NAVIGATION TECHNOLOGY AND RESEARCH ACT OF 1992

##### HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. TORRICELLI. Mr. Speaker, today with Representatives ROHRBACHER, BROWN, WALKER, VALENTINE, and LEWIS, I am introducing the Maritime Navigation Technology and Research Act of 1992. This bill is designed to improve the safety of the Nation's busiest harbors by requiring large ships to use sophisticated traffic control equipment, such as global positioning satellite systems.

With today's sophisticated technology, it is difficult to accept that on any given day, in any busy port, large ships and barges ply the waterways with very few controls. At minimum, technology should be in place that would identify the precise location of any given vessel in a port. Indeed, the technology exists to establish a vessel tracking system that is as accurate as the United States' air traffic control system, and that is the goal of this legislation.

Though global positioning satellite systems [GPS] are not specifically required, the legislation would require vessels to use navigation equipment that meets or exceeds the accuracy of GPS systems. The bill also would require on-board alarms systems, similar to those in commercial air-liners, that would warn crews of impending collisions.

The bill would require the Secretary of Transportation to identify the class of vessels that would be required to use the navigation equipment. It is envisioned that the legislation would apply to oceanliners, tankers, and large barges and container ships, and would not include sailboats and small pleasure craft.

The Secretary would also be required to supervise a comprehensive research and development program for vessel navigation equipment. A 20-member "Maritime Navigation Research Advisory Committee" would be formed by the Secretary to provide recommendations on technology and regulation that should be pursued.

If we want to ensure safety in every busy harbor in America, we must act now to provide the necessary technology. Never again can oil spills be allowed to occur due to inadequate ship communication. The technology to prevent these accidents is available and the Federal Government has a responsibility to make sure that action is taken to encourage and require its use. I urge my colleagues to cosponsor this bill. I am inserting into the RECORD a section-by-section analysis that provides further details of the bill.

#### SECTION-BY-SECTION ANALYSIS OF THE MARITIME NAVIGATION TECHNOLOGY AND RESEARCH ACT

Sec. 1. Short Title: "Maritime Navigation Technology and Research Act of 1992."

Sec. 2. Findings.

Sec. 3. Rules Requiring State-of-the-Art Vessel Traffic Control Equipment.

(a) within six months the Secretary of Transportation shall issue rules requiring vessels that use United States harbors to have state-of-the-art navigation, communication and collision avoidance equipment.

(b) vessels shall have equipment to determine the vessel position within 5 to 10 meters; on-board real time visual display that will show location, speed, track, and course of both the parent vessel and the other vessels within 40 kilometers; and an on-board collision avoidance alarm system.

(c) vessels not required to have equipment in (b), as determined by the Secretary, shall have a transponder for transmitting data on the vessels position, speed and direction.

(d) the Coast Guard will be required to upgrade all vessel traffic control systems so that they are compatible with the equipment required in the rules.

Sec. 4. Research and Development.

(a) the Secretary is required to conduct research on advanced vessel traffic control and collision avoidance systems; and on reducing accidents caused by human errors.

(b) the Secretary shall develop a 5-year national research plan on advanced technologies.

Sec. 5. Research Advisory Committee.

(a) the Secretary shall establish a Maritime Navigation Research Advisory Committee, which will make recommendations on the research plan and will assist in evaluating similar research conducted outside the Department.

(b) the Membership will consist of 20 members who are knowledgeable in maritime navigation research.

#### YOU GUESSED IT—MORE TRUTH ABOUT PRO-RATIONING

##### HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. SCHEUER. Mr. Speaker, to hear opponents of the Markey-Scheuer natural gas prorationing amendment talk, only Northeast utilities are concerned about State efforts to restrict supply and raise the price of gas. Well I beg to differ. Attached are two letters in support of the Markey-Scheuer I received from large industrial gas users, one from Oklahoma addressed to Senator NICKLES and one from Tennessee addressed to me. Definitely not Yankees:

DEAR SENATOR NICKLES: I know you are opposed to the Markey/Scheuer prorationing

amendment to H.R. 776 but you should be aware that we do not share your view.

As a constituent of your state with over 230 employees, we support the Markey/Scheuer amendment.

Agricultural Minerals Company, L.P., consumes over 38 billion cubic feet of natural gas per year in the manufacture of nitrogen fertilizer in Oklahoma. As a consequence, we are concerned with the viability of natural gas producers in Oklahoma and we support legislation which will prevent waste and protect correlative rights on a reservoir by reservoir basis.

We do not support legislation purported to protect these rights which is designed to interfere with the free market system and to artificially increase our raw material costs.

The Oklahoma legislation was a knee jerk reaction to unusually low gas prices in February caused by the warmest winter in over 56 years.

As a consequence of this legislation, gas prices have increased every month since the legislation was introduced, a period where natural gas prices are historically stable or falling. The June price of natural gas is 50 percent higher than the February 1992 price and 20 percent above the average of the June prices for the last four years.

These price increases were not caused by fundamental increases in demand for natural gas.

As a producer of commodity chemicals, we are at a disadvantage. The cost of natural gas represents approximately 70 percent of the cost of our products. We cannot pass cost increases on to our customers. We compete with producers located in States and in countries where gas prices have not increased due to regulation.

We urge you to reconsider your position on this issue as the energy bill is negotiated in the conference committee.

Sincerely,

AMC,  
Tulsa, OK.

DEAR CONGRESSMAN SCHEUER: Arcadian is a nitrogen fertilizer producer that consumes over 80 billion cubic feet of natural gas per year. Our manufacturing facilities are located in Nebraska, Iowa, Tennessee, Louisiana, Georgia, and North Carolina. As a large consumer of natural gas, we are concerned about the move by several States to control production by prorationing.

The Markey/Scheuer amendment to H.R. 776 which will be considered in the House/Senate conference committee on the energy bill would prevent states from limiting production for the purpose of increasing prices. The amendment has been criticized by some as a regional dispute between producing states and the Northeast. As you can tell by our locations, it affects more than the Northeast. In addition, it will burden the U.S. farmer with additional cost for his fertilizer.

As a large consumer of gas, we are also concerned with the viability of natural gas producers and we support legislation which will prevent waste and protect correlative rights on a reservoir by reservoir basis.

We do not support legislation purported to protect these rights which is designed to interfere with the free market system and to artificially increase our raw material costs.

The Oklahoma and Texas regulations were a knee-jerk reaction to unusually low gas prices in February caused by the warmest winter in over 86 years. Other states are considering similar regulations.

As a consequence of these regulations, gas prices have increased every month since the

regulations were introduced, a period where natural gas prices are historically stable or falling. The June price of natural gas is 50 percent higher than the February 1992 price and 10 to 20 percent above the average of the June prices for the last four years.

These large price increases were not caused by fundamental and dramatic increases in demand for natural gas.

As a producer of commodity nitrogen fertilizers, we are at a disadvantage. The cost of natural gas represents approximately 70 percent of the cost of our products. We cannot always pass cost increases on to our customers. We compete with producers located in countries where gas prices have not increased due to regulation.

We urge you to support our position on this issue as the energy bill is negotiated in the conference committee.

Sincerely,

ARCADIA CORP.  
Memphis, TN.

When the House passed the Markey-Scheuer amendment it did the right thing.

#### IN RECOGNITION OF JANICE HAAS

#### HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mrs. ROUKEMA. Mr. Speaker, I would like to take this opportunity today to pay special tribute to one of northern New Jersey's most distinguished educators, Janice Haas, who will soon retire after her many years of service as a kindergarten, first and fifth grade teacher in Franklin Lakes, NJ.

Our community has benefited greatly from Mrs. Haas' distinguished service, which began shortly after her graduation from William Paterson College in Wayne, NJ. On closer look, I know my colleagues will recognize what a unique public servant we have in Janice Haas.

Mr. Speaker, educators hold the key to the future of our Nation. They unlock the potential in each and every child. They nurture the curiosity of future scientists; they encourage the compassion of future doctors; and they launch future astronauts on their way toward excellence. In that respect, for 31 years, Janice Haas has been a guiding force in the growth of our children and our community.

Abigail Adams once wrote to her husband that "much depends as is allowed upon the early education of youth and (that) the first principles which are instilled take the deepest root." The residents of Franklin Lakes are proud that Janice Haas has been the one to guide their children through these formative years and help to instill principles that have guided them for generations.

I can state without hesitation that our community is a better place to learn and live as a result of her efforts. Janice Haas has made an important contribution to the lives of many of our friends and neighbors. I urge my colleagues to join me in saluting this outstanding individual and wishing her well as she moves into retirement.

#### TRIBUTE TO THE CASSARO SISTERS

#### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. PALLONE. Mr. Speaker, on Friday, June 12, 1992, the Jersey Coast Council of the Navy League of the United States held its first annual community service awards dinner at the Old Mill Inn in Wall, NJ. The recipients of this inaugural award are four sisters from Deal, NJ, who are well known and highly respected for their community spirit and active support of many charitable organizations.

Mary, Vincentina, Ida, and Josephine Cassaro are four ladies who have dedicated much of their lives to making a positive difference in the lives of their community. Working together or on their own, each sister has taken on causes and projects dating back to the national home front effort of World War II and continuing right up to the present day. Natives of Jersey City, these four sisters emerged from their tight-knit family with a shared sense of commitment to volunteerism on issues ranging from education and children's concerns, to health issues, to Italian-American causes to the arts.

Mr. Speaker, the four Cassaro sisters honored by the Jersey Coast Council earlier this month represent the very best qualities of responsible and caring citizenship. I join with the council in saluting the Cassaro sisters. I would also like to pay tribute to the president of the Jersey Coast Council, Lillian Hendricks, and the chairwoman of the awards dinner, Ms. Elsie Depetro of Monmouth Beach, NJ, for all of their hard work.

#### TRIBUTE TO LUCY PEREDA

#### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to call my colleagues' attention to the outstanding work of Lucy Pereda, a well respected and popular broadcast journalist in Miami.

Lucy Pereda began her television career in Puerto Rico as the host of "Teletempo," a 5-minute segment on the channel 4 newscast. Her ratings were such that she was the first woman in Puerto Rico to be promoted to news anchor. She became a prominent journalist some years later when her afternoon daily program "La Primera Tanda con Lucy" began to be broadcast in Latin America and Europe as well as Puerto Rican and continental U.S. markets. In 1981, she moved to Miami as anchorwoman of channel 51 and producer of that station's public service announcements.

In 1990, Lucy Pereda moved to Washington to serve the United States Government and the people of Cuba as anchor of the TV Mari Daily News, the United States Information Agency's [USIA] station which broadcasts news from the free world to Cuba. She also hosted several specials for USIA.

Since returning to Miami, she has hosted her own radio talk show, "El Show de Lucy Pereda" on WQBA. Because of her well documented commentary and her outstanding knowledge of the Hispanic community, she has continued to earn the respect of local audiences. She has earned awards as Woman of the Year in Hispanic Television from the Association of Entertainment Critics and from *Globo Artístico* magazine, and Outstanding Woman in Communications in the U.S.A. from *Hispanic* magazine.

In addition to her service as a journalist, Lucy Pereda serves her community by acting as speaker and mistress of ceremonies at charity and fund raising events. These have included a recent conference on the future of women in a free Cuba, and Festival OTI Nacional, an international music festival.

Mr. Speaker, I commend Lucy Pereda for her 25 years of outstanding service to the public in Puerto Rico, the rest of the United States, and Cuba, and I congratulate her on her hard-earned success.

HEALTH CARE FRAUD  
PROSECUTION ACT OF 1992

HON. ROSA L. DELAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Ms. DELAURO. Mr. Speaker, health care fraud consumes an estimated 10 percent of our health care dollars and will add \$74 billion to our national health bill this year alone. By 1995, fraud and abuse among health providers will cost \$100 billion a year.

Health care costs are sapping our country's financial strength and putting all Americans in peril, and the cost of fraud is a major contributor to the inflationary health care spiral. I am pleased to introduce legislation today that will address this critical problem.

Skyrocketing health care costs are forcing families to choose between health care and other necessities, driving small businesses into bankruptcy, and making American companies less competitive. Families are seeing costs rise year after year and basic health services consuming more of their income. Millions of Americans go to sleep each night worried that one accident, one job change, or one illness will destroy their lives and their families forever.

Health care fraud takes many forms, and often endangers the lives of patients. Doctors submit false bills for procedures they never conducted; they perform unnecessary tests; they pay kickbacks to lawyers and others to steer patients to them; or they write fraudulent prescriptions to patients who then sell the drugs on the black market.

Health care fraud is prevalent throughout the United States, and it is growing increasingly sophisticated and lucrative. In California, a scheme involving rolling labs fraudulently billed insurers for more than \$1 billion. In another case, a man and his sons looted Medicaid of more than \$16 million by submitting bills for 400,000 phantom visits.

The vast majority of all health care providers are decent, honest professionals that give this

country the highest quality care in the world. But a growing number of dishonest individuals are wreaking financial havoc on the system. American consumers must be protected from those unscrupulous health care providers who are determined to milk the system. The financial and social costs of this behavior are devastating.

Unfortunately, the health care sector is a vulnerable target for fraud. The health care consumer does not generally pay for the services provided directly, but rather through public or private third-party payers. This, combined with the complexity of health care billing and the lack of any universally accepted measures of appropriate treatment, make it extremely difficult to pinpoint and eliminate fraud.

While there have been some strides taken in the detection of fraud, the number of prosecutions won and dollars recovered by public and private payers represent a minuscule fraction of the total scale of the problem. Because of limited resources, Federal prosecutors cannot accept criminal health care cases involving less than \$100,000. Yet for every dollar the Government spends on health care fraud detection and prosecution, \$4 are saved.

Current penalties are not severe enough to deter fraud, and health care criminals are getting away virtually unscathed. A dermatologist who submitted \$170,000 in false claims received only a 6-month prison sentence. And the owner of an ambulance service who defrauded the Government of \$85,000 received only probation. We need to take dramatic and immediate action to signal our determination in stopping health care fraud.

Currently, there is no Federal statute specifically dealing with health care fraud. We do not require health care criminals to pay restitution, nor does the Government have the authority to seize their assets. We cannot afford to let this situation continue.

The Health Care Fraud Prosecution Act of 1992, which I am introducing today along with Representative CHARLES SCHUMER, chairman of the Subcommittee on Crime and Criminal Justice, will address the serious problem of health care fraud and provide the Federal Government with the enforcement tools it needs to fight fraud in the health care system. This bill is a counterpart to S. 2652, introduced by Senator JOSEPH BIDEN, chairman of the Senate Judiciary Committee.

This legislation will:

Create new Federal penalties for health fraud committed by doctors, pharmacists, and other health-care providers, punishable by up to 10 years imprisonment and fines of up to \$250,000.

Double the penalty—to a maximum of 20 years in prison—for health care fraud that results in serious bodily injury to the patient. If the fraudulent act results in death, the provider may be sentenced to life imprisonment.

Require health care cheats to pay restitution to patients and Government agencies.

Authorize Federal law enforcement agencies to seize and forfeit assets gained through health care fraud.

Authorize rewards of up to \$10,000 to patients and others for information that leads to the arrest and prosecution of health care fraud schemes.

Expand the Federal mail fraud statute to include private small carriers—for example, Federal Express—which are frequently used to circumvent the mail fraud law.

Increase funding for FBI agents, Federal prosecutors, and other criminal investigators to detect and prosecute health care fraud schemes. Specifically, \$22.5 million would be authorized for the FBI to hire and train 225 new agents, \$5 million for 50 more United States attorneys to prosecute fraud cases, and \$2.5 million for 25 additional health care fraud investigators for Federal health programs.

There is much that needs to be done to eliminate the waste and inefficiency in our health care system. We spend far too much of our precious resources on administrative paperwork, unnecessary care, and duplicative high-technology medical equipment. Fraud is just one area that must be addressed. It is my hope that this legislation will make an important contribution to containing health care costs.

IN RECOGNITION OF CATHERINE E.  
OLINGER

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. DOWNEY. Mr. Speaker, I rise today to pay tribute to Ms. Catherine E. Olinger, who is retiring this month after 32 years of service in the Patchogue-Medford Public Schools. All of us remember a special teacher—someone who worked just a little harder, did just a little bit more, and in the process made a lasting impression on us. I am sure that for many students, Ms. Olinger was just such a teacher.

Ms. Olinger began her career at the South Ocean Avenue School in Patchogue, after receiving her B.A. from Albany State Teachers College in 1959. She received her masters in reading from Temple University and from that point on focused her attention on teaching reading.

Ms. Olinger is actively involved in her community. She was elected a trustee of the Patchogue-Medford Public Library and served with distinction until she moved out of Patchogue. She served on the Brookhaven Town Cultural Arts Committee and currently is a member of the advisory Board of the Office of Women's Services in the town of Brookhaven.

She was also a local vice president of the New York State United Teachers—AFL-CIO and continues to be active in union affairs. Currently, she is first vice president of the New York State Chapter of Delta Kappa Gamma, an organization of outstanding women educators with over 5,000 members in New York.

In recent years, Ms. Olinger was the lead teacher in reading for all grades in the Patchogue-Medford schools, a responsibility she filled with her characteristic thoroughness and energy. Ms. Olinger always had time for her students and enjoyed working with them on their special projects. She was a model teacher in many ways, who worked hard to ensure that her students did their best. Her

commitment to public education is an inspiration to her colleagues and her students. Her work in the community demonstrates her broad view of the importance and role of education. In her travels across the State and country for her union and other organizations, she showed just what it means to go the extra mile.

All too often, teachers do not receive the recognition that they deserve. For many years, Ms. Olinger worked closely with the local chapter of the Junior National Honor Society. Her students realized the significance of her time and effort on their behalf and in recognition of her work with the honor society, the students at South Ocean Avenue School have named their chapter of the Junior National Honor Society the "Catherine E. Olinger Chapter". I know how much this honor means to Ms. Olinger since it comes from those who are in a position to judge her accomplishments better than anyone else.

Mr. Speaker, I have been fortunate to count Catherine Olinger among my friends over the past years and I wish her well in her retirement. I know that she has great plans and will continue to contribute to Patchogue and Suffolk County.

#### UNFAIR TRADING AND BLAMING

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. BEREUTER. Mr. Speaker, this Member just received his copy of the Japanese publication, "Report on Unfair Trade Policies by Major Trading Partners." This publication follows strikingly similar reports from the United States and the European Community which also point fingers at unfair trade practices abroad.

Together these reports indicate ever-increasing tensions between three of the world's largest trading partners, and together the reports dramatize the increasingly difficult trade negotiations that lie ahead. Unfortunately, however, the lack of balance and objectivity in each of the three reports does not give rise to optimism that many of the world's unfair trade practices in all countries will be reduced or eliminated efficiently and systematically.

Despite the finger-pointing in these reports, the task of eliminating unfair trade barriers throughout the world remains. Therefore, I commend to my colleagues the following excerpt from an article in the June 11, 1992, issue of the *Journal of Commerce*.

#### TRADE REPORT CARDS

Mirror mirror on the wall, who's the fairest trader of all?

That's a question more and more nations have been asking since the United States began publishing a hit list of allegedly unfair traders a few years ago. The European Community has responded in kind and Japan this week chimed in with its own harsh assessment of U.S. trade policy.

This holier-than-thou approach to trade makes good headlines, but it doesn't do much to promote open markets. It merely rankles trading partners and provides a ready excuse for retaliation, which inevitably closes borders. \* \* \*

The Japanese are exactly right when they blame Washington for its increasing "lone ranger" approach to trade. For a country like the United States, which promotes international trade rules, this subtle shift toward unilateral action is troubling.

Coming from Japan, however, the report lacks a certain gravitas. Of the world's major trading nations, Japan is hardly in the best position to accuse others of restricting imports. Its own markets present formidable hidden barriers.

The restrictions facing foreign exporters and investors in Japan are subtle. Complex distribution systems and questionable standards-setting can make life miserable for foreign companies. Interlocking directorates of Japanese suppliers and buyers tend to exclude non-Japanese companies from long-term relationships. Japan, despite some recent improvements, also does a generally anemic job of enforcing its antitrust laws.

There also are more obvious trade barriers, including Tokyo's outright ban on rice imports and its huge subsidies to rice farmers. Curiously, the issue of subsidies—a sticking point in current world trade talks—is not mentioned in the report. Agricultural trade barriers were omitted from the survey, the authors said, "because of the lack of sufficient international consensus on how to deal with them." Since when is international consensus a prerequisite for discussing trade barriers? Under that logic, much of the rest of the report would have been scrapped as well.

The Japanese study, on balance, is a series of facts that add up to fiction. The United States is still a very open market. Although it's hard to measure how open one country's borders are compared with another's, the United States generally accepts more import-sensitive products from third countries—textiles, apparel, sugar and steel, for example—than Japan, and sometimes by large amounts.

There's a more fundamental problem with the report, and it's one of Washington's making. All the finger-pointing in major trading capitals detracts attention from efforts to develop better world trading rules. Rather than continuing this practice—or watch it spread—the United States, Japan and other list-making nations should take their complaints to international organizations, like the General Agreement on Tariffs and Trade. The GATT is hardly perfect, but at least it's objective, which is more than can be said for the countries making these lists.

