

EXTENSIONS OF REMARKS

FEDERAL CREDIT AND DEBT
MANAGEMENT ACT OF 1992

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. HORTON. Mr. Speaker, it is with great pleasure that I am introducing at the request of the Bush administration, the Federal Credit and Debt Management Act of 1992. Enactment of this proposal would improve the collection of delinquent debt and establish policies to prevent new delinquencies.

This bill represents another in a long line of good government measures proposed or implemented by the Bush administration. Following enactment of the Chief Financial Officers Act of 1990, the new OMB Deputy Director Frank Hodsoll and the new controller at OMB's Office of Federal Financial Management Ed Mazur have worked hard to get the Federal Government's financial management house in order. They have done a fine job and I appreciate their assistance in crafting this legislation.

The measures proposed in this bill are much needed. At the end of fiscal year 1991, non-tax debt owed the Federal Government totaled about \$230 billion; of this amount, \$46 billion was delinquent. Outstanding Federal guarantees totaled \$653 billion.

To increase Federal agencies' ability to collect delinquent debt, this proposal would:

First, require agencies to use aggressively all available debt collection techniques in a cost-effective manner.

Second, require agencies to refer all delinquent debt, including corporate debt, to the Internal Revenue Service [IRS] for offset against income tax refunds due the delinquent debtors.

Third, simplify the assessment of late fees on delinquent debt and authorize agencies to retain a portion of any increase in late fees recovered as a result of the new fee structure.

Fourth, permanently authorize the Attorney General to use private counsel to supplement Justice Department resources to litigate and collect Federal debts.

Fifth, clarify the authority of Federal agencies to use IRS address information in the collection of delinquent debt.

Sixth, require IRS to determine annually whether any Federal employees are delinquent on tax debt, in order to facilitate collection of the delinquent debt.

Seventh, clarify that agencies are not required to follow cumbersome administrative offset procedures when they have a common law right to offset in contract disputes.

Eighth, prohibit an individual or business currently delinquent on a debt to the Federal Government from receiving additional Federal financial assistance.

Ninth, establish government requirements for the management of guaranteed loans, in-

cluding the use of agreements with private lenders and loan servicers.

Tenth, allow the reporting of nondelinquent consumer debt owed to the Federal Government to credit bureaus.

A much more detailed summary is attached to the end of these statements.

The Federal Credit and Debt Management Act of 1992 would increase receipts by \$94 billion in fiscal year 1992, the fiscal year 1992 increase represents the net present value in 1992 of cash collections that will occur over several years, and by \$10 million annually from fiscal year 1993 through fiscal year 1997.

I certainly understand that Congress is not likely to focus on the measure at this late date in the year. I do urge my colleagues on the Government Operations Committee to give this matter their earliest attention during the next Congress.

FEDERAL CREDIT AND DEBT MANAGEMENT ACT
OF 1992

SECTION-BY-SECTION ANALYSIS

This bill, the "Federal Credit and Debt Management Act of 1992" (the "Act"), will improve the collection of delinquent Federal debt and establish policies to prevent new delinquencies. The analysis below summarizes and explains the key provisions of the Act.

Section 1, which amends 31 U.S.C. 3711, sets forth that Federal agencies, including the Department of Justice, for debt referred by other agencies, should be aggressive in pursuing the collection of delinquent debt owed to the United States. Agencies would be required to use each available debt collection tool in an appropriate and cost-effective manner.

Section 2, which amends 31 U.S.C. 3720A, provides that all business and individual Federal debt (other than child and spousal support (see 42 U.S.C. 664)) is eligible for referral to the tax refund offset program, including, in the case of the Department of Education, debt held by guarantee agencies on which reimbursement or reinsurance payments have been made by the Federal Government. In addition, debt is to be considered for referral to the refund offset program annually.

This section would authorize agency heads to certify to the Internal Revenue Service (IRS) that all reasonable efforts have been made to collect the debt being referred to IRS for offset. This change will allow participation in the offset program by agencies such as the Federal Deposit Insurance Corporation and the Resolution Trust Corporation.