#### DR. JOHN BRADEMAS SPEAKS AT THE UNIVERSITY OF MICHIGAN

### HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. FORD of Michigan. Mr. Speaker, on May 8, 1992, Dr. John Brademas delivered an address at the University of Michigan on the need for internationalizing higher education. As some of my colleagues may remember, John was a champion of education during his tenure as a Member of the House of Representatives from 1959–81. He is credited with several pieces of legislation enacted during that time to assist institutions of learning as well as the arts and humanities. John continued to be an advocate of education during his 10 years as president of New York University from 1981–91.

In his address, Dr. Brademas stresses the importance of understanding other nations, other peoples, and other cultures. He makes a resounding call for greater investment in international studies and research. I agree with my friend that the importance of understanding the international environment is crucial to our future as a Nation in today's far more competitive world.

#### INTERNATIONALIZING HIGHER EDUCATION

(Address of Dr. John Brademas)

I am honored to have been invited to take part in a symposium that joins two near life-long preoccupations of mine, higher education and international affairs.

That I am the child of a Greek immigrant father and a Hoosier schoolteacher mother impressed upon me from my earliest years both the importance of countries other than the one in which I was born and the indispensability to one's life of education.

From my school days, I had a keen interest in Latin America which as a college student took me to Mexico one summer to work with Aztec Indians and led me to write a thesis on a Mexican peasant movement and, still later, a Ph.D. on anarchosyndicalism in Spain.

Although during yet another summer as a student intern at the United Nations, I considered becoming an international civil servant, I decided, for reasons I shall not inflict upon you here, to pursue a career in politics and ran for Congress, from my home district in South Bend, Indiana.

First elected in 1958, I was a Member of Congress for twenty-two years, serving on the committee of the House of Representatives, Education and Labor, with chief responsibility for education, and there took part in writing nearly every major law enacted during that time to help schools, colleges and universities as well as the arts and humanities, libraries and museums and provide services for the elderly and the disabled.

While in Congress I made a number of trips abroad to learn in other educational systems and to talk about ours. I went to Argentina to study the role of universities in President Kennedy's Alliance for Progress and visited child day care centers, schools, technical institutes and universities in Israel, Poland, Norway, the People's Republic of China and the Soviet Union—and I authored legislation, of which I shall shortly speak, to assist American universities in the international field.

For over ten years, from 1981 to 1991, I served as president of New York University, the largest private university in our country and worked, as I shall explain, to strengthen its programs of international studies.

Beyond these political and academic careers, I have been and continue to be deeply engaged in a variety of activities with direct or indirect international dimensions. I serve on a number of boards, corporate and pro bono, with significant activities and programs abroad.

Right now, for example, I am one of two dozen members of the Carnegie Endowment National Commission on America and the New World. All of us, from former secretaries of defense to ex-ambassadors and White House staffers, former Senators and Representatives, have at one point or another held positions in the Federal government with some responsibility in foreign affairs. Our mission? To articulate a new rationale for U.S. foreign policy following the collapse of Communism.

You will, I hope, forgive these personal allusions but I trust they will better enable you to understand my long and intense in-

terest in the subject of this symposium—universities and the increasing internationalization of what peoples and nations do.

Let me start by speaking of the international environment in the spring of 1992. It is a far, far different world than it was even a year ago.

In the former Soviet Union, the cascade of events has been dizzying—the crumbling of the Communist system, the disintegration of seventy years of totalitarian governments and command economies and the beginnings of reform of the old, inhuman and ultimately unworkable structures.

Last fall I was in Moscow, a city I had first visited over thirty years ago, and so I've seen with my own eyes something of the extraordinary changes during those three decades. Last summer I welcomed to New York University, nine days after his election as the first president of the Russian Republic, Boris Yeltsin, and what Yeltsin said then would have been unthinkable even three years ago. He endorsed human rights, a market economy, freedom for the Baltic states and the teachings of the Gospel!

In the Middle East, ancient enemies are flirting fitfully with the prospect of genuine dialogue about how to find a lasting peace.

In Central and Eastern Europe, nations formally under Communist rule now have elected governments and are working to strengthen democratic processes and develop mixed economies.

In Afghanistan, as Soviet power fades away, rebel forces are moving in.

Authors of the agreement that merged the European Community and the European Free Trade Association seek economic and other benefits for 380 million people in 19 nations. The North American Free Trade Agreement signed by the United States, Canada and Mexico promises a market of nearly as many consumers with a combined economic output of \$6 trillion.

Alongside these generally positive developments, however, are continuing Communist dictatorships in China and North Korea, violent ethnic struggles in Yugoslavia and some of the new republics of the former Soviet Union and ongoing strife in Kashmir and Cambodia.

Standing on the sidelines, as it were, with the bulk of the world's population and the least of its comforts, are the developing countries of Africa, Asia and Latin America.

Meanwhile, in Iraq, Saddam Hussein is still in charge, thumbing his nose at the U.S. and the U.N. and refusing to implement the agreement that ended the Gulf War.

And what about the situation in our own country?

Racial prejudice, a century and a quarter after the Civil War, is still with us. The events in Los Angeles are a tragic reminder that relations among the races, especially in the cities, are still a divisive, corrosive, unresolved dilemma of American life.

Unemployment has jumped to a 7-year high and, as the people of Michigan certainly know, the nation's economy stagnates in recession.

The gap between rich and poor in the United States is now greater than at any time since the end of World War II. The youngest suffer most. In some American cities, infant mortality rates are worse than in Third World countries while a walk down the streets of any city in the land shows how far we are from solving the problems of the homeless.

One certainty in American life is the continuing rise in health care costs, 11 percent of GNP today and headed for 15 percent by

the year 2000. Yet more than 35 million Americans have no health insurance at all.

Despite the conviction of Manuel Noriega, the United States still has no effective policy for coping with illegal drugs, and in many communities, crime, often drug-related, stretches police, courts and prisons to the breaking point.

Pollution of the air, land and water remains a threat to our quality of life. The country's deteriorating roads, bridges, tunnels, railways and airports—all indispensable to a vibrant economy—require an estimated \$2 trillion to be restored to acceptable standards.

Yet I remember how Ronald Reagan, campaigning in 1980, promised the nation a balanced budget by 1984. Today, after nearly a dozen years of his and his successor's policies, the Federal deficit has soared to nearly \$400 billion, over \$1 billion a day, a development with profoundly crippling consequences for the American people and our strength at home and in the wider world.

It is my own deeply held conviction that in order to deal with every one of these challenges, both in our own country and abroad, we need all the knowledge, intelligence and imagination we can muster. Although it will in the best of circumstances be difficult to cope successfully with such formidable problems, it will be impossible without a cadre of highly educated men and women.

And to prepare a generation equipped to understand and handle issues, domestic and international, of such immense complexity will be the task of America's colleges and universities—and the responsibility of the American people.

Consider for a moment the impact of two major events of recent months—the demise of the Soviet Union and the Persian Gulf War. Both these developments leave no doubt that the United States is now the world's only military superpower.

But the American people are more and more coming to realize that the most crucial ingredient of global leadership today and for the years ahead is not military but economic.

"After the Cold War," reads a headline in a recent column in London's respected *Financial Times* (March 16, 1992), "Economics is King."

Is the United States ready to compete with Japan and a German-led Europe? Study after study in recent months warns that by allowing its investment in education to lapse, the United States is in danger of losing its lead in many of the key industries of the next few decades. In crucial areas of high technology, we are told, the United States is losing badly to foreign competitors. Where America a decade ago had a commanding lead, our companies are either no longer a factor in world markets or are expected to fall hopelessly behind over the next five years.

How well in this new, far more competitive international economy, are we in the United States performing in terms of education?

Well, you and I know that we have allowed our elementary and secondary schools to be weakened, dangerously eroding the capacity of the nation's work force. At the college and university level, on the other hand, America is still the world's leader. No other country can match the quality of our institutions of higher learning or the access of our citizens to them.

But when it comes to the subject of this symposium—how well we in the United States are doing to understand other nations, other peoples, other cultures, in a world that will never be narrow again—the picture is decidedly more mixed.

The litany of our shortcomings in international education—reiterated in a wave of reports over the last decade—includes: a "scandalous incompetence" in foreign languages on the part of American high school and college students; serious shortcomings in students' knowledge of geography; inadequate investment in research, instruction and advanced study of foreign languages and cultures.

Here I note a report issued in 1983 produced by a group I chaired, a panel of the National Commission on Student Financial Assistance, created by Congress, which deplored our deficiencies as a nation in advanced international studies. Entitled, *Signs of Trouble and Erosion: A Report on Graduate Education in America*, our study pointed to the dramatic fall-off over the preceding decade in general expenditures for university-based international studies. Our Commission identified a serious lack of American experts on the cultures, economies and foreign policies of the nations of Asia, Sub-Saharan Africa, the Middle East, Eastern Europe and the Soviet Union. Surveys by other organizations have paralleled these findings.

I am glad to say that many universities, including my own New York University, have reinstated foreign language and other international studies requirements.

Indeed, when I came to NYU just over a decade ago, I said that one of my major commitments would be to strengthen international studies and research—and my colleagues and I have done so.

I knew that New York University already has one of the finest programs in the country in French culture and civilization.

Because as a Member of Congress, I represented the district where Studebaker automobiles and Bendix brakes were made, I was highly sensitive to the economic and political impact of Japan on my native Midwest. So once at NYU, I was determined to create a center in our graduate school of business for teaching and research on the entire spectrum of economic relations between the United States and Japan, and we have done so.

Given my Greek roots, you will not be surprised that I take particular pride in the establishment at New York University five years ago of the Alexander S. Onassis Center for Hellenic Studies.

In the presence of Italy's Prime Minister Giulio Andreotti two years ago, we dedicated our Casa Italiana, financed by a gift from NYU trustee Baroness Mariuccia Zerilli-Marimo.

Lewis Glucksman, another trustee, and his wife Loretta enabled NYU to establish an Ireland House while more than one foundation has contributed to the Skirball Department of Hebrew and Judaic Studies, largest of its kind in the United States.

We have had for some years the Hagop Kevorkian Center for Near Eastern studies as well as a Deutsches Haus for our German program. My chief priority for New York University, in this Quincentenary year, is to establish a Center for Spanish Studies.

Nearly all of these foreign studies centers are part of our Faculty of Arts and Science but there are international dimensions to offerings at other NYU schools as well such as, most notably, Business and Law.

I am glad to say that my successor as president of New York University, L. Jay Oliva, an Irish-Italian, Gaelic-speaking Russian historian, shares my enthusiasm for such international offerings!

I have cited just a few examples of what we at NYU are doing but I am well aware that

colleges and universities all over the United States are, in a wide variety of ways, responding to the increasing internationalization of human activities—economic, political, environmental, cultural.

How to pay for such programs must, of course, be a fundamental concern of university leaders. My view, not surprisingly, is that we must seek funds for international studies from the diversity of sources that presently support higher education—individuals, business and industry, private foundations and governments. And I certainly do not confine myself in any of these respects to approaching benefactors in the United States. In our search for resources, we must not hesitate to look abroad. I'm of the Willy Sutton school of fundraisers!

I have nonetheless long believed that our own Federal government should be doing far more than it now does to support international studies. In fact, it was twenty-six years ago that as a fourth term Congressman, I authored the International Education Act, signed into law in 1966 by President Lyndon B. Johnson. This measure aimed at helping colleges and universities in the United States—it was not a foreign aid bill—promote, at both the undergraduate and graduate levels, teaching and research on other lands and cultures and on issues in international affairs.

All these years later I still believe the International Education Act was a first-class statute but unfortunately neither Presidents nor Congresses proved willing to press for or vote the money to carry out its purposes.

Although I am always suspect of simplistic cause-and-effect correlations, I am convinced that had we as a nation invested seriously in this effort to learn more about other countries and societies, the United States might have avoided some of the most wrenching problems we have suffered in recent years—in Vietnam, Central America, Iran and Iraq.

Here I recall that 25 years ago, Harvard's great authority on China, John King Fairbank, observed at an International Congress of Orientalists that there were no experts on Vietnam in attendance. Fairbank warned then that there were probably no more than eight full-fledged scholars in the United States pursuing research on Vietnam—this at a time when Vietnam was the overriding problem in U.S. foreign relations!

Consider more recently that when Iraq invaded Kuwait two summers ago, the U.S. military found only 18 of 3 million American active-duty and reserve troops fluent in the Arabic dialect spoken in Iraq.

The fact is that in instance after instance, American policymakers have proved disgracefully ignorant of the political, social, economic and religious backgrounds of countries involvement with which has cost our nation dearly in human life, treasure and national prestige.

It is obvious, for example, that the United States was caught unprepared for the breakup of the Communist empire and that even now we lack sufficient depth of personnel who know the languages, cultures and economies of most of the new republics of the former Soviet Union.

If you think education is expensive, someone once observed, try ignorance!

Well, what ought we now to be doing, those of us who assert that American colleges and universities must far more aggressively than we have been doing invest in international studies and research?

Here are some suggestions of mine.

First, we must, as Lincoln said, think anew. We must give serious, substantial, sys-

tematic intellectual attention to the new world of which we are a part, a leading part, to be sure, but no longer the commanding part.

This thinking must be done by scholars in the university, in think tanks and foundations, by leaders of business and industry, labor and the professions, and in government.

What are some of the questions we must ask?

To begin with, how is the new world different from the old?

Well, President Bush has spoken of what he calls the "the New World Order." But this is a phrase he does not understand and cannot define because there is no "new world order."

Despite the report last March of the "Pentagon Paper" advocating, as a long-term strategy, maintaining America's position as the world's only superpower, a nation's power cannot be calculated in the military terms alone. The United States obviously possesses the strongest armed forces on the planet. Neither Europe nor Japan has the capacity of the U.S. to reach throughout the globe both militarily and politically. But the United States has not for over two decades enjoyed equivalent economic hegemony. Europe today matches the United States in both population and economic strength while Japan challenges us economically as well.

As former Secretary of State George Shultz said last fall, "In a time when people are talking about a New World Order, it is shortsighted indeed to focus our concern on things having to do with security and political relations and to essentially ignore economics."

In my view, the relative decline in American economic weight—and this is the subject of another speech—is in no small part the result of policies adopted during the last dozen years in Washington, D.C., by the highest officials of the land, policies of borrow—now, pay—later, of consuming lots and investing little, of wanting to fight wars but not to pay for them. Whatever the reasons, the American economic dominance that characterized the 20th century is waning.

If the global balance of economic forces has changed, so, too, have the ways in which one century relates to another. Capital and communications, trade and transportation, information and immigration—all these activities, rapidly expanding across national borders—mean that international relations can no longer be defined solely in terms of relations between and among sovereign states and their governments. Much more of the world's business, commercial and non-profit, will be conducted outside the framework of governments. Indeed, in today's globalized economy, manufacturing, communications and finance are worldwide enterprises, often completely detached from governments, and in competition with one another, not with national units.

The internationalization of communications, capital, technology and trade has several consequences.

So far I have emphasized how the world has changed because of powerful changes in economic factors.

But in the post-Cold War world, we are compelled to acknowledge as increasingly potent two other pressures, better say in some cases, explosions—nationalism, on the one hand, and, on the other, the drive for democratic participation. And I need not insist that nationalism and democracy do not necessarily go hand in hand!

I cite yet another issue that has emerged on the international scene in recent years—human rights.

I was present when President Jimmy Carter, early in his presidency spoke at the University of Notre Dame, in my home Congressional district, and declared that encouraging respect for human rights in other countries would be a hallmark of his foreign policy. It was, and now no leader of any nation can expect to avoid criticism if he demonstrates insensitivity to human rights abuses. George Bush will hear more this year about Tiananmen Square than he wants to.

Another fundamental question we must ask: How, in the post-Cold War era, do we define our national interests and, accordingly, determine the objectives of our foreign policy and our defense policy?

That we can no longer think of national security exclusively in military terms does not mean that we should not carefully consider our defense needs and provide the resources to meet them. Here I applaud the contribution of Congressman Les Aspin, of Wisconsin, chairman of the House Armed Services Committee, who has been doing just the kind of hard thinking for which I am calling. Chairman Aspin has produced a series of "working papers" in which he proposes a new "threat-based" method for shaping and sizing the military forces the United States requires for a world in which the Soviet threat has basically disappeared.

In the old world, Aspin observes, there was only one threat but in the new one, there will be diverse threats and we have to learn what they are. In the old world, he continues, the policy of deterrence reduced the prospect of nuclear war but in the new world, deterrence will not always stop an adversary from threatening American interests.

Just ten years ago, in the first commencement at NYU at which I presided, I urged that American research universities give more scholarly attention to understanding the process of making national security policy, of determining our vital interests and how to defend them and deciding how much to spend to do so.

Now that we are in the post-Containment world, I believe American higher education has even more responsibility for scholarship and teaching on how American foreign policy and defense policy are in fact made, what current policies are and what in the future they ought to be. Certainly we must incorporate into these equations, in ways we have never done before, economic considerations.

Thinking anew, it must be evident, involves not only learning about other countries and cultures and studying foreign languages and literatures. To do all this effectively would itself be a monumental achievement but is still not enough.

Indeed, I must here interject that we cannot intelligently or realistically discuss America's role in the world without considering our domestic situation. The United States cannot effectively carry out a foreign policy that contributes to a decent world order if it refuses to get its own house in order.

I speak here both of making real for our own people the values we espouse on the international scene and of managing our Federal budget in responsible, adult fashion. If we fail on either count, we shall pay a high price abroad as well as at home.

I have said that we must focus more than we have ever done before on America's economic position in the new, competitive world. It is obvious that Japan and Europe are now, with the United States, the other great economic powers.

It is also clear that with the Cold War behind us, the threat of nuclear conflict has di-

proliferation. But we realize, too, that nuclear proliferation is a danger we have not yet surmounted.

We know as well that the developing countries, not without reason, are concerned that Western preoccupation with the former Communist world can marginalize them.

Although international trade is crucial, I think it evident that there will be much more emphasis on non-commercial issues that cut across national borders, issues of the environment, health, migration, narcotics, population.

In all these fields the transnational factors will mean increasing resort to multilateral institutions rather than action by individual nation-states. For example, despite the horrendous costs, there will be rising demands for international peacekeeping forces.

The implications of everything I've been saying are, I believe, profound for American government, American business, American science and technology and for American higher education.

Reflecting on what America's foreign policy objectives ought now to be is a task not only of the Carnegie Endowment National Commission on America and the New World. Such groups as the Council on Foreign Relations and The Heritage Foundation are also studying the question. From what I gather, the Department of State and the National Security Council have not yet got around to reexamining such fundamental matters.

Here are some of the factors to which I suggest American colleges and universities must now attend, beyond the foreign policy, national security and economic questions I have cited.

How many American universities are prepared for research on and teaching about the new Europe, both the European Community and the former Communist states of Eastern Europe, the new Russia, new Ukraine and the other new republics?

How many American universities are ready to teach, in informed and sophisticated fashion, about the United Nations and other multinational organizations?

How prepared are we with first-class scholarship on the whole range of such problems as the environment, health and immigration responses to each of which almost by definition spill over national borders?

Now I am well aware that I have not exhausted the litany of challenges that confront American higher education in preparing students for what is more accurately called the "New World Disorder." I have said little, for example, about the implications—political, social and economic—of the increasing internationalization of culture.

I realize, too, that the range of subjects to which the internationalizing of human activities now summons colleges and universities, in the United States and in other countries, goes beyond history and economics, languages and literature, to embrace anthropology and the arts, sociology and the natural sciences, communications and public administration.

The breadth and depth of teaching and research on the international dimensions of all these subjects mean that it would be impossible for every university to attempt to cover all of them. No nation, including ours, has enough resources, human and financial.

That is why I am sure we shall see American universities paying much more attention, in an era of limits, both to specializing in certain fields and to cooperating more closely with each other, for example, sharing professors, libraries and even students.

I believe, nonetheless, that every college and university that pretends to be a serious

center of teaching should be able to give instruction on the basic factors that define the New World scene and to do so at the undergraduate as well as graduate level. Every student who takes his or her baccalaureate degree should have a rudimentary knowledge of the world beyond his or her own borders and be able, as an educated person, even if such knowledge is not essential to his or her particular profession, to think intelligently about that world.

That concern with our deficiencies in international education is finding some resonance in Congress is demonstrated by legislation enacted late last year on the initiative of Senator David Boren, the Oklahoma Democrat who chairs the Senate Select Committee on Intelligence.

Senator Boren's National Security Education Act, signed into law last fall by the President, represents a major new effort to improve foreign language and international studies program.

The law authorizes \$150 million in new money, that is, beyond funds currently expended for international education. I understand that \$35 million is to be released in fiscal 1992 and that \$115 million will be fed into an interest-bearing trust fund to help finance the program in future years.

The Boren measure has three components: Twelve million dollars will be earmarked for undergraduate scholarships for study abroad, with priority to students going to countries not emphasized in other such U.S. programs.

Twelve million dollars will be provided for graduate fellowships in foreign language and international studies, with priority for areas of weakness in U.S. focus. The fellows would be required for each year of fellowship aid to teach or work for government agencies for one to three years. I note that \$12 million represents a 100 percent increase over present levels of Federal support for such fellowships.

And twelve million dollars will be granted to universities to develop curricula for foreign language, international and area studies.

These new monies would add to the current Title VI Department of Education and State Department funds for similar programs.

Although there are still some problems to be worked out before the Boren Act program gets off the ground, some observers believe it the most promising advance for international education since the National Defense Education Act of 1958.

As I have said, there are important aspects of international studies I have not today attempted to discuss. I have sought to be illustrative rather than exhaustive.

At the start of my remarks, I said I would approach this subject from my experience as legislator and university president. It must be obvious that I am a vigorous advocate of substantially increased investment in what we commonly think of as foreign language and area studies. The NDEA and the Peace Corps are, with the Fulbright exchanges, examples of our most enlightened government policies. They have served the national interest, enhanced the lives of the individual participants and strengthened the fields with which they become associated.

There are, however, certain issues I want to cite as worthy of careful attention. Let me say a few words about them.

We need a major expansion of international scholarly exchanges, of both students and professors.

We should give particular attention to bringing people from the former Communist

world to the United States. I speak not only of full-time students and teachers but of managers who could come for relatively short stays to learn how a business works through a combination of both formal classes in American business schools or continuing education programs and internships in the companies.

My friend, James H. Billington, the Librarian of Congress and eminent authority on Russian history, has called for "the international mobilization of scientific and business talent for the large-scale conversion of industrial from military to peaceful uses." Conversion of the former Soviet defense machine to civilian purposes is profoundly in the interest of the West as well as the peoples of the East. Prodded on one side by Richard Nixon and the other by Bill Clinton, even George Bush finally acknowledged that it was imperative that the United States help Russia, the Ukraine and the other republics reform their economies and build democratic political institutions.

I reiterate that there are significant roles here for American colleges and universities. Leaders of American higher education should certainly, both individually and through our several institutional associations, do what they can to encourage in Eastern Europe and the Commonwealth of Independent States the development of free and open technical institutes, academies and universities.

At least some American universities should create programs or centers to study the European Community, in all its aspects, political, economic, military and cultural.

I have urged attention to systematic teaching and research on multilateral institutions and I include here not only the United Nations, the World Bank and IMF but also international non-governmental organizations such as the Red Cross, international philanthropic foundations and educational, health and scientific associations.

Earlier this year, the Carnegie Commission on Science, Technology and Government issued a report, *Science and Technology in U.S. International Affairs*, which called for "sharply improved incorporation of scientific and technological insight into the nation's international policies." The report notes how "science and technology transform foreign relations and usher in new choices, risks and benefits that societies around the world must confront individually and in common. Greenhouse gases, the AIDS virus, agricultural biotechnology, advanced energy systems, new pharmaceuticals, information technologies . . . shape global competition and cooperation. The research base itself, supported by each nation, also needs cooperation if it is to grow and prosper."

Another subject that universities in the West and especially the United States must not neglect is the developing world of Asia, Africa and Latin America. The desperate needs of those continents will for many years to come pose political, economic and moral challenges to the industrial democracies. Despite the necessity of paying more attention to the former Communist empire, scholars must not abandon the poorer nations of the South.

Allow me now to make a broader point. As I reflect on what I've been trying to say to you about American universities and the post-Containment world, I believe the time has come for a reconsideration of the entire process of foreign policymaking by the government of the United States. I know that my friend and colleague, Dr. Madeleine Albright, president of The Center for National Policy in Washington, D.C., who

served during the Carter Administration on the staff of the National Security Council, is convinced that in light of the enormous changes in the world since passage of the National Security Act in 1947, this is an especially apt moment for such a review.

On Capitol Hill, four of the nation's most respected legislators, Representatives Lee Hamilton, Indiana Democrat, and Willis Gradison, Ohio Republican, and Senators Boren and Pete Domenici, New Mexico Republican, are now pushing for an in-depth look at how Congress is organized to do its job and to recommend reforms. Certainly the role of Congress in shaping U.S. foreign policy must be on any agenda of reform.

Having spoken of Congress and foreign policy, I want to conclude this address with an observation that may appear to you partisan, especially in a presidential campaign year.

But you should not be surprised if someone who was fourteen times a candidate for Congress continues to have strong feelings about the course of our country and the policies of our national government.

My view on who should be elected in November is not, however, the reason I end my remarks on how U.S. universities should pursue international studies with the following plea. I believe the time is here for a searching reexamination of the principles on which the Founding Fathers based the Constitution of the United States and the American Republic and how those principles have been and are being applied in the field of foreign policy.

In our own lifetime, the threat to our physical security, first from Hitler and the Axis powers, next from the Soviet Union, led in the first instance to U.S. engagement in World War II; in the second, through the policy of Containment, to American leadership of the West during the period of the Cold War.

Even, as I have said, several groups are now reassessing the assumptions on which U.S. foreign policy is premised, so, too, I believe, must scholars at the nation's universities undertake this effort. Central to any such reevaluation must be an examination of the roles of the Department of State and the National Security Council, of U.S. military forces and intelligence agencies, and, of course, of the responsibilities, in foreign affairs, of the President of the United States and the executive branch in general.

But we need a careful, hardheaded review not only of the President's obligations in the shaping and conduct of American foreign policy but of the duties of Congress as well.

To cite only recent events, I refer to the Iran-Contra scandal, U.S. intervention in both Panama and the Gulf War and reports over the last few months of how both the Reagan and Bush Administrations acted to strengthen the military and economic power of Saddam Hussein. All these developments, to one degree or another, are the subjects of three new books I have been reading—Mr. Bush's War, by Stephen R. Graubard; George Bush's War, by Jean Edward Smith; and The Imperial Temptation: The New World and America's Purpose, by Robert W. Tucker and David C. Hendrickson—and two articles in the latest (Spring 1992) issue of Foreign Affairs, one by Hendrickson and the other, "What New World Order?" by Joseph S. Nye, Jr.

Running through all these analyses is the blunt assertion that the present Administration in particular has, in the conduct of the nation's foreign affairs, in effect betrayed the fundamental ideals on which our country was founded.

This is a searing indictment. Indeed, I am sure this issue will be part of the presidential campaign this year, as it should be. Foreign policy, after all, is for any nation a life-or-death matter.

Based on my experience of twenty-two years in Congress, and having served with, not under, six Presidents—three of each party—and having closely observed the two since I left Washington, D.C., I must tell you that I have become increasingly disturbed by what I believe is a widening gap between the principles at the core of the American Republic and the activities of American Presidents in foreign affairs. I am as well, I must acknowledge, increasingly critical of the failure of Congress, which for most of the years since my first election, in 1958, has been controlled in both bodies by my party, to carry out the responsibilities in foreign policy assigned to it by the Constitution.

If what I have said is controversial, so be it. With the end of the Cold War, with neither Democratic nor Republican political leaders, neither President Bush nor Congress, standing high in public esteem, now may be the time, whoever wins in November, for the nation's scholars to go back to first principles, re-read the Constitution, seriously analyze the history of the postwar years, carefully assess the new post-Cold War world and to do so in light of the internationalizing developments of which I have been speaking.

In my view, the American people need a vigorous debate about these matters. Such a debate on such fundamental questions is the very stuff of a free society, the life's blood of a lively, energetic democracy.

And where should such discussion of America's values and America's place in the world begin if not in America's colleges and universities?

#### THE BEACON FLICKERED

#### HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. PAYNE of New Jersey. Mr. Speaker, I am deeply saddened as I inform my colleagues of the passing of Rev. Benjamin Franklin Johnson, DD. Reverend Johnson was an ever-shining beacon for many. While the flame of his physical life has been snuffed, the light of his spiritual self shines on. The beacon of hope, guidance, and commitment that he represented flickered at his passing on Sunday, June 14, 1992, but his life's work lives on and will inspire and comfort many generations to come.

Reverend Johnson was born on November 11, 1896 in Auler River Township, VA. He attended Virginia Seminary and Hampton Institute. An honorary doctorate was conferred upon him by Benedict College of Columbia, SC. While in the U.S. Army, he met and married Nellie Louise Nixon. This union of 52 years was blessed with 5 children.

In 1917 Benjamin Franklin or B.F. Johnson, as he was affectionately known, was called to the ministry. In 1921 he organized the Trinity Baptist Church in Columbia, SC. Later he went on to the Antioch Baptist Church of Goldsboro, NC. During his tenure, the membership increased manifold. Reverend Johnson pastored the Shiloh Baptist Church and

the Sandy Grove Church in Lumberton, NC. It was at the First Baptist Church of Tremont, NC, where Reverend Johnson and his congregation built their church in just 8 months. In 1932, Reverend Johnson moved to the First Baptist Church in Clinton, NC. In 1943, Rev. B.F. Johnson answered the call from the Metropolitan Baptist Church in Newark, NJ, where he continued his pastorate until his passing.

Reverend Johnson, a personal friend of Dr. Martin Luther King, was an active member of the civil rights movement from Selma to Montgomery, AL. He coordinated Dr. King's only visit to Newark, NJ. Dr. King left Newark for Memphis where he was assassinated that same week. Reverend Johnson's personal intervention during the rebellion in Newark in the late 1960's was instrumental in restoring peace to the troubled city.

Dr. Johnson trained, ordained, and licensed 75 ministers during the last 47 years and provided spiritual counsel to many, including civic and political leaders, students, educators, and business persons.

Always concerned and actively involved in the civic and Christian community, Reverend Johnson was President Emeritus of the New England Baptist Missionary Convention; chairman of the Home Mission Board of the National Baptist Convention USA, Inc.; member of the Permanent Council General Baptist State Convention of New Jersey and North Jersey District Baptist Association. Additionally, he was a trustee of the Sunday school and Baptist Training Union Congress of the National Baptist Convention USA, Inc.; Northern Baptist School of Religion; and Newark Community School of the Arts. Dr. Johnson was a commissioner of the Black Churchmen of Newark and Vicinity, and a member of the Urban League of Essex County, NJ.

Under his capable leadership and inspiration, the Metropolitan Baptist Church has nearly completed the construction of a new church edifice and community center. This multipurpose structure is a major addition to the community, religious, and cultural life of the greater Newark area. It will serve as a testament to the life and work of Rev. Dr. Benjamin Franklin Johnson. The bricks and mortar will serve as the skeleton of the flesh-and-blood institution which will nurture, protect, and guide our community.

Mr. Speaker, I am sure my colleagues will join me as I extend my condolences to the family, colleagues, and congregation of Rev. Dr. Benjamin Franklin Johnson.

#### NEW BRUNSWICK SALUTES CROSSROADS THEATRE COMPANY

#### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. PALLONE. Mr. Speaker, on Friday, June 19, 1992, the New Brunswick, NJ, area branch of the National Association for the Advancement of Colored People paid tribute to the Crossroads Theatre Company of New Brunswick at its 21st Annual Freedom Fund Dinner.

The Crossroads Theatre Company entered its 14th season in the fall of 1991 as one of

the country's most distinguished African-American theater companies and a leader in today's regional theater movement. Propelled by a mission to promote and develop African-American theater for its artistic and social value, Crossroads has emerged as a world theater which has received critical praise for its efforts to engage and illuminate the wider world. Crossroads was founded in 1978 by Ricardo Khan—who now serves as producer and artistic director—and L. Kenneth Richardson, both graduates of the Mason Gross School of the Arts at Rutgers University. The company began with a grant from the Middlesex County Comprehensive Employment and Training Act and support from New Brunswick's George Street Playhouse. After 2 years, the leaders of Crossroads decided to form its own institutional identity to better serve as a positive and successful role model. In 1980, Crossroads became an independent, non-profit organization with a board of trustees whose members shared the theater's vision.

In the years since, the work of Crossroads has been hailed by such nationally prominent leaders as President Bush, Chairman of the Joint Chiefs of Staff Gen. Colin Powell and civil rights matriarch Rosa Parks. "The Colored Museum," which premiered in 1986 at Crossroads, was seen by millions in February of this year on national public television's "Great Performances." In July, Crossroads received the National Governors Association Award for Distinguished Service in the Arts. Other accomplishments include: an actors equity regional theater world class status; a string of acclaimed seasons highlighted by more than two dozen premieres; a growing subscriber base of more than 3,000; an international touring program; increasing support from public and private sources; and recognition in local, State and national media.

With the 1991-92 season, Crossroads embarks on a new era as it moves from the century-old garment factory it has occupied since its founding to a new, \$4 million, 264-seat theater in the heart of New Brunswick's downtown cultural district. A resident company of the New Brunswick Cultural Center since 1982, Crossroads has been a key in the city's rebirth as a thriving cultural and business center.

Crossroads has endeavored to adhere to a fourfold mission: to provide a professional environment for artists in black theater to develop, explore and practice their craft; to promote public interest in and support of professional black theater and the philosophy that black theater is relevant to, and should be shared by people of all backgrounds; to present honest and positive portrayals of black life, culture and art, thereby helping to build bridges of understanding between people in this society and the world; and, to uphold the highest standards of artistic excellence in the production of professional black theater.

Mr. Speaker, Crossroads Theatre Company has succeeded brilliantly in attaining these lofty goals. It is a pleasure to join with the New Brunswick Area Branch of the NAACP in congratulating Mr. Ricardo Khan and all of the members of his company for their success thus far and to wish them continued success in their future endeavors.

IN RECOGNITION OF CELIA  
ANDERSON

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mrs. ROUKEMA. Mr. Speaker, I would like to take this opportunity today, to pay special tribute to one of northern New Jersey's most distinguished educators, Ms. Celia Anderson, a second grade teacher in Franklin Lakes, NJ who will soon retire.

Clearly, our community has greatly benefited from Ms. Anderson's extensive 31-year career, which has been distinguished by an extraordinary record of dedicated service. I believe it is only fitting to outline her successes for the benefit of my colleagues.

Celia Anderson began her career in northern New Jersey, by pursuing her bachelor of arts degree at William Paterson College in Wayne, NJ. Ms. Anderson decided to continue her education by pursuing and later achieving her master of arts degree at William Paterson.

Over the last 31 years, Ms. Anderson has shared with the Franklin Lakes school system and the surrounding community her fine attributes, which are based on her persistence for excellence. Her dedication to her profession has been an inspiration to her colleagues, as evidenced by the honors for service she received during the 1986-87 school year; a year in which she was recognized as "The Teacher of the Year."

Mr. Speaker, educators hold the key to the future of our Nation. They unlock the potential in each and every child. They nurture the curiosity of future scientists; they encourage the compassion of future doctors; and they launch future astronauts on their way toward excellence. And, hopefully, they inspire others to follow their inspiring examples as future teachers of America.

As a former educator on the secondary level, I know from firsthand experience that it takes a great deal of dedication and diligence to achieve excellence in education, as Ms. Anderson has. It is for that reason that I urge my colleagues to join me in saluting this outstanding individual and wishing her well as she moves into retirement.

CATHOLIC HOME FOR CHILDREN  
CELEBRATES 30 YEARS SERVICE

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to bring my colleagues' attention to the exemplary work of the Catholic Home for Children in Miami. On May 31 of this year, the Catholic Home for Children celebrated its 30th anniversary as an institution which provides a stable and nurturing home for abused, neglected, abandoned or orphaned children.

The Catholic Home for Children combines the services of trained professionals with the diversity of caring volunteers to provide the nurturing environment needed for physical and

emotional growth. Their volunteers, under the leadership of volunteer organization president Mariam Ponce, not only help with office work needs like typing, answering phones and fund-raising, but spend one-on-one time with the children, reading stories, playing games and acting as house parents. With the help of Midge Tracy, in charge of special services, they help the children learn to enjoy life again.

Each year, the Catholic Home for Children serves nearly 150 children of every race, religion, and nationality. Their three part program, directed by Rev. Robert Tywoniak, is not only unique in south Florida, but has served as a national model for residential child care. The home serves as an emergency shelter for abandoned or abused children until they can be placed in foster care. It provides residential foster care for those children for whom no foster home is available. It also serves as a haven for immigrant children who arrive in this country without parents.

Father Tywoniak is supported by an outstanding staff, starting with business and plant manager Maria Elena Mateu, who controls the office and buildings, and keeps the home working smoothly. Barbara Robey, the clinical director, and Sue Acheson, who heads cottage life, help these children rebuild their self-esteem, provide a safe, nurturing environment for them to grow in, and try to share a hope for a better future.

Mr. Speaker, I commend Reverend Tywoniak and the Catholic Home for Children for their 30 years of outstanding service to children of all backgrounds. The Catholic Home for Children serves as a shining beacon of hope for Miami, and an example of coordinated children's services for the entire Nation.

H.R. 5459, THE ANTARCTIC ENVIRONMENTAL PROTECTION PROTOCOL ACT OF 1992

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. JONES of North Carolina. Mr. Speaker, I am pleased today, with Representatives HERTEL, STUDDS, MANTON, HUGHES, LANCASTER, RAVENEL, WELDON, and SOLARZ, to introduce H.R. 5459, the Antarctic Environmental Protection Protocol Act of 1992. This bill provides comprehensive implementing legislation for the Protocol on Environmental Protection to the Antarctic Treaty—Protocol—signed by the United States in Madrid on October 4, 1991. With the passage of this legislation, the United States will be able not only to ratify the Protocol but also to establish a model of implementing legislation for other parties to the Antarctic Treaty.

Prompted by Americans concerned about Antarctica's environment, citizens of the world like Jacques Cousteau, as well as Members of the U.S. Congress, the parties to the Antarctic Treaty recognized in 1989 that providing a new legal regime for Antarctica was critical if that frozen continent was to be protected as a natural reserve and land of science. After Australia and France rejected the Convention on the Regulation of Antarctic Mineral Resource

Activities in 1989, the Treaty parties recognized there was no consensus to allow mining to take place in Antarctica and that environmental protection had a higher priority than did mining. They began therefore, in 1990, to negotiate a protocol to the Antarctic Treaty to provide legally binding measures for the protection of Antarctica. The result of these negotiations is the Protocol on Environmental Protection.

The Protocol designates Antarctica as a natural reserve, devoted to peace and science, and establishes a comprehensive, legally binding environmental protection regime applicable to all human activities in Antarctica. The Protocol also contains five specific annexes on environmental impact assessments, conservation of fauna and flora, waste disposal and management, prevention of marine pollution, and specially protected areas.

The Senate Foreign Relations Committee held a hearing on the (Protocol Treaty Doc. 102-22), on May 4, 1992, and on June 11, 1992, ordered the Protocol reported favorably to the Senate for advice and consent. The State Department has indicated that the President does not intend to deposit the instruments of ratification for the Protocol until the necessary implementing legislation is enacted. My bill provides this needed legislation.

I wish to highlight certain important aspects of the Protocol and my bill. Importantly, article 2 of the Protocol designates Antarctica as a natural reserve, devoted to peace and science. Science has a high priority in the Antarctic Treaty, the Protocol, and my legislation. Unless the environment of Antarctica is maintained as a relatively pristine wilderness, important scientific research on global ecological, geologic, and climatic processes can not be conducted.

It is from Antarctica that scientists first detected the hole in the ozone layer and are continuing to learn about the history of the Earth, outer space, and global temperature patterns. The Protocol's restrictions on marine pollution, waste disposal, protection of fauna and flora, the designation of specially protected areas, and the preparation of environmental impact assessments prior to undertaking activities with adverse impacts on the Antarctic environment are all motivated by the goal of preserving Antarctica as a land of science.

The Protocol contains a 50-year moratorium on mining in Antarctica. The mining ban is consistent with legislation sponsored in the 100th Congress by our sorely missed colleague, Republican Silvio Conte, and enacted into law (Pub. L. 100-594). Congressman Conte's law, entitled the Antarctic Protection Act of 1990 (16 U.S.C. 2461-2466), prohibits United States citizens from engaging in mining in Antarctica, and calls upon the President to negotiate an international agreement to ban mining by all Antarctic Treaty parties. The Conte law requires that this international mining ban be of indefinite or permanent duration.

The Protocol contains a 50-year moratorium, which may be extended by agreement of the parties. On the other hand, the Protocol allows a party to walk away from the agreement if, after 50 years time, it is not satisfied with the results of a review conference. The United States insisted on this clause as a condition

for signing the Protocol. My bill provides the sense of Congress that the 50-year moratorium not be lifted indefinitely or permanently.

The Protocol requires, for the first time in an enforceable instrument, that parties prepare an environmental impact assessment [EIA] on any activity that will have more than a minor or transitory impact on the Antarctic environment. The Protocol refers to such an EIA as a comprehensive environmental evaluation [CEE]. A draft CEE must be circulated to all parties and to the newly established Committee for Environmental Protection before the party may proceed with the activity. The procedures in the Protocol are analogous to the procedures in U.S. law in the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347). I see no reason why we should invent new procedures to carry out the EIA obligations of the Protocol when the NEPA procedures will do just fine. The construction of airstrips, bases, incinerators, and sewage treatment plants in Antarctica does not implicate the foreign policy of the United States, so there should be no reason not to proceed in this direction.

The Protocol contains important new restrictions on waste disposal and requirements for management of waste in Antarctica. I called for many of these provisions in H.R. 1920 and H.R. 1921, bills I introduced earlier in the 102d Congress before the Protocol was concluded, and which will be superseded by the bill I introduce today. Recent attention has rightfully focused on the need for United States facilities in Antarctica to improve their waste management practices. The need to end open burning, clean up landfills, stop dumping toxic wastes into Antarctic waters, and reduce the amount of material brought to Antarctica is now widely recognized. I am pleased with the recent efforts of the National Science Foundation [NSF] to clean up McMurdo Station and other United States-Antarctic bases, and I encourage their continuation.