A definition of "person" is added to this section solely for purposes of clarity. The addition of this definition is not intended to suggest that the term "person" in Section 3720A (or in other sections in Chapter 37 of Title 31) does not presently include the entities named in the definition.

Finally, this section provides for two exceptions to the effective date of the Act as defined in Section 14. First, offsets may not be made to an individual's refund payable prior to January 1, 1994, if the agency to

which the debt is owed has not participated in the tax refund offset program prior to enactment. Second, offsets may not be made to refunds for business associations if the refunds are payable prior to January 1, 1995.

Section 3, which further amends 31 U.S.C. 3720A, clarifies that Federal agencies may use the mailing address of a delinquent debtor or obtained from the IRS (as part of the refund offset program) for Federal-agency administered debt collection purposes, including referral of debt to the Department of Justice for litigation. Referral of debt to private collection agencies is not covered.

Section 4 adds section 3720B to Title 31 of the U.S. Code. This section prohibits any individual or business currently delinquent on a Federal debt, including a tax debt, from obtaining additional Federal financial assistance in the form of a loan or loan guarantee until the delinquent debt becomes current. Price support loans of the Commodity Credit Corporation are excepted from this provision. Only the head of the agency or the agency Chief Financial Officer can waive a debtor from the requirements of this section upon determining that such a waiver is in the best interests of the Federal Government. Agencies are expected to develop procedures to notify delinquent debtors of the provisions of this section.

Each agency with delinquent debts must develop a data base of debts originated at that agency which are delinquent, and share that data with other Federal agencies. Such a data base can be developed by several agencies working together. Any pre-existing data base that provides data on delinquent debt may be used to serve the purposes of this section. Because data on delinquent tax debts are confidential return information, the Internal Revenue Service is only required to make the information available to the extent provided in the Internal Revenue Code or authorities thereunder.

Finally, loan applicants are required to certify that they are not delinquent on any Federal debt, with the prospect of criminal penalties for applicants who knowingly make false statements.

Section 5 adds section 3720C to Title 31 of the United States Code. This section expands the authority of agencies to require the collection of taxpayer identifying numbers from individuals or businesses participating in direct and guaranteed loan programs. Entities doing business generally with the Federal Government (including those entities who receive grants, contracts, insurance, or licenses from the Federal Government) are included. This expansion of authority ensures that taxpayer identifying numbers are available if the entity becomes delinquent on a Federal debt in the future, thus increasing the effectiveness of the administrative offset program and the tax refund offset program, both of which are previously authorized programs.

Section 6, which adds section 3720D to Title 31 of the U.S. Code, establishes minimum Governmentwide requirements for the management of guaranteed loan programs to protect the financial interest of the Federal Government. Subsection (a) of section 3720D requires Federal agencies to establish stand-

* 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.

ard agreements with lenders and either loan servicers or guaranty agencies (in the case of the Department of Education). In addition, agencies are required to monitor adequately their guaranteed loan programs by collecting information on the status of their respective guaranteed loan portfolios, as well as information on the performance of lenders, loan servicers, and guarantee agencies.

Subsection (b) of section 3720D provides Federal agencies with authority to collect fees to cover the costs of certification, recertification, and reviews of lenders, servicers, and guarantee agencies. In addition, Federal agencies are authorized to establish lender review boards to levy sanctions for failure to comply with agency regulations. Subsection (b) also authorizes agencies to establish lists of qualified loan servicers and to require that lenders use qualified loan servicers.

Subsection (c) of section 3720D authorizes the head of each agency with a guaranteed loan program to establish any necessary procedures and systems to carry out the provisions of section 3720D. Subsection (d) of section 3720D provides that the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, shall promulgate Governmentwide and regulations regarding the implementation of section 3720D.