Both the Protocol and my bill move the United States-Antarctic Program [USAP] in the direction of returning all waste from Antarctica. This is the best way to keep waste from degrading the Antarctic environment. The NSF is moving in this direction. With some additional effort, all waste can be brought back. My bill also calls for a phaseout of incinerators in Antarctica by December 31, 1994. Incinerators, unfortunately, produce air pollution. It is better to bring the food and other garbage back to the United States for proper disposal than pollute the pristine Antarctic air.

Oil spills and oil leaks are also continuing tragedies associated with man's presence in Antarctica. Both the Protocol and my bill prohibit the discharge of oil and other noxious liquid substances from vessels in Antarctic waters, and they call for new containment devices around fuel tanks. The Protocol also contains prohibitions on discharges of plastics and other garbage into Antarctic waters. These restrictions are consistent with U.S. obligations under the International Convention for the Prevention of Pollution from Ships, 1973 [MARPOL]. I have called on the Coast Guard to implement these requirements through new regulations, if necessary, to supplement the Act to Prevent Pollution from Ships (APPS, 33 U.S.C. 1901-12). As does APPS, my bill

makes these provisions applicable to U.S. Government vessels operating in noncommercial service.

Because of its natural beauty, Antarctica has attracted an increasing number of tourists, many of whom are from the United States. We have an active group of U.S. tour companies, too. Most of these companies adhere to voluntary guidelines on protection of Antarctic fauna and flora, waste management, and entry into specially protected areas. The Protocol makes these guidelines binding on private parties, and my bill implements these requirements in domestic law. For example, my legislation requires that U.S. tourist companies obtain a permit from the Administrator of the National Oceanic and Atmospheric Administration [NOAA] before conducting or supporting an expedition of more than 10 persons to Antarctica. I do not intend that this permit requirement be onerous; it can be administered through a simple licensing process. However, the permit is the best mechanism I know to ensure that private parties adhere to the Protocol's requirements.

One of the questions that has arisen in the implementation of the Protocol is the legal status of the environmental principles in article 3. These principles require that activities in Antarctica be planned and conducted so as to limit adverse effects on the Antarctic environment, be conducted on the basis of information sufficient to allow prior assessments of their impacts, be monitored regularly, and be modified, suspended, or canceled if they threaten or result in adverse impacts. By the terms of article 3, these principles are binding on parties to the Protocol and their nationals. My bill makes this clear by prohibiting any activity from occurring in Antarctica inconsistent with these principles and calling upon the Administrator of NOAA to issue regulations interpreting the principles.

An aspect of my bill that is certain to draw an undue amount of attention is the question of the appropriate role of other agencies in Antarctica. My bill does give lead responsibility for implementation of the Protocol to the Administrator of NOAA. The bill also calls on other Federal agencies with expertise in various environmental matters to assist NOAA. The Coast Guard will implement the marine pollution provisions of the Protocol; the Administrator of the Environmental Protection Agency will be consulted on sewage treatment and other waste disposal matters; and the council on environmental quality will issue regulations needed to implement the EIA procedures for Federal agencies.

I have assigned NOAA and other agencies these new tasks for several reasons. As to NOAA, it already has responsibility for the administration of two Antarctic resource statutes, the Antarctic Marine Living Resources Convention Act (16 U.S.C. 2431-2444) and the Antarctic Protection Act (16 U.S.C. 2461-2466). NOAA is also experienced in resource management and protection. The way the current USAP operates, the operator determines which environmental laws apply to its activities, certifies its own compliance with these laws, and deems its compliance acceptable. This would be like the Department of Energy deciding whether or not to comply with the Clean Water Act, the Clean Air Act, and the

Resource Conservation and Recovery Act, and then certifying its own compliance. Other agencies need to be involved where they have specific expertise. The Antarctic environment is too complicated and the Protocol too far-reaching to leave to one agency to execute. I will do what I can to see that NOAA and the Coast Guard get the funds they need to carry out these responsibilities.

My bill provides for the NSF to do what its mission requires it to do—support basic scientific research in Antarctica. As noted above, Antarctica provides a unique platform for scientific research. NSF should attend to the important business of science and leave to other agencies what they do best—environmental monitoring and compliance.

I have purposely taken a comprehensive approach to developing implementing legislation for the Protocol. One advantage of this approach is that it lays out all the issues that need to be addressed in U.S. implementation of the Protocol. We may find, through the hearing process, that some of these provisions can be deferred for implementing regulations, but for now they are in the bill to highlight the issues in the Protocol. Because the legislation is comprehensive, as is the Protocol, it would replace and repeal the Antarctic Conservation and the Antarctic Protection Acts.

I urge my colleagues' support for this legislation. Following is a detailed section-by-section analysis of the Antarctic Environmental Protection Protocol Act of 1992.

#### SECTION-BY-SECTION ANALYSIS OF THE ANTARCTIC ENVIRONMENTAL PROTECTION PROTOCOL ACT OF 1992

##### SECTION 1—SHORT TITLE

The short title of the bill is the "Antarctic Environmental Protection Protocol Act of 1992".

##### SECTION 2—FINDINGS AND PURPOSE

This section contains Congress' findings and purpose for the legislation, that is, to enable the United States to enforce the Protocol on Environmental Protection to the Antarctic Treaty (Protocol) in the United States. With this additional authority, the U.S. can ratify the Protocol.

##### SECTION 3—DEFINITIONS

This section contains the definitions for terms used in the Act, including "Administrator", "Director", and "Secretary". "Secretary" means the Secretary of Commerce acting through the Administrator of the National Oceanic and Atmospheric Administration (NOAA). "Administrator" means the Administrator of the Environmental Protection Agency (EPA). "Director" means the Director of the National Science Foundation (NSF).

##### SECTION 4—REPRESENTATIVE, ARBITRATORS, AND INSPECTORS

Section 4 authorizes the President and other federal officials to make appointments to the new institutions established by the Protocol, including the Committee for Environmental Protection, the Arbitral Tribunal, and the system of inspectors.

##### SECTION 5—UNLAWFUL ACTIVITIES

Section 5 establishes what activities are prohibited altogether in Antarctica and what activities are prohibited without a permit. Section 5 makes it unlawful to conduct any activity in Antarctica in a manner inconsistent with the environmental principles in Article 3 of the Protocol, ensuring that U.S. na-

tionals are bound by the principles. Section 5 also continues the ban, first adopted for the U.S. in P.L. 101-594, on U.S. citizens conducting any mineral resource activity in Antarctica.

Section 5 expands upon the Protocol's requirements on waste disposal by prohibiting the construction and operation of incinerators in Antarctica after December 31, 1994, and by prohibiting the use of leaded fuel at U.S. facilities and in U.S. vessels and aircraft. This date will allow U.S. operators to make provision for bringing all waste out of Antarctica. Section 5 also makes clear that certain activities, otherwise prohibited, may be allowed provided a permit is obtained from the Secretary of Commerce. These activities include taking of specially protected species, native mammals, birds, and plants, and entering into specially protected areas.

Finally, section 5 contains prohibitions on the disposal of oil and garbage from U.S. vessels and foreign vessels subject to U.S. jurisdiction operating in Antarctica. These restrictions implement Annex IV of the Protocol on marine pollution and are consistent with U.S. obligations under the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) and its domestic implementing legislation, the Act to Prevent Pollution from Ships (APPS, 33 U.S.C. 1901 *et seq.*).

##### SECTION 6—PERMITS

Section 6 indicates what operational activities in Antarctica are required to have a permit from the Secretary before they may take place. These activities include the construction or decommissioning of a U.S. base or facility, including an airfield; the conduct or support by any person of an expedition of more than 10 persons; and the annual operation of the U.S. Antarctic Program, including the operation of facilities and logistic support. Section 6 establishes procedures for obtaining permits and the terms and conditions that pertain to specific types of permitted activities. The Secretary is also authorized to issue general permits for similar types of research activities with minor impacts on the Antarctic environment. The terms and conditions are consistent with the requirements in the Protocol and its five Annexes with one exception. Taking of native mammals, birds, or plants is not allowed for the purpose of building or maintaining U.S. facilities in Antarctica. This exception was proposed and rejected by the Congress during the passage of the Antarctic Conservation Act of 1978 (16 U.S.C. 2401 *et seq.*) and is similarly rejected by this bill.

Section 6 authorizes the Secretary to modify, suspend, or revoke a permit issued under this section if the Secretary determines that changed circumstances make the permitted activity inconsistent with the Protocol, including the principles in Article 3. This provision enables the U.S. to live up to its obligations under Article 3(4) of the Protocol.

##### SECTION 7—ENVIRONMENTAL ASSESSMENT OF ACTIVITIES WITHIN ANTARCTICA

Section 7 implements Article 8 of the Protocol and Annex I, pertaining to environmental impact assessments (EIA), in a manner consistent with U.S. environmental law and procedures. The Protocol requires that a comprehensive environmental evaluation (CEE) be prepared before undertaking any activity that would have more than a minor or transitory impact on the Antarctic environment. The Protocol also requires that a draft CEE be circulated to other parties to the Antarctic Treaty and to the Committee for Environmental Protection and that the

draft CEE be reviewed by the next Antarctic Treaty Consultative Meeting. This requirement applies to activities of governments as well as to private persons.

The CEE is the functional equivalent in U.S. law to the environmental impact statement required under the National Environmental Policy Act of 1969 (NEPA, 42 U.S.C. 4321 *et seq.*). Because the procedures for preparing such assessments already exist in NEPA, section 7 bases compliance with the Protocol's EIA procedures on NEPA. The bill calls upon the Council on Environmental Quality (CEQ) to implement this provision for federal agencies, and the Secretary, in consultation with CEQ, to do so for private activities.

##### SECTION 8—MONITORING, INSPECTIONS, PLANS, REPORTS

Section 8 implements additional requirements of the Protocol, including monitoring of ongoing activities (Article 3), inspections (Article 14), contingency plans (Article 15) and reporting incidents of noncompliance (Article 13).

##### SECTION 9—REGULATIONS

Section 9 authorizes the Secretary, and the Secretary of the department in which the Coast Guard is operating, to promulgate regulations necessary to implement the Act, the Protocol, measures adopted under the Protocol, and any awards issued thereunder by the arbitral tribunal. In addition, section 9 identifies specific subjects on which the Secretary must issue regulations to implement the Act and Protocol. These include the designation of protected species, identification of specially protected areas and management plans for those areas, prohibited products (in addition to those specified in the definition section), measures to clean up U.S. bases and facilities, guidelines to distinguish between prohibited mineral resource activities and scientific research, general permits, and actions needed by permittees to comply with the principles in Article 3 of the Protocol. The Coast Guard shall issue regulations, if necessary, to implement the provisions of Annex IV to the Protocol on marine pollution, consistent with U.S. obligations under MARPOL and APPS, including requirements for contingency plans to respond to pollution incidents in Antarctica.

##### SECTION 10—CIVIL PENALTIES

Section 10 authorizes the Secretary to assess civil penalties for violations of the Act. The amount of the penalty is not to exceed \$50,000 for each violation. The procedures for assessing and recovering penalties are consistent with procedures in the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

##### SECTION 11—CRIMINAL OFFENSES

Section 11 establishes that knowing violations of the Act are criminal offenses, punishable in accordance with section 3571 of title 18, U.S.C.

##### SECTION 12—ENFORCEMENT

Section 12 provides authority to the Secretary and the Secretary of the department in which the Coast Guard is operating to enforce the provisions of the Act. The Secretaries may use the personnel, services, and facilities of other departments in enforcing the Act.

##### SECTION 13—LIABILITY IN REM; JURISDICTION OF COURTS

Section 13 makes vessels of the U.S. and vessels subject to the jurisdiction of the U.S. liable *in rem* for violations of the Act and the Protocol. District courts of the U.S. are

given exclusive jurisdiction to enforce the Act in the U.S.

**SECTION 14—FEDERAL AGENCY RESPONSIBILITIES**

Section 14 provides that the Secretary shall have the primary responsibility to enforce the Act and the Protocol for the U.S. The Director of the National Science Foundation shall continue to carry out its mission of conducting basic scientific research in Antarctica. This research is of critical importance to our understanding of the global environment.

**SECTION 15—RELATION TO EXISTING TREATIES, STATUTES, REGULATIONS, AND PERMITS**

Section 15 disclaims any intent to supersede any treaty, convention, or international agreement in force for the United States and any implementing legislation for such agreement. Section 15 repeals the Antarctic Conservation Act of 1978 (16 U.S.C. 2401-2410) and the Antarctic Protection Act of 1990 (16 U.S.C. 2461-2466), which are both replaced by this Act. Section 15 also preserves the effect of any regulations or permits issued under the Antarctic Conservation Act, unless and until they have been superseded by the Protocol or this Act.

**SECTION 16—AMENDMENTS**

Section 16 authorizes the President to accept an amendment to the Protocol if the Senate has provided advice and consent to its acceptance. However, amendments to an annex to the Protocol may be accepted by the President of the United States subject to notification to the Congress.

**SECTION 17—SENSE OF CONGRESS**

Section 17 contains the sense of the Congress that the prohibition on Antarctic mineral resource activities be maintained in place permanently or indefinitely.

**SECTION 18—AUTHORIZATION OF APPROPRIATIONS**

Section 18 authorizes \$25 million for each of fiscal years 1993, 1994, and 1995 to the Secretary to implement the Act, and \$5 million for each of these fiscal years to the Coast Guard.

**HONORING BEN CASAUS**

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. RICHARDSON. Mr. Speaker, I would like to take this opportunity to recognize a constituent, Ben Casaus of Cuba, NM, who works for the U.S. Forest Service. Ben was recently in Washington to accept an award for distinguished public service from the Department of Agriculture.

In addition to being a forestry technician with the U.S. Forest Service, Ben has dedicated his time and effort to the betterment of his own community. I am extremely pleased that he is one of my constituents. I strongly believe that people, like Ben, should be recognized for their numerous accomplishments. Because Ben has selflessly volunteered his time, he has indeed made a difference in his community. Ben's remarkable dedication to public service has given him a rewarding life, as well as touching the lives of thousands of New Mexicans.

I urge my colleagues to familiarize themselves with Mr. Casaus' accomplishments.

Abenicio "Ben" Casaus is a career forestry technician and has been employed by the Cuba Ranger District, Santa Fe National Forest, for 26 years. His work record has been outstanding, and he has received a number of awards in recognition of his outstanding contribution to the management of the District resources. But, it is in the area of public service that he has made the greatest contribution, not only to the Forest Service but to the people of Northern New Mexico, especially the young people in the area of Cuba, New Mexico.

Northern New Mexico is a rural area with close ties to the land. It is rich in cultural diversity reflecting long established Native American and Hispanic populations and more recently Anglo influences. Cuba and the associated nearby communities have a population of approximately 2,500. This population is made up of a mix of Navajo and Jicarilla Apache Indians, Hispanics, and a few Anglos. The area is poor in the economic sense which is brought about in part by physical, social, and cultural isolation. This isolation compounds the fact that young people have few role models to inspire them to achieve higher levels of education and employment.

Ben's personal goal in life is to help as many people as he possibly can through influence, training programs, and personal example. He has no racial barriers. His aim is to encourage the Navajos, Apaches, Hispanics, and Anglos to continue their education and move ahead despite their background and culture. He relates to all cultures and the problems they face without an education and expanded life experiences. The following list of activities and accomplishments illustrate the depth and breadth of his involvement and accomplishments:

1. In answer to the persistent question "How did you succeed and get to where you are?" Ben has developed a presentation he calls "The Real World." His goal is to help prepare young people to leave the family and possibly the community, and know that they can succeed and become whatever they set their minds to. He presents this to schools and church groups as well as to individuals.

2. Ben invites young people to his home during the winter months for positive pep talks and sleigh rides. They come as individuals and as groups. He has hosted groups of troubled (borderline problem) youngsters from the Albuquerque, New Mexico, metropolitan area. His goal is to give them a positive life experience.

3. Ben is a Chairperson of the Technical Vocational Citizens Committee at the local high school. In this capacity, he encourages the committee and teachers to stress the importance of and teach agriculture and science to better prepare the students for future employment.

4. Ben is very much involved with the Cuba High School. He is active in organizing and participating in career day, and also participates in the annual science fairs. He encourages students to attend college or vocational training schools.

5. Ben was primarily responsible for organizing a 32-member Southwestern Firefighting Crew in the Cuba area during the summer of 1991. The crew was made up of unemployed Native American and Hispanic young people. Being a member of this crew provided 32 young people with an opportunity to not only earn money, but to also gain life expanding experience.

6. Ben has trained many local people on how to bid on service contracts such as those for tree planting, tree thinning, and fuel re-

duction. His training included how to fill out bid forms, calculate profits when bidding, and complete the contracts in order to complete successfully. There have been a number of successful contractors with contracts awarded to eight individuals from the Cuba area during the 1991 field season.

7. Ben teaches defensive driving, first aid, and CPR to Forest Service employees, and in addition, on his own time teaches these same courses to outside groups such as the Navajos at Ojo Encino, the local community work force, senior citizens, and the community in general.

8. Ben is a member of the local county fair board, and in this capacity, he is able to promote forestry and agriculture.

9. Ben has served as Commander, Adjutant to the Commander, Captain of the Firing Squad, and a member of the Honor Guard for the local American Legion Post.

It is significant to note that most of the above activities were outside of his assigned job responsibilities, performed largely on his own time, and accomplished through his own initiative.

The value of Ben's contribution to individuals as well as the community cannot be measured, but is richly deserving of recognition. He is a "Point of Light" to young people in a rural environment with chronic unemployment, low educational achievement, and few role models to encourage them. His personal efforts have significantly affected an unknown number of young people during his Forest Service career.

**WHERE'S DAD?**

**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mrs. SCHROEDER. Mr. Speaker, on Father's Day the Denver Post asked the one question Vice President DAN QUAYLE failed to ask: "Where's dad?"

The Vice President cares mightily about family values but little about families.

He's for family values, but against the Family and Medical Leave Act. He's for family values, but against full funding for Head Start. He's for family values, but against child support enforcement laws.

For QUAYLE, family values are a bumper sticker, a sound bite, or an applause line, but never a policy.

[From the Denver Post, June 22, 1992]

**IT'S FATHER'S DAY—**

**DO YOU KNOW WHERE DAD IS?**

Fathers are the fellows who fix flat bike tires, read bedtime stories, and stay up late and fret on prom night. They also provide moral guidance, help with homework and offer a kindly word of advice when the world deals a blow to cherished dreams. They are, in sum, among the most important people in the world—parents.

But some men who sire children don't understand that being a father is much more than just getting a woman pregnant. It entails a life-long responsibility that ought to be honored. Thus, on the day set aside to celebrate fatherhood, it's time to ask the question that millions of young Americans have posed—Where's dad?

That puzzle isn't so much a criticism of single mothers, as Vice President Dan Quayle seems to believe. After all, single

mothers are doing their best to raise their children. Instead, the persistent inquiry—Where's dad?—is a way of pointing the finger directly at the papas who have shunned their duty to love and nurture their children.

Indeed, if Quayle truly were interested in promoting family stability, rather than just scoring a few quick points with the conservative crowd, he would undertake a sincere effort to hold wayward fathers more accountable for their neglect or misdeeds—rather than focusing on responsible mothers.

Quayle could convene a national conclave on domestic violence and child abuse because tragically, fathers often are the culprits in these devastating crimes—a fact that makes other, respectable papas livid with anger and disgust. In fact, many single mothers have fled abusive homes to protect their children—yet Quayle scolds such women instead of chastising the miscreant men.

Through these meetings, Quayle might learn that many young women haven't known the kindness and guidance that a good father provides, and so are more vulnerable to abusive boyfriends and the lure of drugs. Break this cycle, and more young women might start demanding better behavior out of young men.

If the vice president were sincere about his concern for family values, he also would push for welfare reform so that families who need public assistance wouldn't have to ask the father to leave home just so their children could get food stamps.

Also Quayle ought to press for enforcement of national legislation to force deadbeat dads to pay child support. And he should implore President Bush to rethink his opposition to congressional proposals ranging from child care to family leave—plans that could aid struggling fathers who want to help their children.

That's not all. If Quayle were earnest about his worries over the state of the American family, he could plunge into the ghettos of Los Angeles and other troubled cities and ask first-hand why young men feel so lonely and unwanted that the only solace and sense of belonging they can find are in criminal gangs. He might discover that many gang members have a mother, but often don't even know who their father is—a fact that speaks more to the father's neglect than the mother's failings.

And then the vice president could lend the force of his office to the tens of thousands of grass-roots workers who are trying to cope with the problem of wayward papas by making the next generation of dads more responsible. In fact, the vice president could meet several people in Colorado who not only are trying to set a good example for their own families but are working in the community to help others' children as well—people like state Sen. Regis Groff, anti-gang crusader Leon Kelly and the unsung heroes who serve as surrogate dads through Boys' Clubs, Big Brothers, churches and other groups.

But alas! Quayle, the scion of multimillionaires who now rails against elitism, has not done any of these things. And so the vice president has squandered a grand opportunity to tell America something that too easily is forgotten:

Fathers are important people. But along with the pride and honor of being a dad come tremendous responsibilities that, for the sake of the country's future, cannot be neglected.

## A LOGGER'S STORY

### HON. LINDSAY THOMAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. THOMAS of Georgia. Mr. Speaker, my good friend and constituent, Mr. William W. Sprague, Jr., of Savannah, GA, suggested that I place a copy of a recent Wall Street Journal article in the CONGRESSIONAL RECORD. The article is entitled "A Logger's Story."