Section 7, which amends 31 U.S.C. 3717, simplifies the late charge fee structure. Subsection (a) of section 3717 consolidates and standardizes three late charges (late-payment interest, late-payment penalty, and administrative costs) into one late fee. In addition, the costs of collection levied by another agency or by a private contractor (for purposes such as salary offset, tax refund offset, and private collection agencies) can be added by the agency to the late fee. The late fee is tied to the average of the bond equivalent rates on 52-week Treasury bills auctioned during the calendar quarter ending June 30 of the prior fiscal year plus 18 percentage points, rounded to the nearest whole percent. Thus, the late fee may be adjusted annually in relation to changes in the cost of funds to the Government.

Subsection (b) of section 3717 allows an agency to define circumstances under which the late fee can be waived. This subsection authorizes agencies to suspend accrual of the late fee after six months (for example, when there is little or no likelihood of collection of the late fee after a debt is in default and the entire amount of the debt has been accelerated). Furthermore, the late fee will not be charged on debts related to overpayments of means-tested benefits when the overpayment is due to agency error or inadvertent beneficiary error.

Subsection (c) of section 3717 provides that this section does not apply to contracts in effect prior to the effective date of the section. Subsection (d) of section 3717 specifies that accrual of the late fee terminates when (1) the fee or the original claim is waived, (2) a court judgment is obtained, (3) a court-imposed fee is levied, or (4) the claim is written off or otherwise resolved. The subsection also provides that, for purposes of reporting to Treasury, the late fee will not be recorded after the claim is accelerated or six months after the claim became delinquent, whichever event occurs earlier. This provision ensures that agency receivables are not improperly inflated through continued reporting of accruing late charges on these claims.

Subsection (e) of section 3717 provides that the late fee shall not be charged if the amount due is paid within thirty days of the due date. Subsection (f) of section 3717 pro-

vides that the late fee shall not be compounded. Subsection (g) of section 3717 requires agencies to report annually to the Internal Revenue Service any written-off late charges that are income to the debtor under Federal tax laws.

Subsection (h) of section 3717 allows agencies to retain 50 percent of any increase in late fees collected as a result of the new fee structure to be used for specific credit management or debt collection improvements, as described in subsection (i) of section 3717. The other 50 percent is returned to the Treasury General Fund or appropriate trust fund. Funds not obligated in the year following collection will be returned to the General Fund of the Treasury. Finally, subsection (j) of section 3717 provides that agencies may recover interest on debt accruing prior to the date a demand letter is sent in cases where such interest can be considered to be part of the underlying debt. This is often the case, for example, where the debt arises as a result of fraudulent acts or misuse of Federal monies and the agency would charge interest from the date of the diversion to the date that full restitution is made.

Nothing in this section is intended to abrogate the Federal government's common law right to assess interest on amounts owed by a State.

Section 8, which amends 31 U.S.C. 3711, requires reporting of all commercial debt and delinquent consumer debt to credit reporting agencies on a periodic basis. Reporting of non-delinquent consumer debt is allowed. Each Federal agency is responsible for disclosing information only on those debts originated by that agency or, in the case of defaulted guaranteed loans, previously guaranteed by that agency. (For example, the Justice Department would not be required to report to credit reporting agencies on debts referred to the Justice Department by other agencies.) This section allows Federal credit reporting to be more consistent with private sector practice, thus making debt collection more effective. Debtors whose accounts are current with the Federal Government benefit from favorable credit reports to the credit bureaus. This section covers all claims, including those related to defaulted guaranteed loans. The section establishes the frequency of reporting and the information being reported.

Section 9, which amends 31 U.S.C. 3718, authorizes the Departments of Justice and the Treasury to enter into contracts to collect assets due the Federal Government. Subsection (a) permanently authorizes the Justice Department to retain private sector attorneys for the litigation and collection of delinquent debt. This authority includes debt referred to the Justice Department by other agencies for litigation and debt collection action. Under this subsection, private counsel can be used in any Federal judicial district that the Attorney General deems to be appropriate.