Whether we may agree or disagree about its contents, the story represents an individual's perspective on an important national issue, and is therefore appropriate for placement in the RECORD. The article follows, and I hope it will provide some insights for future generations on this important issue and the people it involved.

[From the Wall Street Journal, May 15, 1992]

#### A LOGGER'S STORY

(Defenders of the northern spotted owl jumped yesterday to criticize a government panel decision to override the Endangered Species Act and allow logging in some Oregon forests where it had been banned. The Sierra Club's Michael Fischer told the Associated Press that "the Bush administration's message to America's forests is 'drop dead.'" But the decision, a compromise, left many tracts safe for the nocturnal bird while protecting as many as 1,000 jobs for loggers. A report from one member of the (human) endangered species landed in our in-box recently. We print it below:)

My name is Donald Walker Jr.

For 30 years, I was an Oregon logger. I have been out of work since August 1989, when the company I worked for closed out its operations near Oakridge, where my wife and I live.

Times have been pretty tough since then, though I think we have been luckier than many woodworkers. We still have our home, where we raised our children. Many younger loggers, with small children at home, have lost everything as a result of the spotted owl controversy that has tied Congress in knots.

#### FAITH AND HOPE

My wife has an office job with the same company I worked for, but she had to accept a transfer to another office a four hour drive from home. Now we see each other only on weekends.

It gets pretty lonely here without her, but our faith in God has kept us strong, and we continue to hope for better days when we can be together again like a family should be.

After I lost my job I took some courses at a local community college, thinking that I might be able to make a new start in life. I figured my best hope was to learn enough to start some sort of small business that was related to my 30 years of woods experience.

I took welding, some small business classes and a couple of courses in interpersonal communications. Can you imagine a logger in an interpersonal communications class!

Community college helped me a lot personally, but starting over when you are 55 years old isn't easy. Since 1989 the only work I've been able to find is a part-time caretaker on some private timber land near here.

I've also worked seasonally as a yew bark collector for an outfit that has a contract with a big drug company that is searching for a cure for cancer. They think Taxol, which comes from yew bark, might be a miracle cancer cure.

I also work on the family tree farm, and that is the other part of this story.

My dad and my grandad bought this farm in 1932. Our family has been logging it for 60 years. We've replanted as we've gone along, or converted the land to fields where we graze a few cattle.

Our land was burned badly in a fire in 1912, so we don't have any of the old growth timber Oregon is famous for. None of our trees are more than 80 years old.

One of the hopes I have held on to since I lost my job is that I could supplement our income by continuing to manage our tree farm as my father and grandfather did for so many years. But it doesn't look like this is going to pan out either.

Last November, I received a letter from an outfit called the Forest Conservation Council telling me that if I cut any more timber on our land it would sue me for violating the Endangered Species Act, which protects spotted owls, and makes it a crime to tamper with their habitat.

I have never seen a spotted owl on our place, and I have never met anyone from the Forest Conservation Council. So far as I know, it's never even been on our farm. But I do have a typewritten, single-spaced four-page letter from their lawyer saying that what we have been doing on our tree farm for 60 years is no longer legal.

I might have felt a little bit better about the letter if they had offered to buy the land, or at least pay the taxes, which we have also been doing for 60 years. But they didn't and I guess I'm not surprised. From what I've read about these people, they don't believe in private property rights.

About 200 Oregon tree farmers got the same letter I got. There are actually many more tree farmers in Oregon, but for some reason we were singled out. It got me to thinking about how what has happened to us could happen to any private property owner. In fact, the newspapers are filled with stories like ours. It's happening to people all over the United States.

There is even a Supreme Court case now, involving a fellow in South Carolina who paid almost a million dollars for a couple of beachfront lots he has been told he can't build on because somebody thinks the land should be left to nature.

A lot of news reporters have visited our place since we got our letter from the Forest Conservation Council. I think they're impressed with the beauty of our farm, but I'm afraid they don't grasp the significance of what is happening to us, or to other private landowners across the country. Do they understand that the right of ownership of private property is fundamental to our democracy? I don't think so. I think they are too busy collecting what are called six-second sound bites, and that is not something I am very good at.

Some people say we should cut down all our trees now, while we still can, before the Forest Conservation Council letter becomes a court case. But we don't want to. We're conservationists. This tree farm is our home, and the trees are a part of our way of life. We work with nature to grow a crop the nation needs. The crop is wood. It puts food on our tables.

#### BANKRUPTCIES AND LAWSUITS

In 26 years of married life, we have never been late on a bill we owed. The pressure on us now is hard to describe. My wife won't even read the newspaper anymore, because it's filled with stories about loggers losing everything, and preservationists filing more lawsuits.

Where does it all end? Do people count anymore? Do private property rights still have meaning in America? Who will compensate us for our loss? The public? The Forest Conservation Council? So far, I haven't heard from anyone except the property tax collector.

The problem isn't the owl, or even old growth for that matter. The problem is an out-of-control preservationist movement that doesn't care about people or their rights.

Our tree farm is our last hope. It is worth fighting for, and I intend to fight for it every way I know how.

CONGRESSMAN MARTIN FROST'S  
MEMORANDUM ON THE ELEC-  
TION OF THE PRESIDENT IN THE  
HOUSE OF REPRESENTATIVES

HON. MARTIN FROST

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. FROST. Mr. Speaker, in 1980, the chairman of the Rules Committee, the Honorable Richard Bolling, asked me to prepare a memo on the possibility of the House of Representatives being called on to elect the President of the United States, should the electoral process not yield a majority of electoral votes for any one candidate.

With three contending candidates for President this year, the memorandum that was submitted to Chairman Bolling again becomes meaningful; and, as a result of many requests for copies of this memo, I am inserting the July 1, 1980, memorandum in the RECORD at this point:

JULY 1, 1980.

To: Chairman Richard Bolling.

From: Martin Frost.

Subject: Election of the President in the House of Representatives.

In the event that no one receives a majority (270) of the electoral votes on November 4, it will be up to the House of Representatives to elect the next President under the provisions of the 12th Amendment to the U.S. Constitution and rules to be adopted by the House. The rules for the Presidential election should be drafted in such a manner that they will achieve two primary objectives: (1) provide for the maximum amount of public scrutiny of the process consistent with the Constitution and (2) do everything possible to ensure that the House will actually reach a decision and not be deadlocked.

The only two previous House elections in 1801 and 1825 were conducted largely in secret though the details of the proceedings were published in the press of the time. Modern communications technology and the aggressive nature of today's press would make secrecy highly difficult to enforce. Also, it would be dangerous for the House as an institution to attempt to impose a high degree of secrecy given the current mood of the public regarding distrust of government.

On the second point, it is absolutely essential that the House be able to reach a result because a deadlock would undermine confidence in our government—both at home and overseas. Simplifying procedures to ensure a result is not a partisan matter though it undoubtedly will be viewed as such and thus somewhat difficult to accomplish.

12TH AMENDMENT

The 12th Amendment of the U.S. Constitution which was adopted in 1803 provides only an outline for electing the President by the House and leaves many questions unanswered which must be addressed by the rules. The 12th Amendment specifies the following: (1) if no one has a majority of the electoral votes, the House shall choose from the top three finishers in the electoral voting, (2) votes shall be taken by states with each state having one vote, (3) an absolute majority of all states (26) is required to elect the President, (4) a quorum is at least one member from two-thirds (34) of the states, and (5) the election shall occur immediately after the electoral votes are canvassed by Congress. The election of 1801 was conducted under the original provisions of the Constitution which were substantially similar to the 12th Amendment on procedures for elections by the House of Representatives except that the vote was among the top five candidates rather than the top three. The primary purpose of the 12th Amendment was to provide for separate balloting by the electors for President and Vice President.

UNANSWERED QUESTIONS

Any rules which implement the 12th Amendment must address the following major questions as well as others:

- (1) Should the proceedings be closed or should they be open to the press and the public?
- (2) Should the ballot of each representative in his state's caucus be secret or should a public record be made?
- (3) Should the ballot of each state be secret or should they be identified by state at the time of the tally?
- (4) Should a majority be required within a state to determine that state's vote or could it be determined by plurality?

TIMING OF THE ELECTION

The presumption is that the election would be conducted by the new 97th Congress; however, it is theoretically possible for the election to be conducted by the lame duck 96th Congress. The key element is the date that the electoral votes are canvassed because the 12th Amendment says that the House shall elect the President immediately after Congress has canvassed the electoral votes. Under current statutory law (3 U.S.C., §15), the electoral votes are canvassed on January 6—three days after January 3, the date the new Congress takes office under the 20th Amendment. The 96th Congress would have to pass a new statute moving up the date of the canvassing of the electoral votes (putting it before January 3) in order for the Presidential election to be conducted by the lame duck 96th Congress. This could be expected to create a tremendous public outcry because it would be changing the rules in the middle of the game. The Constitution in Article II, §1, Cl. 3 provides that Congress is authorized to set the day when the electors meet in the various states and cast their votes for President and Vice-President. Congress has set the date as the first Monday after the second Wednesday in December (3 U.S.C., §7). The date in 1980 will be December 15. Accordingly, Congress would have to (1) meet between December 15 and January 3 and (2) change the date for canvassing the electoral votes to a date before January 3 in order for the lame duck 96th Congress to be able to determine the President.

The elections of 1801 and 1825 were conducted by lame duck Congresses because prior to the enactment of the 20th Amendment in 1933, the new Congress did not take

office until March 4, the same day as the new President. Under the 20th Amendment, the new Congress takes office on January 3, 17 days before the new President.

ADOPTION OF RULES FOR THE ELECTION IN THE HOUSE

(1) In the two previous House elections, a special committee composed of one representative of each state was established to draft the rules. Since both these elections occurred prior to the existence of a House Rules Committee, it seems likely that drafting the rules would now come under the jurisdiction of the Rules Committee. Presumably, this decision would be made by the Speaker.

(2) The rules were adopted in 1801 and 1825 by the House voting per capita (each member having a vote) rather than by state. Vote totals reflecting per capita voting on considering the rules and amendments to the rules appear in House documents for those dates (*Journal of the House 789-792*, 6th Congress, 2d Session, February 9, 1801 and *1 Gales and Seaton's Register of Debate in Congress 515*, 18th Congress, 2d Session, February 7, 1825). The proposed rules were debated by the House in the Committee of the Whole in each instance. Adoption of the rules is also discussed in *3 Hinds' Precedents of the House of Representatives*, secs. 1982 and 1984.

(3) In both 1801 and 1825 the rules were adopted several days before the canvassing of the electoral votes and the election of the President by the House. In 1801 the Constitutional date for the House to convene (January 3) falls on a Saturday so the House might not convene until Monday, January 5. The statutory date for the canvassing of the electoral vote is January 6 as indicated previously. Rules would need to be adopted no later than the conclusion of business on January 5.

(4) It can be anticipated that a major fight would occur over adoption of the rules, particularly if efforts are made to substantially modernize the rules of 1825.

PROCEDURES UNDER THE RULES OF 1801 AND 1825

Mechanically, the elections of 1801 and 1825 operated in very similar fashions: each state caucused on the floor of the House and cast written ballots to determine which candidate would receive that state's vote. In both instances, a majority of the votes cast (not a majority of the total delegation) was required to award a state's vote to a particular candidate. Thus, blank ballots were disregarded. The majority requirement was not spelled out in the 1801 rules, but since there were only two candidates (Burr and Jefferson), it was implicit. Also, the question of disregarding blank votes in determining a winner also was not spelled out but actual voting results (reported by a newspaper and reproduced in *6 Annals of Congress 1028*, 6th Congress, 2d. Session (1801), with credit to the newspaper) disclosed that blank ballots were disregarded and that the requirement was a majority of votes cast for actual candidates. In cases of a tie vote, the word "divided" was written on the state's ballot. The 1825 rules were more explicit on these points. They spelled out the requirement for a "majority of the votes given." In those instances when no candidate received a majority of the votes cast, the word "divided" was written on that state's ballot. Under the rules of 1825, individual ballot boxes were provided for each state to be used in canvassing the state's delegation. No such provision was made in the rules of 1801. In both 1801 and 1825, the ballots cast within a state caucus were unsigned so that there was no official record of how each House member voted.

Once each state had caucused and determined whether the state could award its vote to a candidate or whether it was "divided", each state then wrote its result on duplicate ballots and placed them in each of two ballot boxes provided by the Sergeant at Arms. In both 1801 and 1825, the ballots were not signed with the name of the state so that there was no official record in the Journal as to how each state voted though the total number of state votes for candidate does appear. The ballots in each box were then tallied and the total was accepted by the Clerk if the two totals were the same. Balloting procedures were slightly different in the two elections. In 1801 the Sergeant at Arms circulated among the delegations with the two ballot boxes. In 1825 the Clerk called the roll at which point the Sergeant at Arms presented each state with the two ballot boxes.

In both 1801 and 1825, the galleries were closed to the press and the public.

*Question: Should the Proceedings Be Closed, or Should They Be Open To The Press and the Public?*

The precedents from 1801 and 1825 are for closing the galleries; however, this was a reflection of the times rather than being drawn from anything in the Constitution. Rule 5 of the 1801 rules reads as follows: "The doors of the House shall be closed during the balloting, except against the officers of the House." Rule 3 of the 1825 rules reads as follows: "The doors of the Hall shall be closed during the balloting except against the members of the Senate, stenographers, and the officers of the House." It is inconceivable that the House would bar the press in 1981 and turn off the closed-circuit television system. An argument can be made that having caucuses on the Floor and counting written ballots (assuming we preserve some of these features) is so cumbersome that we may appear disorganized on television but modern communications and public expectations seem to dictate an open session. This is a political decision, one that should not be made lightly.

*Question: Should the Ballot of Each Representative In His State's Caucus Be Secret or Should a Public Record Be Made?*

The 12th Amendment reads in part: "If no person has such majority then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President."

The words "by ballot" have been interpreted to mean written secret ballot. The words "by ballot" do not appear in the section of the 12th Amendment relating to the election of a Vice-President by the Senate and it is generally conceded that the Senate votes by voice vote in those instances. The Senate has been called upon to elect a Vice-President only once, that occurring in 1837. In that situation, the Senate adopted a resolution providing that the vote be by a voice roll call (*Congressional Globe* 171-72, 24th Congress, 2d Session, February 8, 1837). A review of the debates in both the House and the Senate at the time of the adoption of the 12th Amendment does not reveal any discussion on the question of the secrecy of the ballot within each state's caucus. However, there was some discussion of it at the time of the adoption of the 1825 rules.

The rules of 1801 provided in Rule 6 are as follows:

"In balloting, the following mode shall be observed, to wit: The representatives of the respective states shall be so seated that the delegation of each state shall be together.

The representatives of each state shall, in the first instance, ballot among themselves in order to ascertain the votes of the state and it shall be allowed, where deemed necessary by the delegation, to name one or more persons of the representation to be tellers of the ballots . . . That, for the conveniently taking the ballots of the several representatives of the respective states, there be sixteen ballot boxes provided; and that there be additionally two boxes provided for the purpose of receiving the votes of the states."

Rule 5 of the rules of 1825 provided the following:

"In balloting, the following mode shall be observed, to wit: The representatives of each state shall be arranged and seated together, beginning with the seats at the right hand of the Speaker's chair, with the members from the state of Maine; thence, proceeding with the members of the states, in the order the states are usually named for receiving petitions, around the Hall of the House, until all are seated.

"A ballot box shall be provided for each state.

"The representatives of each state shall, in the first instance, ballot among themselves, in order to ascertain the vote of their state; and they may, if necessary, appoint tellers of their ballots."

In addition to the above quoted section, Rule 5 of the rules of 1825 also provided that the decision had to be made by a majority vote within the state caucus and that the name of the person receiving the majority from a particular state be written on each of two duplicate written ballots and placed into two general ballot boxes circulated by the Sergeant at Arms.

Representative Hamilton of South Carolina sought to amend the rules of 1825 by striking out everything after the words, "a ballot box shall be provided for each state" and adding new language to provide that the ballot box would be "labeled with the name of the state, placed in front of the Speaker's chair, on the Clerk's table, placed in the order of the states." The new language continued, "the Clerk shall then proceed to call each delegation, in the order in which petitions are called, and the member of each delegation shall place his ballot in the box labeled with the name of the state. After all the states have thus voted; then the members of each delegation shall nominate a member of their delegation to act as teller, who shall proceed, with the rest of the tellers appointed by the several delegations, to count the votes of each state, commencing in the order in which they are called; at the close of which count, the separate vote of each state shall be declared by the senior member of the Committee of Tellers, as well as the result of the aggregate ballot" (1 *Gales and Seaton's* at 511).

If adopted, this amendment would have made several significant changes in the manner of casting votes and thus generated debate on several important subjects, including the secrecy of the individual representative's ballot. These changes included: (1) having the individual representatives' ballots counted at the Clerk's table rather than in state caucuses, (2) eliminating the explicit majority vote requirement within a state caucus and leaving it up to the tellers to determine whether or not any candidate had sufficient votes to receive each state's vote, and (3) having a public declaration of who received the vote of each state rather than having it remain a secret by depositing an unsigned written ballot in the general ballot boxes cir-

culated by the Sergeant-at-Arms. Under both the original version of the 1825 rules and the proposed amendment, each state would receive a ballot box; however, under the proposed amendment each ballot box would be labeled with the name of the state and not be under the sole control of the state. A thorough understanding of the proposed amendment as printed in 1 *Gales and Seaton's* is important because a description of it in 3 *Hinds' Precedents* which has been relied on by scholars is inadequate and somewhat misleading.

During debate on Hamilton's proposed amendment to the rule, Daniel Webster argued against it on the grounds that the Constitutionally protected secrecy of the member's ballot would be destroyed because some states had only one member and disclosing how those states voted would disclose how those individual members voted.

Hamilton, in defending his amendment, said, "My object is to endeavor to adopt, within the provisions of the Constitution, some mode by which the vote of each state (not the members of the several states) may be ascertained. To the members composing the delegations, I know that the privilege of a secret ballot is secure. This I do not propose to violate" (1 *Gales and Seaton's* at 511).

Only one member who spoke on the proposed amendment challenged the proposition that the 12th Amendment required that individual members' votes be secret, something which Hamilton, himself, conceded. McDuffie said that the Constitution "did not ever mean to screen the votes of the delegates themselves from public scrutiny" (1 *Gales and Seaton's* at 513).

The proposition that the words "by ballot" in the 12th Amendment mean written secret ballot was carried forward in 1838 when the House was considering a general rule stating that "in all cases of election by the House the vote shall be taken by voice vote." John Quincy Adams, then a member of the House after having been elected President by the House in 1825, raised the question of whether the rule violated the 12th Amendment requirement of Presidential election by ballot. The House responded to his concern by inserting the words "of its officers" after the word "House," thus excluding the election of the President from the voice vote requirement (5 *Hinds' Precedents*, sec. 6005). A form of this rule appears in House Rule II of the 96th Congress.

*Conclusion:* It is clear by practice that the House has consistently interpreted "by ballot" in the 12th Amendment to mean secret written ballot. It is possible for the House to adopt a rule to the contrary in 1981 but this undoubtedly would raise a major furor.

*Question: Should the Ballot of Each State Be Secret or Should They Be Identified by State at the Time of the Tally?*

The 12th Amendment provides "in choosing the President, the vote shall be taken by states, the representation of each state having one vote." It does not repeat the words "by ballot" in describing how a state's vote is cast. The original language of the Constitution which was in effect when the election of 1801 was held was substantially the same on this question.

Rule 6 of the rules of 1801 provided

"\* \* \* That after the delegation of each state shall have ascertained the vote of the state, the Sergeant at Arms shall carry to the respective delegations the two ballot boxes, in the delegation of each state, in the presence and subject to the examination of all members of the delegation, shall deposit a duplicate of the vote of the state in each ballot box; and where there is more than one

representative of a state, the duplicates shall not both be deposited by the same person. When the votes of the states are all thus taken in, the Sergeant at Arms shall carry one of the general ballot boxes to one table and the other to a second and separate table. Sixteen members shall then be appointed as tellers of the ballots, one of whom shall be taken from each state, and be nominated by the delegation of the state from which he was taken. The said tellers shall be divided into two equal sets, according to such agreement that shall be made among themselves, and one of the said sets of tellers shall proceed to count the votes in one of the said boxes and the other set the votes in the other box; and in the event of no appointment of teller by any delegation, the Speaker shall in such case appoint. When the votes of the states are counted by the respective sets of tellers, the result shall be reported to the House; and if the reports agree, the same shall be accepted as the true votes of the states; but if the reports disagree, the states shall immediately proceed to a new ballot in manner aforesaid."

Rule 5 of the rules of 1825 provides as follows:

"\* \* \* After the delegation from each state shall have ascertained the vote of their state, the Clerk shall name the states in the order they are usually named for receiving petitions; and as the name of each is called the Sergeant at Arms shall present to the delegation of each two ballot boxes, in each of which shall be deposited, by some representative of the state, one of the duplicates made as aforesaid of the vote of said state, in the presence and subject to the examination of all the members from said state then present; and where there is more than one representative from a state, the duplicate shall not both be deposited by the same person.

"When the votes of the states are thus all taken in, the Sergeant at Arms shall carry one of said ballot boxes to one table and the other to a separate and distinct table.