Subsection (b) authorizes the Department of the Treasury to enter into contracts to recover various unclaimed assets due to the U.S. Government. These assets include various misdirected payments, disbursements of funds from personal and corporate bankruptcies to which the Federal Government is entitled, bequests to the Government which have been misdirected, and unclaimed property.

Under subsection (c), contracts under subsections (a) and (b) may be paid for out of recoveries. In addition, under subsection (d), to the extent that payments are made in that manner, contracts are not limited by appro-

priation law. If payments are to be made otherwise, contracts would be effective only to the extent and in the amounts provided in appropriation law.

Section 10, which amends 26 U.S.C. 6331, requires the Secretary of the Treasury to determine on an annual or more frequent basis whether any Federal employees are delinquent on tax debt. The Secretary could use these determinations, as is currently authorized under 26 U.S.C. 6331, to request the employer agencies to levy the salary or wages of the Federal employees.

Section 11, which amends 31 U.S.C. 3716, provides that the procedures required in 31 U.S.C. 3716 for administrative offset do not apply to contract disputes which arise under the Contract Disputes Act of 1978 (41 U.S.C. 601 *et seq.*). Such contract disputes would be covered by the Contract Disputes Act, which sets up an administrative dispute mechanism for resolution of all contract disputes, including any relating to offset or recoupment.

Section 12, which amends 31 U.S.C. 3701, makes a technical correction to a reference to the Internal Revenue Code.

Section 13, which amends 26 U.S.C. 6103, makes a conforming change to the Internal Revenue Code.

Section 14 provides that the Act is effective upon enactment, except in two instances related to the Federal tax refund offset program as discussed in the analysis of Section 2.

DANIEL T. MURPHY, A DYNASTY
PASSES

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. BROOMFIELD. Mr. Speaker, much has been made of the many members of the Michigan congressional delegation who will not be returning next year.

Those of us in Oakland County know, however, that the most dramatic change next year will not be the more than a half dozen new faces in our congressional delegation, but the retirement of Oakland County Executive Daniel T. Murphy.

Dan Murphy has the distinction of being Oakland County's first and only executive, and he has given 36 years of his life unselfishly to public service.

Dan entered elected life in Oakland County, MI, in 1956, the same year I was first elected to Congress.

Back then, Oakland County was a far cry from the thriving metropolitan community we know today. Instead, it was a small, primarily rural county. My congressional district encompassed virtually the entire county—next year at least 4 of Michigan's 16 members will represent a piece of Oakland County.

Oakland County's transformation is a testimonial to Daniel Murphy's vision, dedication, and tireless efforts on behalf of the citizens of southeastern Michigan.

Dan is a leader and a progressive thinker who always put the people of Oakland County and their needs before all else. Whether he was instituting a tornado siren alert that would allow Oakland County residents to sleep more soundly at night, creating a cultural affairs office that would heighten the intellectual and ar-

tistic level of the community, or establishing a mass screening service that would help detect breast cancer in women, Dan always has excelled in the business of helping people.

Dan's leadership in Oakland County has established Oakland as a model for other local governments, not only in Michigan but in other States and at the Federal level as well.

Recognizing that Oakland County had to look outward as well as inward to secure its future, Dan made a point of becoming knowledgeable about Federal policies and has become one of the leading members of the National Association of Counties. As Members of Congress, we often turn to Dan for his experience and knowledge of local government and of southeastern Michigan as we consider key Federal policy initiatives. Dan not only has lent us valuable insight into important local issues, but he also was a master at conveying the needs of local government on larger national issues.

Dan's efforts on behalf of Oakland County extended beyond our Nation's borders, into the area of foreign affairs and trade. As a representative of southeastern Michigan, Dan has participated in many overseas trade missions, meeting personally with the presidents of numerous foreign corporations and encouraging them to locate in the region, thereby creating jobs.

Daniel T. Murphy is a man to be revered. From his service to his country in World War II to his service to the citizens of Oakland County, MI, Dan has dedicated himself to improving the quality of life worldwide. His retirement should be viewed as a celebration of his outstanding service and many accomplishments. The citizens of Oakland County can be reassured that he has left the county—and the Nation—with a legacy which will carry into the 21st century.

DANIEL T. MURPHY

HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. PURSELL. Mr. Speaker, I rise today to pay tribute to a man who has proven to be not only a friend and a mentor, but a State and national leader as well. He has channeled his experience and knowledge into the State of Michigan and helped to shape the direction of our fine State.

Daniel T. Murphy was born in Uniontown, PA and moved to Pontiac, MI at the age of 4. The son of a crane operator, DAN MURPHY worked in the Fisher body mailroom before his induction into the Army in 1943. After WWII, Dan Murphy worked in the county clerk's office while attending Wayne State University. Simultaneously, he attended law school and held a second job selling building supplies.

Appointed to the post of county register of deeds in 1956, he was re-elected in 1958 and held the position through 1963. He was then appointed chairman of the board of auditors, a post he held until 1974.

Elected as Oakland County's first county executive in 1974, he has since been re-elected four times. Some of his accomplishments in-

clude getting a 20-year solid waste management plan approved by the State, instituting a tornado siren alert, creating a cultural affairs office to service the intellectual and artistic needs of its citizens, establishing a mass screening service to detect breast cancer in women, initiating the Oakland University/Oakland County Student Intern Program, and establishing an Economic Development Group to meet the future needs of Oakland County. Dan Murphy has also donated hundreds of hours to professional and civic organizations.

Unlike many State government executives, Dan Murphy has extended his involvement from Michigan to the national and international levels. He served on the executive committee of the Transportation Research Board of the National Academy of Sciences. He also has served as chairperson of the Southeast Michigan Council of Governments and is a member of the Metropolitan Affairs Corp. He is past president of the National Association of County Administrators.

Over his 36 years of public service, Dan Murphy has been an outstanding citizen, worthy of respect. His national and international vision has benefited not only Oakland County but the entire State of Michigan, setting a fine example of leadership for others to follow.

Dan Murphy now lives with his wife in Sylvan Lake, MI. They have five grown children.

TRIBUTE TO DANIEL T. MURPHY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. LEVIN of Michigan. Mr. Speaker, I first met Dan Murphy in the early 1960's when I was appointed to the board of supervisors. Dan's main job was to try to bring some order out of the chaos of a county government without a chief executive and an unwieldy legislative body. He surely worked hard at it, in conjunction with leadership on the board like my late Uncle Dave Levinson, who chaired the Ways and Means Committee for several decades. There were disagreements at specific moments as to which path to follow, but no one questioned Dan's commitment and dedication to his work.

The challenges increased when Dan Murphy became county executive and the spokesman for the county in regional and State meetings. With continued growth in Oakland County, no one can expect that Dan would leave his post without any unresolved problems and needs. As we face the tasks ahead, and especially at a time when work in government is under attack, it is fitting that we remember the long and loyal public service of Dan Murphy.

CONGRESSMAN DALE KILDEE HONORS DANIEL T. MURPHY: PUBLIC SERVANT

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. KILDEE. Mr. Speaker, I rise today to honor Mr. Daniel T. Murphy, a committed pub-

lic servant who has dedicated over 36 years of his life to serving in elected office for our communities in Oakland County, MI. This year, Dan is retiring from his position as county executive for Oakland County, an office he has held since 1974.

Dan Murphy's family moved to Oakland County when he was 4 years old. After graduating from Oakland schools, attending Wayne State University, and serving 3 years in the U.S. Army during World War II, Dan took his first job with Oakland County with the registrar of deeds office in 1946. He was appointed the county's register of deeds in 1956, and subsequently reelected to that post and as county clerk, when the two offices were combined, through 1963. For the next 11 years, Dan served as chairman of the board of auditors.