"One person from each state represented in the balloting shall be appointed by the Representatives to tell off said ballots; but, in the case the Representatives fail to appoint a teller, the Speaker shall appoint.

"The said tellers shall divide themselves into two sets, as nearly equal in number as can be, and one of the said sets of tellers shall proceed to count the votes in one of said boxes, and the other set the votes in the other box.

"When the votes are counted by the different sets of tellers, the results shall be reported to the House; and if the reports agree, the same shall be accepted as a true vote of the states; but if the reports disagree, the states shall proceed, in the manner as before, to a new ballot."

In both 1801 and 1825, state votes were by written unsigned ballots placed in general ballot boxes as provided by the rules. As indicated above, one effort was made to amend the 1825 rule to provide that an official record be made of how each state voted. Daniel Webster's argument that an official record would by necessity disclose how Representatives voted from states that had only one representative is not necessarily conclusive. Certainly, the secret ballot of individual members, if in fact guaranteed by the Constitution, is protected when written ballots are taken within state caucuses and members from states with just one representative are simply victims of the system that provides for single congressman states. To require secrecy of all state ballots simply

to protect a few such members as suggested by Webster is a classic case of the tail wagging the dog.

*Conclusion:* There is nothing conclusive on this point and the House would appear to be free to adopt a rule making state votes public if it wished to do so. This is a political decision. It is likely that there will be general knowledge of how each state voted as there was in both 1801 and 1825 so there is no real reason not to make it a part of the official public record.

*Question: Should a Majority Be Required Within a State to Determine that State's Vote or Could It Be Determined by Plurality?*

Rule 6 of the Rules of 1801 provided:

"After the vote of each state is ascertained, duplicates thereof shall be made; and in case the vote of the state be for one person, then the name of that person shall be written on each of the duplicates; and in case the ballots of the state be equally divided, then the word "divided" shall be written on each duplicate, and the said duplicate shall be deposited in the manner hereafter prescribed in the boxes to be provided."

Rule 5 of the Rules of 1825 provided as follows:

"After the vote of each state is ascertained, duplicates thereof shall be made out; and in case any one of the persons from whom the choice is to be made shall receive a majority of the votes given, on any one balloting by the representatives of the state, the name of that person shall be written on each of the duplicates; and in case the votes so given shall be divided so that neither of said persons shall have a majority of the whole number of votes given by such state, on any one balloting, then the word "divided" shall be written on each duplicate."

As can be seen, the rules of 1825 specifically require a majority for the votes cast (excluding blank ballots) to determine a state's vote; otherwise, the word "divided" was written on the state's ballot and no vote cast. The rules of 1801 were silent on the majority requirement but there were only two candidates so a majority was necessary by definition. The rules specified that if the delegation is "equally divided" the word "divided" was to be written on the state's ballot. The rules specified that if the delegation is "equally divided" the word "divided" was to be written on the state's ballot. The rules were silent on the question of blank ballots though it is obvious from the actual practice (as reported by unofficial sources at the time) that blank ballots were disregarded in determining a majority and that a candidate needed only a majority of votes actually cast for a named candidate.

There is no Constitutional basis for the majority requirement to determine a state's vote. There is analogous precedent on both sides of the question in related areas.

Current House Rule XXXVIII which regulates the manner in which the House votes by ballot states:

"In all cases of ballot a majority of the votes given shall be necessary to an election, and where there shall not be such a majority on the first ballot the ballots shall be repeated until a majority be obtained; and in all balloting blanks shall be rejected and not taken into the count in enumeration of votes or reported by the tellers."

However, on the other side of the question is the current practice followed in allocating the electoral votes of a state to a Presidential candidate. In all such situations it is winner-take-all with only a plurality of the popular vote needed to carry all of a state's electoral votes for a particular candidate.

Clearly, the 12th Amendment imposes the requirement for a majority of the states (26) for election. There is nothing in the Constitution regarding the imposition of either a majority or plurality requirement within a state's caucus.

This is entirely a political decision, but one which must be made in such a way that it does not undermine public confidence in the process. It also could be critical to the issue of actually achieving a result. Imposing the majority requirement within a state caucus could make it harder for one candidate to receive the 26 state votes necessary for election.

In arguing against Representative Hamilton's amendment to the 1825 rules Representative Wright of Ohio acknowledged that the issue of majority or plurality vote within a state delegation was a "disputed question" (1 *Gales and Seaton's* at 513). Representative Wright opposed Representative Hamilton's amendment on the basis that it was silent on this point and could permit the question to be resolved by the tellers when counting the votes in each state's ballot box.

The policy arguments in favor of a majority requirement include the fact that a majority of the electoral votes was required by the framers of the Constitution for election by the Electoral College and that a majority of the states was required for election by the House of Representatives.

The method of selecting electors is left entirely to the states by the Constitution (Article II, §1, Cl. 2). At the time of the elections of 1801 and 1825, there was no generally accepted rule for determining who would receive the electoral votes of a state. In fact, electors were at that time chosen by a variety of ways including election by state legislatures, election under the general ticket (winner of a statewide plurality receiving all the electoral votes), and election by the district ticket (the winner of a plurality within each congressional district receiving that district's electoral vote). As a result, a number of states split their electoral votes among several candidates in both 1801 and 1825. Today, all electors are chosen statewide by plurality of popular vote.

*Conclusion:* This is the single most important question that must be resolved in the Rules. Adopting a plurality requirement could hasten a decision by the House and would be consistent with the current method of selecting electors; however, it will reverse procedures followed in 1801 and 1825 and will undoubtedly lead to a major fight on the floor, particularly if the third candidate has any significant support in the House. Nonetheless, a fight in favor of plurality voting within state delegations could be worth the battle because to require a majority within states would heighten the chance that no one will be elected President and that the country will be governed for four years by a Vice-President selected by the Senate.

#### APPENDIX

I. Rules adopted by the House of Representatives in 1801 for the election of the President of the United States by the House of Representatives: III *Hinds' Precedents of the House of Representatives*, Chapter LXII, 1982.

II. Rules adopted by the House of Representatives in 1825 for the election of the President of the United States by the House of Representatives: III *Hinds' Precedents of the House of Representatives*, Chapter LXII, 1984.

III. Twelfth Amendment to the Constitution of the United States: U.S.C.A. Const. Amend. XII, p. 933.

IV. Article II of the Constitution of the United States prior to adoption of Amendment XII: U.S.C.A. Const. Art. II, §1, p. 632.

V. Twentieth Amendment to the Constitution of the United States, U.S.C.A. Const. Amend. XX, p. 573.

VI. State-by-state totals for 1801 and 1825 showing the number of votes each candidate received within each delegation on the first 35 ballots in 1801 and the first ballot in 1825: Library of Congress, Congressional Research Service, *Election of the President by the House of Representatives*, pp. 7 and 10, August 19, 1968.

#### APPENDIX I

1982. Rules adopted in 1801 for the election of a President of the United States by the House of Representatives.

1. In the event of its appearing, upon the counting and ascertaining of the votes given for President and Vice President, according to the mode prescribed by the Constitution, that no person has a constitutional majority, and the same shall have been duly declared and entered on the journals of this House, the Speaker, accompanied by the Members of the House, shall return to their Chamber.

2. Seats shall be provided in this House for the President and members of the Senate, and notification of the same shall be made to the Senate.

3. The House, on their return from the Senate Chamber, it being ascertained that the constitutional number of States are present, shall immediately proceed to choose one of the persons from whom the choice is to be made for President; and in case upon case upon the first ballot there shall not appear to be a majority of the States in favor of one of them, in such case the House shall continue to ballot for a President, without interruption by other business, until it shall appear that a President is duly chosen.

4. After commencing the balloting for President, the House shall not adjourn until a choice be made.

5. The doors of the House shall be closed during the balloting, except against the officers of the House.

6. In balloting, the following mode shall be observed, to wit: The Representatives of the respective States shall be so seated that the delegation of each State shall be together. The Representatives of each State shall, in the first instance, ballot among themselves, in order to ascertain the votes of the State, and it shall be allowed, where deemed necessary by the delegation, to name one or more persons of the representation to be tellers of the ballots. After the vote of each State is ascertained, duplicates thereof shall be made; and in case the vote of the State be for one person, then the name of that person shall be written on each of the duplicates; and in case the ballots of the State is equally divided, then the word "divided" shall be written on each duplicate, and the said duplicates shall be deposited in manner hereafter prescribed, in boxes to be provided. That, for the conveniently taking the ballots of the several Representatives of the respective States, there be sixteen ballot boxes provided; and that there be additionally two boxes provided for the purpose of receiving the votes of the States; that after the delegation of each State shall have ascertained the vote of the State, the Sergeant-at-Arms shall carry to the respective delegations the two ballot boxes, and the delegation of each State, in the presence and subject to the examination of all the members of the delegation, shall deposit a duplicate of the vote of the State in each ballot box; and where there

is more than one Representative of a State the duplicates shall not both be deposited by the same person. When the votes of the States are all thus taken in, the Sergeant-at-Arms shall carry one of the general ballot boxes to one table and the other to a second and separate table. Sixteen members shall then be appointed as tellers of the ballots, one of whom shall be taken from each State, and be nominated by the delegation of the State from which he was taken. The said tellers shall be divided into two equal sets, according to such agreement as shall be made among themselves, and one of the said sets of tellers shall proceed to count the votes in one of the said boxes and the other set the votes in the other box; and in the event of no appointment of teller by any delegation, the Speaker shall in such case appoint. When the votes of the States are counted by the respective sets of tellers, the result shall be reported to the House; and if the reports agree, the same shall be accepted as the true votes of the States; but if the reports disagree, the States shall immediately proceed to a new ballot in manner aforesaid.

7. If either of the persons voted for shall have a majority of the votes of all the States the Speaker shall declare the same, and official notice thereof shall be immediately given to the President of the United States and to the Senate.

8. All questions which shall arise after the balloting commences, and which shall be decided by the House voting per capita, to be incidental to the power of choosing the President, and which shall require the decision of the House, shall be decided by States, and without debate; and in case of an equal division of the votes of States, the question shall be lost.

#### APPENDIX II

1984. The rules adopted by the House to govern the voting for a President of the United States when the election was thrown into the House by the failure of the Electoral College to make a choice in 1825.

1. In the event of its appearing, on opening all the certificates, and counting the votes given by the electors of the several States for President, that no person has a majority of the votes of the whole number of electors appointed, the same shall be entered on the Journals of this House.

2. The roll of the House shall then be called by States; and, on its appearing that a Member or Members from two-thirds of the States are present, the House shall immediately proceed, by ballot, to choose a President from the persons having the highest numbers, not exceeding three, on the list of those voted for as President; and, in case neither of those persons shall receive the votes of a majority of all the States on the first ballot, the House shall continue to ballot for a President, without interruption by other business, until a President be chosen.

3. The doors of the Hall shall be closed during the balloting, except against the Members of the Senate, stenographers, and the officers of the House.

4. From the commencement of the balloting until an election is made no proposition to adjourn shall be received, unless on the motion of one State, seconded by another State, and the question shall be decided by States. The same rule shall be observed in regard to any motion to change the usual hour for the meeting of the House.

5. In balloting the following mode shall be observed, to wit:

The Representatives of each State shall be arranged and seated together, beginning

with the seats at the right hand of the Speaker's chair, with the Members from the State of Maine; thence, proceeding with the Members from the States, in the order the States are usually named for receiving petitions,<sup>2</sup> around the Hall of the House, until all are seated.

A ballot box shall be provided for each State.

The Representatives of each State shall, in the first instance, ballot among themselves, in order to ascertain the vote of their State; and they may, if necessary, appoint tellers of their ballots.

After the vote of each State is ascertained, duplicates thereof shall be made out; and in case any one of the persons from whom the choice is to be made shall receive a majority of the votes given, on any one balloting by the Representatives of a State, the name of that person shall be written on each of the duplicates; and in case the votes so given shall be divided so that neither of said persons shall have a majority of the whole number of votes given by such State, on any one balloting, then the word "divided" shall be written on each duplicate.

After the delegation from each State shall have ascertained the vote of their State, the Clerk shall name the States in the order they are usually named for receiving petitions; and as the name of each is called the Sergeant-at-Arms shall present to the delegation of each two ballot boxes, in each of which shall be deposited, by some Representative of the State, one of the duplicates made as aforesaid of the vote of said State, in the presence and subject to the examination of all the Members from said State then present; and where there is more than one Representative from a State, the duplicates shall not both be deposited by the same person.

When the votes of the States are thus all taken in, the Sergeant-at-Arms shall carry one of said ballot boxes to one table and the other to a separate and distinct table.

One person from each State represented in the balloting shall be appointed by the Representatives to tell off said ballots; but, in case the Representatives fail to appoint a teller, the Speaker shall appoint.

The said tellers shall divide themselves into two sets, as nearly equal in number as can be, and one of the said sets of tellers shall proceed to count the votes in one of said boxes, and the other set the votes in the other box.

When the votes are counted by the different sets of tellers, the result shall be reported to the House; and if the reports agree, the same shall be accepted as the true votes of the States; but if the reports disagree, the States shall proceed, in the same manner as before, to a new ballot.

6. All questions arising after the balloting commences, requiring the decision of the House, which shall be decided by the House, voting per capita, to be incidental to the power of choosing a President, shall be decided by States without debate; and in case of an equal division of the votes of States, the question shall be lost.

7. When either of the persons from whom the choice is to be made shall have received a majority of all the States, the Speaker shall declare the same, and that that person is elected President of the United States.

8. The result shall be immediately communicated to the Senate by message, and a committee of three persons shall be appointed to inform the President of the United States and the President-elect of said election.

APPENDIX III.—AMENDMENT XII.—PRESIDENTIAL ELECTORS

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate:—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted:—the person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

APPENDIX IV.—ARTICLE II.—THE PRESIDENT

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

[The<sup>1</sup> Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of

the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice President.]

The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

APPENDIX V.—AMENDMENT XX.—LAME DUCK AMENDMENT

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Sec. 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Sec. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Sec. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Sec. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Sec. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

APPENDIX VI(a).—HOUSE OF REPRESENTATIVES VOTE FOR PRESIDENT, FIRST 35 BALLOTS, FEB. 11–17, 1801

States	Jefferson	Burr	State voted for
New Hampshire	4	1	Burr. Divided—blank.
Vermont	1	1	Burr.
Massachusetts	3	11	Burr.
Rhode Island	2	2	Do.
Connecticut	6	4	Jefferson.
New York	3	2	Do.
New Jersey	9	4	Do.
Pennsylvania	1	1	Burr.
Delaware	4	4	Divided—blank.
Maryland	16	3	Jefferson.
Virginia	9	1	Do.
North Carolina	5	5	Burr.
South Carolina	1	1	Jefferson.
Georgia	2	2	Do.
Kentucky	1	1	Do.
Tennessee	55	49	
Total			

Source: Stanwood, Edward, A history of the presidency.—p. 72.

APPENDIX VI(b).—HOUSE OF REPRESENTATIVES VOTE FOR PRESIDENT, FEB. 9, 1825

States	Adams	Jack-son	Crawford	Vote for—
Maine	7			Adams.
New Hampshire	6			Do.
Vermont	5			Do.
Massachusetts	12	1		Do.
Rhode Island	2			Do.
Connecticut	6			Do.
New York	18	2	14	Do.
New Jersey	1	5		Jack-son.
Pennsylvania	1	25		Do.
Delaware			1	Crawford.
Maryland	5	3	1	Adams.
Virginia	1	1	19	Crawford.
North Carolina	1	2	10	Do.
South Carolina		9		Jack-son.
Georgia		3	7	Crawford.
Alabama		3		Do.
Mississippi		1		Do.
Louisiana	2	1		Adams.
Kentucky	8	4		Do.
Tennessee		9		Jack-son.
Missouri	1			Adams.
Ohio	10	2	2	Do.
Indiana		3		Jack-son.
Illinois	1			Adams.
Total	87	71	54	

Source: Stanwood, Edward, A history of the presidency.—p. 141.

PROPOSED RULES FOR ELECTION OF THE PRESIDENT IN THE HOUSE OF REPRESENTATIVES (1981)

1. In the event that no person receives a majority (270) of the electoral votes cast for President of the United States, that information shall be entered in the Journals of this House.

2. The roll of the House shall then be called by states in alphabetical order and on it appearing that a member or members from two-thirds (34) of the states are present, the House shall immediately proceed to choose a President from the persons having the highest numbers, not exceeding three, on the list of those voted for as President; and in case neither of those persons shall receive the votes of a majority of all the states on the first ballot, the House shall continue to ballot for a President without interruption by other business, until a President is chosen.

3. The doors of the House shall be open during the balloting with the press and public being admitted to the galleries in the normal fashion.

4. From the commencement of the balloting until an election is made, no proposition to adjourn shall be received unless on the motion of one state, seconded by another state, and the question shall be decided by states. The same rule shall be observed in regard to any motion to change the usual hour for the meeting of the House. A majority of those states voting shall prevail.

5. In balloting, the following mode shall be observed, to wit:

a. The representatives of each state shall be arranged and seated together, beginning

<sup>1</sup>Bracketed paragraph was superseded by Amendment 22.

with the seats on the right hand of the Speaker, with the states arranged in alphabetical order around the Hall of the House, until all are seated.

b. Voting within state caucuses shall be by written secret ballot and a ballot box shall be provided for each state. The representatives of each state may, if necessary, appoint tellers of their ballots and in those states with representatives of more than one political party, there shall be a teller appointed from each party.

c. The candidate receiving a plurality of the vote in each state caucus shall be awarded that state's vote. Blank ballots shall be disregarded and not counted in any way in determining which candidate has received a plurality.

d. In the event that two or more candidates finish in a tie for first place in the votes cast within a state caucus, that state's vote shall be deemed to be "divided" and not cast for any candidate.

e. At the conclusion of the individual state caucuses, the Clerk shall call the roll of the states in alphabetical order and the senior members from each state shall respond by voice as to how the state's vote is cast.

6. All questions arising after the balloting commences, requiring a decision of the House, incidental to the power of choosing the President, shall be decided by states without debate; and in case of an equal division of the votes of states, the question shall be lost.

7. When one of the persons from whom the choice is to be made shall have received a majority of all the states, the Speaker shall declare the same, and that that person is elected President of the United States.

8. The result shall be immediately communicated to the Senate by message and a committee of three persons shall be appointed to inform the President of the United States and the President-Elect of said election.

Option A: 5(c). The candidate receiving a majority of the vote in each state caucus shall be awarded that state's vote. Blank ballots shall be disregarded and not counted in any way in determining which candidate has received a majority.

5(f). In the event that no candidate receives a majority of the states on the first ballot, the number of candidates shall be reduced to two for all succeeding ballots, with the candidate who finishes third on the first ballot being dropped from consideration.

Option B: 5(e). At the conclusion of the individual state caucuses, the Clerk shall call the roll of the states in alphabetical order and the Sergeant at Arms shall present to each state a general ballot box. Each state shall deposit in the ballot box a written ballot containing the name of the candidate receiving the vote of that state, or if the state be divided, the word "divided." The ballot shall be signed with the name of the state. The Clerk of the House shall open the ballot box and read off the name of each state and the result of its vote.

IN RECOGNITION OF BARBARA  
JANIGA

HON. MARGE ROUKEMA

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mrs. ROUKEMA. Mr. Speaker, I would like to take this opportunity today to pay special tribute to one of northern New Jersey's most

distinguished educators. Ms. Barbara Janiga, an outstanding fourth, fifth, and sixth grade teacher in Franklin Lakes, NJ, will soon retire.

Our community has benefited greatly from Ms. Janiga's extensive 22-year career, which has been distinguished by an extraordinary record of service. Her achievements illustrate her dedication to the growth and well-being of our children.

Barbara Janiga prepared for her career by pursuing and attaining her bachelor of arts degree at William Paterson College in Wayne, NJ. She continued at William Paterson earning her master of arts. In order to add specialized preparation, she then attended Newark State Teachers College.

Over the last 22 years, Ms. Janiga has shared her dedication to excellence with the children of the Franklin Lakes school system and the surrounding community. She has been an inspiration to her colleagues, as evidenced by the honors for service she received during the 1987-88 school year when she was recognized as, "The Teacher of the Year."

Mr. Speaker, educators hold the key to the future of our Nation. They unlock the potential in each and every child. They nurture the curiosity of future scientists; they encourage the compassion of future doctors; and they launch future astronauts on their way toward excellence. And, hopefully, they inspire others to follow their inspiring examples as future teachers of America.

As a former educator myself, I know from first hand experience that it takes a great deal of dedication and diligence to achieve the type of excellence Barbara Janiga has typified throughout her career. It is for that reason that I urge my colleagues to join me in saluting this outstanding individual and wishing her well as she moves into retirement.

HONORING NICHOLAS J. SCALI ON  
HIS RETIREMENT

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. GILMAN. Mr. Speaker, I am pleased to rise today to honor a distinguished gentleman, Nicholas J. Scali, president and chief executive officer of the Middletown Savings Bank in Middletown, NY of 40 years, on his retirement.

Mr. Scali's education began in my hometown of Middletown, NY where he graduated with honors from Middletown High School. He later attended the Orange County Community College where he received the American Institute of Banking certificate, and subsequently graduated from Brown University with a B.A. degree in banking.