But it has been Dan's long and illustrious service as Oakland County executive from his election in 1974 when the post was first created, until today, in which Dan has left his lasting impression on the communities and people of Oakland County, MI. During Dan's tenure, Oakland County witnessed tremendous growth in its population, economy, and infrastructure. Dan has provided sure and steady leadership to the county government during this boom time. He has worked tirelessly with the towns and townships of Oakland to find practical solutions to the difficult questions of roads and transportation, building and zoning codes, economic and community development, parks and recreation, and sanitation and solid waste management. County government provides the most basic human services that have a direct impact on people's lives. Dan Murphy has never lost sight of the fact that in the final analysis, his decisions, his actions, and his work would have a far greater effect on the standard of living of Oakland County residents than anything done on the State or Federal level.

Mr. Speaker, there is no question that Oakland County is a much better place in which to live, work, and raise a family because of Daniel T. Murphy. Dan epitomizes all that is best in public service—dedication, hard work, and a love of community and neighbors. Dan knows that public service means exactly that—serving people. It is only fitting that Dan's friends and neighbors should honor him in his final year of elected public service.

GOVERNMENT PRINTING OFFICE
ELECTRONIC INFORMATION AC-
CESS ENHANCEMENT ACT OF 1992

HON. CHARLIE ROSE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. ROSE. Mr. Speaker, I introduce today the Government Printing Office Electronic Information Access Enhancement Act of 1992. This bill is a first step toward enhancing the ability of the American people to more easily obtain information from the Federal Government.

This bill represents a bipartisan effort to encourage the dissemination of taxpayer-funded information and to bring the information resources of the Government closer to the people.

The text of the bill is as follows:

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Government Printing Office Electronic Information Access Enhancement Act of 1992".

SEC. 2. AMENDMENTS TO TITLE 44, UNITED STATES CODE.

(a) IN GENERAL.—Title 44, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 41—ACCESS TO FEDERAL ELECTRONIC INFORMATION

"Sec.

"4101. Electronic directory of Federal electronic information; online access to the Congressional Record and the Federal Register.

"4102. Fees.

"§ 4101. Electronic directory of Federal electronic information; online access to the Congressional Record and the Federal Register

"(a) IN GENERAL.—The Superintendent of Documents, under the direction of the Public Printer, shall—

"(1) maintain an electronic directory of Federal public information stored electronically; and

"(2) provide a system of online access to the Congressional Record, the Federal Register, and, as determined by the Superintendent of Documents, other appropriate publications distributed by the Superintendent of Documents.

"(b) DEPARTMENTAL REQUESTS.—To the extent practicable, the Superintendent of Documents shall accommodate any request by the head of a department or agency to include in the system of access referred to in subsection (a)(2) information that is under the control of the department or agency involved.

"(c) CONSULTATION.—In carrying out this section, the Superintendent of Documents shall consult—

"(1) users of the directory and the system of access provided for under subsection (a); and

"(2) other providers of similar information services

The purpose of such consultation shall be to assess the quality and value of the directory and the system, in light of user needs.

"§ 4102. Fees

"(a) IN GENERAL.—The Superintendent of Documents, under the direction of the Public Printer, may charge reasonable fees for use of the directory and the system of access provided for under section 4101, except that use of the directory and the system shall be made available to depository libraries without charge. The fees received shall be treated in the same manner as moneys received from sale of documents under section 1702 of this title.

"(b) COST RECOVERY.—The fees charged under this section should be set so as to recover the incremental cost of dissemination of the information involved, with the cost to be computed without regard to section 1708 of this title."

(b) CLERICAL AMENDMENT.—The table of chapters for title 44, United States Code, is amended by adding at the end the following new item:

"41 Access to Federal electronic information."

(c) SPECIAL RULE.—The directory and the system of access referred to in section 4101 of title 44, United States Code, as added by subsection (a), shall be operational not later than one year after the date of the enactment of this Act.

SEC. 3. FEASIBILITY STUDY BY THE SUPERINTENDENT OF DOCUMENTS.