Mr. Scali's military career spans from World War Two to the Korean conflict in the Navy. Serving with the U.S. Naval Medical Corps as a dental technician, grade 3, Mr. Scali distinguished himself in a combat hospital in World War Two, and in a dental clinic during the Korean conflict. His awards include the National Defense Medal, and World War Two and Korean conflict Campaign Medals.

Mr. Scali has been active in both community service and politics, during his 40-year career

at the Middletown Savings Bank. He is a member of American Post 151, the Excelsior Hook and Ladder Co. No. 1, and has served on the Salvation Army board. Also, Mr. Scali was a member and past director of the Middletown and town of Walkkill Historical Society, and was elected to the Horton Memorial Hospital Commission Board. He was also appointed by Governor Rockefeller to serve on the original Stewart Airport Commission. He has also been an active politician as an Orange County committeeman.

Nicholas Scali's retirement from the Middletown Savings Bank marks the end of a distinguished career as the president and chief executive officer of the Middletown Savings Bank.

RIOT REINSURANCE ACT OF 1992

HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. CAMPBELL of California. Mr. Speaker, I would like to offer legislation to provide riot reinsurance for companies and individuals in inner cities. Economic development cannot occur without adequate insurance coverage. Currently, insurance analysts predict a hard market in the coming year, which means that reinsurers will have to cut back coverage in certain markets—including urban areas. This legislation will stabilize reinsurance coverage for these areas. To avoid the chilling effects of restrained access to insurance, my bill would allow private insurers to obtain reinsurance from the Federal Government at market rates.

Reinsurance is obtained by insurance companies to spread risk, much like the syndication of bank loans to reduce exposure on a single loan. In exchange for a portion of the premiums on insurance, the Federal Government assumes an equivalent portion of the risk. If the private insurer makes a profit, the Government would share in those profits.

Riot reinsurance existed from 1968 to 1984. During this time, the Riot Reinsurance Program paid for itself. In fact, the Riot Reinsurance Program resulted in a net gain for the Treasury.

Investment and job creation will be seriously stunted if access to insurance is hampered. After recent events in Los Angeles and other urban areas, there has been much focus on enterprise zone legislation and economic development of depressed urban areas. Insurance is a vital precondition for development. Given the risks of doing business in urban areas, job-creating entrepreneurs require adequate insurance to protect against these risks.

UKRAINIAN FESTIVAL USA

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. PALLONE. Mr. Speaker, on Saturday, June 20, I had the distinct privilege of taking part in Ukrainian Festival USA at the Garden State Arts Center in Holmdel, NJ.

This year's festival was an especially important and poignant event, as Ukrainians this year celebrate their new found freedom after so many years of domination by Communist and Czarist rule. Today's Ukrainians are the descendants of a proud and ancient people. The first major Eastern Slavic culture arose in the area of Kiev, Ukraine's capital, under the leadership of Vladimir the Great, who brought Christianity to Ukrainian soil in the year 988. Yet this great people for centuries lived under the shadow of domination from the Czarist Russian empire and, for most of this century, from the Russian dominated Soviet empire. Indeed, particularly during the years of Soviet rule, there was a tendency on the part of many Americans and people of other nations not to recognize Ukraine as a unique nation separate from Russia.

To this day, while we have built new bridges between Americans and Russians, we have been somewhat remiss in opening doors to Ukraine and her people. While praising and encouraging the reform efforts of Russian President Boris Yeltsin, we must also recognize that the great Ukraine nation, with its 52 million people, is one of the largest nations in Europe and one of the most important emerging nations of today's world. I hope America will step up its efforts to inaugurate more bilateral agreements, within both the public and private sectors, with the new—and yet very old—nation of Ukraine.

Saturday's festival occurred shortly after the sixth anniversary of the nuclear disaster at Chernobyl. We are still learning, to our great shock and dismay, the true scope of this nightmare that caused so much sickness and death among Ukraine's people and devastated so much of her rich land. In the years following the disaster, the Soviet central government was an impediment in treating the people of Ukraine and assisting them in coping with the insidious effects of radiation poisoning. The collapse of Soviet power offers the hope that this situation will improve, but the people of Ukraine need our help.

As the years pass, the tragedy of what happened at Chernobyl has not lessened. The 7.6 tons of over 200 different radioactive substances released into the atmosphere over Ukraine and neighboring nations are still causing sickness and misery. I am especially concerned about the state of the millions of children who suffered and continue to suffer from the effects of radiation and who will probably suffer most of their lives from the long-term effects of radiation. Furthermore, increasing evidence is coming to light about the extensive cover-up on the part of Soviet leaders, going right to the top. People were not informed about the dangers surrounding them, and many were denied the treatment they needed.

I introduced a resolution in this House, co-sponsored by 26 of my colleagues, on April 26, 1991, the fifth anniversary of the Chernobyl disaster, urging the Soviet Government to take steps to evacuate people still living in affected areas, decontaminate the Kiev reservoir, cease the planning, construction and operation of other nuclear facilities in Ukraine, and ask for international supervision of existing facilities. Since the time the resolution was introduced, the Soviet Government has, of course, ceased to exist. In an effort to build

cooperation between the United States and Ukraine, I believe our country should provide technical and medical expertise to assist the people who continue to suffer, while working with all of the newly independent States of the former U.S.S.R. to make sure that a disaster on the order of Chernobyl never happens again.

Finally, I would like to pay tribute to Oksana Korduba of Rutherford, NJ, who did an excellent job in chairing this year's festival. The Ukrainian-American community of New Jersey has always been there, leading the fight for a free Ukraine. Saturday's event was an opportunity for all Ukrainians, and everyone else who supports freedom and human rights, to celebrate this great victory over tyranny, as well as a chance to commemorate those who sacrificed to much to make that victory possible.

TRIBUTE TO ROBERT AND MARCELLA CLEARY ON THEIR GOLDEN ANNIVERSARY

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. CUNNINGHAM. Mr. Speaker, I wish to pay tribute today to Robert and Marcella Cleary of Rancho Santa Fe, CA, who will celebrate their 50th anniversary Thursday, June 25, 1992.

For better or for worse, in sickness and in health, through good times and bad, Bob and Mar Cleary have stayed together. They have served their country, run a family business, raised a fine family of six children, all grown, and shown remarkable concern for and involvement in their community.

Born in Cleveland, OH, Bob Cleary joined the Army and served as a tank commander in the 107th Armored Cavalry, 89th Infantry Division, in the European Theater during the Second World War, retiring with the rank of colonel. For bravery in battle, he was awarded the Silver Star, the Bronze Star with Valor and Oak Leaf Clusters, plus the Purple Heart. He was personally presented with France's Croix de Guerre by General LeClerk, and distinguished by the U.S. Holocaust Memorial Council in 1989 as one of the first American officers to liberate a Nazi concentration camp.

After leaving the Army, Bob Cleary established his own gentlemen's clothing stores in Cleveland, the Brinkman Cleary Shops and later became president of B.R. Baker.

In 1971, the Clearys moved to La Jolla, CA and the following year to Rancho Santa Fe. Bob Cleary retired from the Rancho La Costa Hotel & Spa Resort in 1990 as retail manager, after nearly 20 years.

Bob and Mar Cleary are active members of the Rancho Santa Fe community. Bob sits on Rancho Santa Fe's Library Guild board of directors, the Tennis Club board of directors, and the local historical society. Mar has been a devoted wife, mother, and grandmother. She is also a member of the Assistance League, the Army/Air Force Wives Club and the Rancho Santa Fe Garden Club.

Their golden anniversary will be celebrated with their six children, four grandchildren, and

several close friends. Before Monsignor Dennis Clark of Nativity Catholic Church in Rancho Santa Fe they will renew their wedding vows.

The Bible teaches us that there are only three things that last: "faith, hope, and love, and the greatest of these is love." Robert and Marcella Cleary have been blessed with all three and, in turn, their love for one another has blessed us all.

May God bless them and their wonderful family as they celebrate 50 years of matrimony, and may they enjoy many more.

IN HONOR OF MR. KENNETH DALE WARREN, MASON CITY, IA

HON. JIM NUSSLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. NUSSLE. Mr. Speaker, I would like to take this opportunity, on behalf of myself and Mr. GRANDY of Iowa, to offer our sincerest congratulations to Mr. Kenneth Dale Warren on his tremendous accomplishment of overcoming illiteracy. Mr. Warren, a 70-year-old resident of Mason City, IA, mastered the alphabet, and was honored as a new reader at the National Adult Literacy Graduation Day in Washington, DC, on Thursday, June 18.

Many people believe that additional incentives are needed for teachers to spend more time with their students, and while this may help reduce the level of illiteracy in our country, teachers alone cannot solve the problem. A commitment to learning must also be made by students, parents, and communities alike.

I am proud to say that Iowa consistently scores in the top percentages of nationally recognized achievement tests; however, we must still face the reality that not all Iowans are literate. In response, the Iowa Department of Education has developed an extensive literacy program with the 15 community colleges across the State. Through these programs, nearly 13,000 students were taught to read by 11,000 volunteer tutors.

National Adult Literacy Graduation Day was sponsored in part by Coors "Literacy. Pass It On.", a 5-year, \$40 million program to fight illiteracy. Their goal is to reach 500,000 adults by the end of 1994, and to date 201,000 adults have learned to read because the funds are geared toward national, regional, and local literacy services.

Programs such as these, coupled with the strength of volunteer efforts, will, as the mission of The Barbara Bush Foundation for Family Literacy states, " \* \* \* help mobilize the creativity, resources, and will of a country as great as America and make it possible for us to take control of our literacy crisis and build a nation of readers by building families of readers."

Mr. Speaker, I ask that Members of this House join us in congratulating Kenneth Warren for his scholastic performance, an achievement which reflects tremendous personal commitment and invaluable community involvement.

Congratulations, Mr. Warren.

TRIBUTE TO BRENDA PAYTON  
HILL

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. BLACKWELL. Mr. Speaker, I rise today to inform my colleagues of the passing of one of the most beloved and respected members of the Philadelphia community, Brenda Payton Hill, who died Sunday, June 14. I am not here to mourn her death, but to celebrate her long life and legendary accomplishments.

Mr. Speaker, Brenda Payton Hill helped to bring fame to our city in the 1960's with her singing group, Brenda and the Tabulations. She sang songs about love and commitment, and her music touched all of us with its sincerity and its passion. I fondly remember some of her most beautiful love songs, "The Touch of You," "Right on the Tip of My Tongue," and "When You're Gone." Over the years, she sang with celebrated musicians, such as Melba Moore, Stevie Wonder, and Patti Labelle. Mrs. Hill was fortunate enough to have been supported not only by her parents, Robert and Dorothy Payton, but also by her step-mother, Ethel Mae Payton. She was a loving wife to James Hill, and a devoted mother to her 7 children and grandmother to her 11 grandchildren.

Mr. Speaker, Brenda Payton Hill will be sorely missed by all those who loved her. Though she has left us in body, the spirit of her music will remain forever in the hearts of those of us who admired and adored her songs. Mr. Speaker, I ask my colleagues to join me in honoring the memory of this gifted singer, faithful wife, mother, and grandmother, Brenda Payton Hill.

HONORING KATE FITE

HON. RICHARD K. ARMEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. ARMEY. Mr. Speaker, I would invite the distinguished Members of this body to join me in honoring a special individual who exemplifies the best of the education system of my district and this country. Mrs. Kate Fite was recently chosen as the "1992 Teacher of the Year" for the Lewisville Independent School District. This award, given by her peers, comes as a small token to Mrs. Fite for the 18 years of dedicated service she has provided for the Texas education system.

Mrs. Fite holds a bachelor's degree from Baylor University, and in addition has served on both the National and Texas Council of Teachers of English and the superintendent's advisory committee.

Mrs. Fite attributes her success in the classroom to her personal philosophy, in which she attempts to make her classroom a refuge for her students. She has said, "I want my students to always know that they can come in the classroom and find respect." She is not only held in high esteem by her students, but also by her peers. Principal Brant Buck has

said, "In her department and with her students, they admire and respect her."

To sum up this lady's impact on the future leaders of this country I will share with you a local newspaper's quote from Mrs. Fite: "In the years I have been teaching in Lewisville, I really feel that I have the joy of doing what I was born to do." Those words, Mr. Speaker, are what education is all about. Mr. Speaker, I would ask my fellow colleagues to join me in honoring Mrs. Kate Fite as a leader in her profession and a positive force in this country.

TRIBUTE TO HARLINGEN, TX

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. ORTIZ. Mr. Speaker, I rise today to express my pride in a true "All American City," Harlingen, TX. This month, Harlingen was selected as one of 10 cities honored by the National Civic League and the Allstate Foundation, for innovation in improving their quality of life.

As a designee of the All America City Award, many communities experience enhanced regional and national image, often resulting in new job opportunities through new economic development and industrial recruitment. Harlingen is a city that represents all that is good in America. The community has a justified sense of pride, and it is ever vigilant in recognition of citizen cooperation at every level.

This south Texas city was selected for their successful efforts to create jobs, prevent high school dropouts, reduce litter, and feed the hungry. Today, Harlingen's dropout rate is down by 17 percent, while employment is up by 16 percent—making Harlingen the ideal community to teach other cities how to improve their conditions in the current fiscal climate. According to Mayor Bill Card, the city is 74 percent cleaner. The city is administering to the nutritional needs of the city's homeless and low-income populations at a downtown soup kitchen, which is staffed and funded by the local churches.

If there were ever an example of public and private interests working to improve the quality of life for its residents, Harlingen is that example. I am proud of Harlingen. Harlingen can be justifiably proud of their democratic values and broadly based, participatory approach to solving problems.

I offer my personal congratulations to the city of Harlingen, the Harlingen Chamber of Commerce, the Harlingen Independent School District, "Harlingen Proud," and other area associations and religious organizations. I also offer my congratulations to the motivating force behind this award, the citizens of Harlingen who have devoted their time and their energy to improving the quality of life in Harlingen.

The future of our Nations' cities can be found in the example of Harlingen, TX. Community values is not a trivial phrase in Harlingen; rather, it is the foundation upon which this community has entrusted its future.

BILL WOMACK IS NAMED FATHER  
OF THE YEAR BY DIABETES  
FORECAST

HON. GREG LAUGHLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. LAUGHLIN. Mr. Speaker, it gives me great pleasure to rise today and call your attention to a very close and personal friend. Bill Womack is being honored as father of the year by Diabetes Forecast, the national publication of the American Diabetes Foundation.

Bill is from my hometown of West Columbia and I have known him all his life. Our families have maintained a long and intimate relationship over the years; his father was my daughter's godfather. Bill is truly deserving of this honor and I know he is equally as proud of the fact that his 6-year-old son, Randy, wrote the letter nominating his father for father of the year.

Randy has had diabetes for half his lifetime—since the age of 3. And as many of you know, and as many Americans know, there is nothing quite as frightening, as a parent, to have your child diagnosed with a disease. Yet Bill and Randy have persevered together. In fact, the entire family, Crystal, Liz, and Laura-Sue are to be commended for pulling together. I am sure they are all thrilled Bill has been named father of the year.

Bill takes Randy's blood test and gives him his shots every day at 8 in the morning and again at 6 in the evening, without fail. Bill and Randy have a close relationship and spend a great deal of time together on their ranch in southeast Texas. Bill has even been known to camp out at a party with Randy so that Randy could attend and not miss his blood tests and shots.

Randy said in his nominating letter that he and his daddy are partners. Well, Randy, you're right; you and your dad are partners, and will undoubtedly share a lot of happy times in years to come. Bill and Randy, congratulations to both of you on receiving this great honor. Bill, as the American Diabetes Foundation's Diabetes Forecast 1992 Father of the Year—Happy Father's Day.

CHALLENGE ADMINISTRATION DENIAL OF INDEPENDENT INVESTIGATION OF HAITIAN ASYLUM PROCESSING FACILITIES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. HOYER. Mr. Speaker, I rise today to address a troubling issue that has come to the attention of the Helsinki Commission which I presently chair. All human rights monitoring organizations rely to some degree upon information gathered during onsite investigations. Such investigations, whether by Amnesty International, Human Rights Watch, lawyers' groups, or others, not only bring attention to abuses but also gauge governmental attitudes on human rights issues. Because investigators

require the permission and cooperation of host authorities, governments demonstrate their good faith in addressing possible abuses by entering into cooperative relations with investigating delegations.

The Helsinki Commission has in the past been called upon to assist groups in accessing prisons, police stations, refugee camps, and other official premises. CSCE delegations have themselves undertaken such investigations in Turkey, Eastern Europe, and Republics of the former Soviet Union. Today, however, for the first time I have the unfortunate distinction of calling upon my own Government to reverse its decision to deny permission for an important investigation.

Amnesty International has been denied permission to investigate the asylum processing facilities for Haitian refugees in Guantanamo, Cuba. Official responses to their request to "monitor government asylum procedures in light of international refugee standards" remind me of evasive doublespeak the Commission routinely heard from Communist authorities. The State Department deferred judgment to the Department of Defense, yet added that logistical problems made the visit unwise. The Department of Justice, citing ongoing litigation concerning the Haitians, declined to comment on the proposed visit. The Department of Defense never replied to the request.

Mr. Speaker, this type of behavior can be expected of China, Iraq, Cuba, Syria, North Korea, and other countries well known for the oppression of their own citizenry. When such denials occur, my colleagues on both sides of the aisle join in condemnation of the regimes attempting to conceal their unsavory practices. In this particular instance involving our own Government condemnation should be even louder, for how could we expect other governments to allow investigation of their human rights practices if our officials are allowed to deny such access without being challenged?

Mr. Speaker, I urge my colleagues to express their displeasure with the policy of this administration to deny human rights researchers access to the asylum processing facilities in Guantanamo Bay. Regardless of how Members feel about the asylum process itself or the administration's policies regarding Haiti, this troubling aspect of the situation could lead to international embarrassment and justification of similar practices by other governments.

#### TRIBUTE TO SISTER HELEN DOWD

### HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mrs. KENNELLY. Mr. Speaker, I rise today to honor Sister Helen Dowd, an outstanding educator who has dedicated herself to helping young people and their families. In 1971, she founded a school in West Hartford, CT, called the Intensive Education Center. Since that time she has worked to ensure that every child who has been a student at the school has grown as a result of the experience. Her concern and devotion to these children has been an inspiration to all those who know her.

The Intensive Education Center is a non-profit and nonsectarian school that is dedi-

cated to providing a supportive environment for children. Shortly after the school opened in 1971, a West Hartford reporter described it as "the School of Love," a truly accurate description. One of the school's main objectives is to adapt the curriculum to fit the individual needs of the child. The I.E.C. focuses on helping children who have not met success in the regular classroom. Some of the students have been diagnosed as learning disabled, mentally retarded, or emotionally disturbed while others have a low self-image and perform better in a closely structured, child-oriented and disciplined environment.

Sister Helen Dowd has spent endless time and energy ensuring that these children with various learning disabilities realize their full potential in life. The children are given the opportunity to develop their individual talents. The majority of the school's students have gone on to high school or vocational programs and some have been able to go on to college. By believing in the abilities of the students, the school has enabled them to contribute to our society. Sister Helen Dowd has not only made a difference in the lives of many children over the years but has also contributed significantly to the community as a whole.

Mr. Speaker, I ask you and my colleagues to join me in saluting the work of Sister Helen Dowd.

#### INTRODUCTION OF LEGISLATION REGARDING NURSING HOME RE- FORM

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. HALL of Texas. Mr. Speaker, today I am introducing legislation designed to resolve some of the shortcomings, failures, and duplications of the nursing home reform provisions of OBRA '87. In spite of the fact that Congress passed these reforms more than 5 years ago, the benefits of our efforts are yet to be fully realized by the more than 1 million residents of our Nation's long-term care delivery system.

In 1987 Congress enacted sweeping reforms regarding how care was provided to our Nation's elderly who were residents of nursing facilities. Our mandate at that time was clear: Ensure that the quality of life, as well as the quality of health care services, was improved and that those providing this care could be held accountable if it was not. Congress worked for several months in crafting these reforms. They were endorsed by consumers and long-term care providers alike. In 1990, Congress returned to this issue to make technical corrections to the law based upon the experiences of the provider community as they worked to implement its provisions. But yet here it is, 1992, and those we have charged with implementing these changes have not yet received final regulations on how to comply with the law.

Mr. Speaker, I know that we in this, as well as the other body, have spent many long hours on this issue. Many of us are anxious to move onto new challenges. But before we move on, we must be mindful of our respon-

sibilities and commitments to the beneficiaries of those reforms. These reforms were exhaustive and very complex. The legislation I am introducing today revisits six issues that have emerged as a result to the provider community's efforts to implement the nursing home reform provisions of OBRA '87.

Included in my proposal are provisions that would facilitate the training of primary care givers in nursing facilities—nurses' aides. Current statute makes it very difficult for nursing facilities to offer onsite training programs. Another provision clarifies the responsibilities for funding these training programs of the Medicare and Medicaid Program. I also propose to replace the duplicative and costly mandatory readmission screening and annual resident review [PASARR] requirement with the more comprehensive resident review assessment mechanism already in place. PASARR is designed to identify those individuals who are either mentally ill or mentally retarded and who do not require nursing facility services. This is clearly a laudable goal; however, it has been fulfilled through the PASARR screenings already conducted. In its place I propose to utilize the mandatory, annual resident assessment mechanism, which is performed upon admission, and every time there is a significant change in a resident's condition.

The legislation also provides for the elimination of yet another duplicative requirement: The annual review of the use of psychopharmacologic drugs. This is another instance of a credible and valuable requirement being duplicated. Instead of an annual review, I am proposing to substitute the mandatory, monthly drug review of all residents of nursing facilities. By doing so, the use of these pharmaceuticals can be monitored much more closely. The other provisions of my proposal are technical in nature and clarify existing statutory requirements with the goal of fully implementing the original intent of this law which is to improve the quality of life and care of our Nation's ill and infirm who reside in nursing facilities.

It is my sincere hope that my colleagues will join me in supporting this important measure.

#### TRIBUTE TO JOSEPH A. SALATA JR., MAJOR, USAF

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. TRAFICANT. Mr. Speaker, today I rise to pay tribute to a man from my 17th Congressional District, one of the select members of the U.S. Air Force who pilots the F-117A Stealth fighter.

Mr. Speaker, Maj. Joseph A. Salata, Jr., took part in the first waves of air attack during the Gulf War in January 1991. In all, he flew 21 combat missions during the air and ground attack. For his brave service to his country and its mission in the Gulf, Joe Salata received the Distinguished Flying Cross, the Air Force Commendation Medal, the National Defense Service Medal, and the Kuwait Liberation Medal.

Mr. Speaker, in 1975, Joe graduated from my alma mater, Cardinal Mooney High School,

and matriculated to the University of Notre Dame. Upon graduation from Notre Dame in 1979 with a degree in civil engineering, he immediately began active duty with the Air Force. Joe served as a navigator on the F-111 fighter plane and as an aircraft commander and instructor pilot on the F-4 fighter plane before being selected to pilot the F-117A Stealth fighter. Only 59 officers were chosen for this highly classified assignment. Following his missions, Joe briefed Secretary of Defense Dick Cheney and Chairman of the Joint Chiefs of Staff Colin Powell.

It gives me great pride in honoring Joe here today. I know that there were many tense moments for his family and friends back home in Youngstown in those first days of the air war. I know that Joe was concerned about his family, too, as his wife was expecting their youngest child when the war started. Little Joe Junior was born 2 days after the war began. Today, though, I am sure I join him, his wife, the former Martha Kelly, and their children Jacquelyn, Teddy, and Joseph and the rest of his family in honoring him as a pilot, patriot, and father. I know we are all very proud of him.

A TRIBUTE TO ROBERT E.  
OLIPHANT

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. SKELTON. Mr. Speaker, Robert E. Oliphant, president of the Bank of Odessa, is being honored this evening by citizens of that city. He has been an outstanding community leader and a thoughtful friend to so many through the years. I know the members join me in congratulating Bob Oliphant on the occasion of his 70th birthday and his leadership in Odessa for the past 44 years.

Robert E. Oliphant was born 70 years ago today, June 22, in Cainsville, a small community, in north Missouri. Raised in Princeton, MO, he is a 1941 graduate of Princeton High School and was privileged to attend his 50th year reunion last summer.

He attended Chillicothe Business College for a year before entering the Army where he was accepted into the Army Special Training Program, a college-type program at Oklahoma State University, Stillwater. Because of the escalating war the program closed after 6 months and Bob went into basic training with the Infantry in the spring of 1944.

After basic training he was sent to Europe where he served with the 103rd Infantry Division under Maj. Gen. Charles C. Hoffner, Jr., which was part of the Seventh Army, commanded by Gen. Alexander Patch. He suffered severe wounds to his shoulder and arm at the Battle of the Bulge late in 1944, was hospitalized in Europe, returned to Howard General Hospital in New York before being sent to a hospital in Springfield where he was a patient for more than a year.

He returned to Kansas City and in the spring of 1946 began employment for Clarence H. Goppert at the People Bank at 85th and Prospect in Kansas City.

In September 1948, he was named executive vice president of the Bank of Odessa, which Goppert had purchased. He was named president of the bank in the early 1960's and has been chairman of the board for the past 25 years. He also serves as an officer with the LaMonte Bank and has been an officer with the Commercial Bank of Oak Grove.

During Oliphant's years in Odessa, the bank has not only grown in assets, but is the largest independently owned bank in Lafayette County and the largest bank in any town under 10,000 in the State.

His banking career is legendary but his philanthropic efforts and contributions have been untold. The Bank of Odessa, under Bob's leadership, was instrumental in assisting with the purchase of what is now Dyer Park. Area churches, the Community Center at Dyer Park, numerous school, community and civic organizations owe a debt of gratitude to Bob Oliphant, who through the Bank of Odessa, has provided not only leadership in a lending institution but has given back a portion of the profit to the community and the area.

Congratulations to Bob Oliphant on his recognition as a patriotic American, generous benefactor, and warm friend.

DETER PROLIFERATION BY EX-SOVIETS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. SCHUMER. Mr. Speaker, today I am introducing legislation with my colleague from Ohio, Mr. KASICH, to ensure that United States aid to the former Soviet Union helps deter proliferation of weapons of mass destruction.

Many of us were outraged when we learned last month that Russia was selling ballistic-missile technology to India, at the very time Congress is putting together a massive aid package for the former Soviet states.

I support the aid package, in principle, as a means of furthering democratization and economic reform in the former East bloc. However, if we are going to provide such aid, the United States has a right to expect the aid recipients to abide by international norms for controlling the spread of weapons of mass destruction.

The House aid package, as reported, is dangerously silent on this question. The Senate version would withhold the entire aid package if the Russia-India deal goes through, but ignores the danger of other future technology transfers.

To address this concern in a comprehensive manner, our bill would remove all financial incentive for Russia, or any other former Soviet state, to conclude the India deal or any other sale that abets proliferation. The bill would do so by reducing aid to each former Soviet state by the exact dollar amount of any export contract from that state that violates the international export-control regime for missiles, chemical, or nuclear weapons.

Here's how it would work: If Ukraine's Government exported—or permitted the export by a private firm—of \$20 million worth of equip-

ment to Iran prohibited under the Missile Technology Control Regime, United States aid to Ukraine would automatically be reduced by the same \$20 million. By thus removing all net profit, the bill would eliminate the lure of hard currency that now serves as strong incentive for the former Soviet states to engage in such irresponsible trade.

I plan to offer the bill as an amendment to the Soviet aid package when it comes to the floor, but I urge my colleagues to act now to show their support by joining me as a cosponsor of this important legislation.

HONORING THE EDENWALD-GUN  
HILL NEIGHBORHOOD CENTER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. ENGEL. Mr. Speaker, I wish today to recognize the 17th anniversary of a vital and effective organization in the Bronx, the Edenwald-Gun Hill Neighborhood Center.

Through community-based programs, EGNC works each day to improve and enhance the quality of life for the people living in Edenwald houses. Each of the more than 7,000 residents of the neighborhood have been touched in some way by EGNC, especially the children and teenagers. Since its founding in 1975, EGNC has specialized in family programs such as after-school homework assistance and child care programs, a teen pregnancy prevention program, and a domestic violence counseling program.

While some people like to talk about family values, it is organizations such as the Edenwald-Gun Hill Neighborhood Center that actually strengthen and educate the families in our community. The programs at EGNC stand as a model for other urban neighborhoods that want to serve the true needs of their residents. For all their accomplishments, executive director Jessie Williams-Collins and the EGNC staff and board of directors deserve our thanks and congratulations.

TRIBUTE TO DON WHITE

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Mr. DARDEN. Mr. Speaker, today I would like to recognize Roswell, GA, resident Don White. After 35 years of devoted and exceptional service to the city of Marietta, GA, Mr. White will be retiring from his current position as director of the public works department on June 26. His tireless efforts and contributions to the betterment of the community through his work will long be remembered by the citizens of Marietta.

Mr. White first began working for the city when he was hired as an engineer's aide after graduation from Southern College of Technology in 1956. The Roswell native has headed the public works department since 1966.

Although the public works department has not been greatly expanded, as have other departments within the city over the years, the quality of work produced has been exceptional under Mr. White's administration. The city has been fortunate to have had as its director of public works a man so well respected and talented.

Mr. White also has given freely of his talents and time through his work on the Roswell City Council for 26 years. Despite his decision to retire from his position at the public works department, Mr. White will continue serving on the council, where he has jurisdiction over the parks and recreation department and the fire department, both of which have won outstanding recognition within the State. The Roswell native also serves as mayor pro-tem.

In his retirement, Mr. White plans to spend more time managing a boat storage yard he owns at one of the State's most popular recreation sites—Lake Lanier. Additionally, he and his wife Sally will have more opportunities to visit their two children, Mark White of Florida and Valerie Morelli, who lives right here in our Nation's Capital.

In an age where most individuals' careers are built upon a foundation of numerous, varied job experiences, people like Mr. White are a rare find; thousands of individuals have benefited from his life's career with the city of Marietta's public works department. He leaves behind a legacy of selfless service that hopefully future generations of community leaders will choose to follow.

On behalf of the citizens of Marietta, I wish Mr. White and his family good health and much happiness in the coming years.

#### TRIBUTE TO WAI CHIU MUY

#### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 22, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to call my colleagues' attention to the outstanding success of Wai Chiu Muy, a remarkable example of the American dream.

Wai Chiu Muy was born in China, but his father, Fernando Chang, fled to Cuba in 1949 when Mao Tse Tung took over. In 1961 Mr. Chang left Cuba, again fleeing communism, and settled in Hialeah, FL. Wai Chiu Muy left Canton and rejoined his father in Hialeah, where they started Fashion Imports, a company which produces, imports, and sells Chinese, Japanese, and Thai restaurant products.

One of the latest ventures for Fashion Imports is the manufacture of fortune cookies and it is the only place in Dade County where fortune cookies are made. The business has been built up to an \$8 million-per-year operation.

The Miami Herald published an article about this remarkable success story, which I would like to include in the RECORD:

#### THE COOKIE DYNASTY—FIRM SELLS GOOD FORTUNE TO RESTAURANTS

(By Aminda Marques Gonzalez)

When you crack open a fortune cookie at a local Chinese restaurant, chances are the Eastern philosophy inside actually comes from East Hialeah.

Every week, Fashion Imports makes and sells 600 cases of fortune cookies to 500 South Florida restaurants. That's 240,000 cookies—enough to give one a week to every resident of Hialeah, Coral Gables and Sweetwater.

"That's a lot of cookies," said Wai Chiu Muy, who now runs the \$8 million-per-year business.

The fortune cookie production is just the latest venture for Fashion Imports, which has been producing, importing and selling Chinese, Japanese and Thai restaurant products since 1969 from its 55,000-square-foot factory.

Muy started the business with his father, Fernando Chang, who fled China and moved to Cuba when Mao Tse-tung took power in 1949. In 1961, Chang left Cuba and moved to the United States to get away from communism a second time. His son came from Canton to join his father in Hialeah.

The company used to buy the cookies from New York and Los Angeles. In 1988, Muy bought a \$50,000 machine that cranks out a cookie per second. It is the only place in Dade County where fortune cookies are made.

"I can supply them cheaper to my customers and make them fresher and crispier," he said.

It takes 100 pounds of flour, 80 pounds of sugar and 400 eggs to make one batch of batter. It is drizzled into the machine, which molds them, bakes them, inserts the paper with the fortune message.

The cookies never contain any unpleasant messages.

"We don't want the customers to get indigestion." Said Yong Lee, who owns a plant in Massachusetts where the cookie-making machines are made and writes many of the messages in Muy's fortune cookies. "Everybody wants to be a winner, so we encourage people."

Two of his messages: "You will pass a difficult test that will make you happier," and "A handful of patience is worth more than a bushel of brains."

If you don't like the messages you can customize your own. A bag of 400 cookies is \$13. For \$60 more, you can enclose your own message. They have been used for weddings, conventions and elections.

Muy also inserts numbers for those who want to try their hand in the state lottery. "It's a good idea to have someone who might win the lottery," Muy said.

Kam Chee, owner of Wuchan Restaurant in Oakland Park, said one of her regular customers won \$6,000 last year when he played the Lotto using the numbers in his fortune cookie. Five of the six were right.

"They're good fortune cookies," she said.

Mr. Speaker, I commend Wai Chu Muy for his hard work and perseverance, and I congratulate him on his remarkable success.

#### SENATE COMMITTEE MEETINGS

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

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

Meetings scheduled for Tuesday, June 23, 1992, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

JUNE 24

8:30 a.m.

Joint Economic Investment, Jobs, and Prices Subcommittee

To resume hearings to examine the future of the hospital industry, focusing on hospital mergers and joint ventures. 2359 Rayburn Building

9:00 a.m.

Labor and Human Resources Business meeting, to mark up S. 2060, to revise and authorize funds through fiscal year 1994 for the orphan drug provisions of the Federal Food, Drug, and Cosmetic Act, the Public Health Service Act, and the Orphan Drug Act, S. 2141, to revise the Public Health Service Act to improve the quality of long-term care insurance through the establishment of Federal standards, and S. 25, to protect the reproductive rights of women by providing that a State may not restrict the right of a woman to choose to terminate a pregnancy, and to consider pending nominations. SD-430

9:30 a.m.

Commerce, Science, and Transportation Consumer Subcommittee To hold hearings on S. 2232, to require manufacturers of new automobiles to affix a label containing certain consumer information on each automobile manufactured after a specified year. SR-253

Energy and Natural Resources Business meeting, to consider pending calendar business. SD-366

Select on Indian Affairs To hold hearings on proposed legislation relating to the National Indian Policy Center. SR-485

Select on POW/MIA Affairs To hold hearings to examine the Department of Defense's accounting process for Americans missing in Southeast Asia. SH-216

10:00 a.m.

Appropriations District of Columbia Subcommittee To hold hearings on proposed budget estimates for fiscal year 1993 for the government of the District of Columbia, focusing on the District of Columbia school system, and the District of Columbia court system. SD-192

Labor and Human Resources To hold hearings to examine problems in the health care system, focusing on abuses by health insurers. SD-430

Veterans' Affairs  
 Business meeting, to mark up pending calendar business. SR-418

2:00 p.m.  
 Energy and Natural Resources  
 Public Lands, National Parks and Forests Subcommittee  
 To hold hearings on S. 2851, to provide for the management of Pacific yew on public lands, and on national forest lands reserved or withdrawn from the public domain, to ensure a steady supply of taxol for the treatment of cancer and to ensure the long-term conservation of the Pacific yew. SD-366

Select on Intelligence  
 To hold closed hearings on intelligence matters. SH-219

2:30 p.m.  
 Foreign Relations  
 To hold hearings on the nominations of Robert L. Barry, of New Hampshire, to be Ambassador to the Republic of Indonesia, and David C. Fields, of California, to be Ambassador to the Republic of the Marshall Islands. SD-419

JUNE 25

9:30 a.m.  
 Armed Services  
 Business meeting, to discuss markup of S. 2629, authorizing funds for fiscal year 1993 for military functions of the Department of Defense, and to prescribe military personnel levels for fiscal year 1993, and to consider pending nominations. SR-222

Environment and Public Works  
 Superfund, Ocean and Water Protection Subcommittee  
 To hold hearings to examine issues relating to the Superfund cleanup process. SD-406

Governmental Affairs  
 Business meeting, to consider pending calendar business. SD-342

Select on POW/MIA Affairs  
 To continue hearings to examine the Department of Defense's accounting process for Americans missing in Southeast Asia. SH-216

10:00 a.m.  
 Commerce, Science, and Transportation  
 Merchant Marine Subcommittee  
 To resume hearings on proposed legislation to reform the U.S. maritime industry in order to spur employment and activity in the industry. SR-253

Foreign Relations  
 To resume hearings on the Treaty Between the U.S. and the USSR on the Reduction and Limitation of Strategic Offensive Arms (The Start Treaty), signed in Moscow on July 31, 1991, and Protocol thereto dated May 23, 1992 (Treaty Doc. 102-20). SD-419

Judiciary  
 Business meeting, to consider pending calendar business. SD-226

2:00 p.m.  
 Energy and Natural Resources  
 Public Lands, National Parks and Forests Subcommittee  
 To hold hearings on S. 1879, to authorize the adjustment of the boundaries of the South Dakota portion of the Sioux Ranger District of Custer National Forest, S. 1990, to authorize the transfer of certain facilities and lands in the Wenatchee National Forest, Washington, S. 2392, to establish a right-of-way corridor for electric power transmission lines in the Sunrise Mountain in the State of Nevada, S. 2397, to expand the boundaries of the Yucca House National Monument in Colorado, to authorize the acquisition of certain lands with the boundaries, S. 2606, to further clarify authorities and duties of the Secretary of Agriculture in issuing ski area permits on National Forest System lands, and S. 2749, to grant a right of use and occupancy of certain tract of land in Yosemite National Park to George R. Lange and Lucille F. Lange. SD-366

4:00 p.m.  
 Foreign Relations  
 To hold hearings on the nominations of Allison P. Rosenberg, of Virginia, to be Assistant Administrator for Africa of the Agency for International Development, Kenneth L. Brown, of California, to be Ambassador to the Republic of Ghana, Princeton N. Lyman, of Maryland, to be Ambassador to the Republic of South Africa, Joseph Charles Wilson IV, of California, to be Ambassador to the Gabonese Republic, and to serve concurrently as Ambassador to the Democratic Republic of Sao Tome and Principe, and Joseph Monroe Segars, of Pennsylvania, to be Ambassador to the Republic of Cape Verde. SD-419

JUNE 26

9:30 a.m.  
 Commerce, Science, and Transportation  
 Science, Technology, and Space Subcommittee  
 To hold hearings to examine new technologies for a sustainable world. SR-253

Governmental Affairs  
 Government Information and Regulation Subcommittee  
 To hold hearings to examine preparation for the next census. SD-342

10:00 a.m.  
 Foreign Relations  
 To continue hearings on the Treaty Between the U.S. and the USSR on the Reduction and Limitation of Strategic Offensive Arms (The Start Treaty), signed in Moscow on July 31, 1991, and Protocol thereto dated May 23, 1992 (Treaty Doc. 102-20), focusing on defense implications and military views. SD-419

JUNE 30

10:00 a.m.  
 Commerce, Science, and Transportation  
 To hold hearings in conjunction with the National Ocean Policy Study on S. 2538, to establish a comprehensive program to ensure the safety of fish products intended for human consumption and sold in interstate commerce. SR-253

Foreign Relations  
 To resume open and to hold closed (S-407, Capitol) hearings on the Treaty Between the U.S. and the USSR on the Reduction and Limitation of Strategic Offensive Arms (The Start Treaty), signed in Moscow on July 31, 1991, and Protocol thereto dated May 23, 1992 (Treaty Doc. 102-20), focusing on intelligence community views. S-116, Capitol

Veterans' Affairs  
 To hold hearings to examine the needs of women veterans who were sexually abused during service. SD-G50

10:30 a.m.  
 Commerce, Science, and Transportation  
 To hold hearings on the nomination of Rita Jean Hartung Butterworth, of Washington, to be a Member of the Board of Directors of the Corporation for Public Broadcasting. SR-236

JULY 1

9:30 a.m.  
 Commerce, Science, and Transportation  
 Communications Subcommittee  
 To hold hearings on mobile communications. SR-253

10:00 a.m.  
 Foreign Relations  
 To continue hearings on the Treaty Between the U.S. and USSR on the Reduction and Limitation of Strategic Offensive Arms (The Start Treaty), signed in Moscow on July 31, 1991, and Protocol thereto dated May 23, 1992 (Treaty Doc. 102-20), focusing on implementation of the treaty. SD-419

2:00 p.m.  
 Energy and Natural Resources  
 Public Lands, National Parks and Forests Subcommittee  
 To hold hearings on H.R. 1096, to authorize funds for fiscal years 1992 through 1995 for programs, functions, and activities of the Bureau of Land Management, Department of the Interior. SD-366

JULY 2

9:30 a.m.  
 Select on Indian Affairs  
 To hold oversight hearings on fractionated heirships, Indian probate, oil and gas royalty management, land consolidation demonstration programs. SR-485

10:00 a.m.  
 Veterans' Affairs  
 To hold hearings on S. 2028, to revise title 38, United States Code, to improve and expand health care and health-care related services furnished to women veterans by the Department of Veterans Affairs. SH-216

JULY 22

9:30 a.m.  
 Rules and Administration  
 To hold hearings on S. 2748, to authorize the Library of Congress to provide certain information products and services. SR-301

10:00 a.m.

Veterans' Affairs

To hold hearings on proposed legislation relating to veterans housing and the Court of Veterans Appeals.

SR-418

JULY 23

9:30 a.m.

Rules and Administration

To hold joint hearings with the Committee on House Administration on S. 2813 and H.R. 2772, bills to establish in the Government Printing Office a single point of online public access to a wide

range of Federal databases containing public information stored electronically.

SR-301

Select on Indian Affairs

To hold hearings on S. 2833, to resolve the 107th Meridian boundary dispute between the Crow Indian Tribe, the Northern Cheyenne Indian Tribe and the United States and various other issues pertaining to the Crow Indian Reservation.

SR-485

AUGUST 4

9:30 a.m.

Select on Indian Affairs

To hold hearings on S. 2746, to extend the purposes of the Overseas Private Investment Corporation to include American Indian Tribes and Alaska Natives.

SR-485

AUGUST 5

10:00 a.m.

Veterans' Affairs

Business meeting, to consider pending calendar business.

SR-418