(A) IN GENERAL.—The Superintendent of Documents, under the direction of the Public Printer, shall conduct a study of the feasibility of enhancing public access to Federal electronic information. In conducting the study, the Superintendent of Documents shall—

(1) consult the heads of departments and agencies of the Government, other users of Federal electronic information, and other persons likely to be affected by such enhanced public access;

(2) assess the maximum use feasible of computer systems, data storage systems, and retrieval software that are maintained by the departments and agencies of the Government to enhance access to Federal electronic information;

(3) determine the feasibility of providing access to Federal electronic information through a wide range of electronic networks, including the Internet and the National Research and Education Network;

(4) in conjunction with the National Institute of Standards and Technology and other appropriate persons, study the development of compatible standards for electronic publishing and dissemination throughout the Government;

(5) specify the development and maintenance costs of the directory and the system of access provided for under chapter 41 of title 44, United States Code;

(6) analyze the cost savings to be derived from the directory and the system of access; and

(7) obtain an independent evaluation of the utility and efficiency of the directory and the system of access.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Superintendent of Documents shall submit a report of the study to the Congress. The report shall include, as a separate part, the evaluation referred to in subsection (a)(7).

(c) DEFINITION.—As used in this section, the term "Federal electronic information" means Federal public information stored electronically.

THE COMMUNITY AMBULANCE SUPPORT ACT OF 1992

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Ms. DeLAURO. Mr. Speaker, today I will introduce legislation to address a serious problem for our Nation's senior citizens and the volunteer ambulance services that serve many of our towns and communities. All too often, when seniors call for an ambulance, they get stuck for hundreds of dollars in bills for paramedic services.

This happens only when a nonprofit, community-sponsored, volunteer ambulance takes the patient to the hospital. When these volunteer ambulances borrow a highly trained paramedic from a commercial ambulance service, Medicare will not cover the cost of the para-

medic services. Medicare will, however, cover these charges and more, when the bill comes from a commercial, for-profit ambulance service.

This discrepancy is both unfair and dangerous. Medicare currently favors more expensive commercial ambulance services over those sponsored by local communities and staffed with volunteers. If we do not change this technicality in Medicare law, lives could be endangered. Seniors who know they face hundreds of dollars in medical bills if they call their local ambulance may turn to a commercial service from outside their communities. A senior's reluctance to call the local ambulance may one day lead to tragedy: the extra distance a commercial ambulance has to travel to a scene may cost someone's life.

My bill, the Community Ambulance Support Act of 1992, would allow commercial paramedics to bill Medicare directly for their services when they respond to a call from a town-sponsored volunteer ambulance that does not have its own paramedics. These paramedic services would be covered at the same rate when they intercept with a volunteer ambulance as when they work as part of a commercial ambulance service.

This legislation will help ensure that seniors can continue to receive the high quality emergency health care they deserve. In addition, it will help financially strapped towns continue to provide this invaluable service to the entire community. Volunteer ambulances are part of a longstanding tradition of public service, and they deserve to be supported in their vital work.

This change may also, in the long run, save health care dollars. If the law remains the way it is now, many seniors will stop calling the volunteer ambulance corps altogether because they know they will have to pay for the paramedics out of their own pockets. Volunteer ambulances will disappear and everyone will rely on for-profit services, which charge Medicare not only for paramedic costs, but also for the salaries and costs of the entire service. If we allow this to happen, Medicare costs will only increase.

No senior should have to think twice when picking up the telephone in an emergency, simply because of badly written rules. What I seek to do is right a wrong that should never have happened in the first place.

NATIONAL POW/MIA RECOGNITION DAY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. Gilman. Mr. Speaker, last Friday morning I had the pleasure of participating in our National POW/MIA Recognition Day Ceremony at the Pentagon. During the past year, the U.S. Government has initiated special efforts to account for the some 2,266 Americans still missing from the Vietnam war. The issue of American veterans who never returned home from their missions in Southeast Asia has again become an area of concern in the minds of the American people. Our American

Prisoners of War and Missing in Action who served our country courageously, are deserving of this day in their honor.

There is considerable evidence to support the fact that the governments of Vietnam, Laos, and Cambodia possess information that could help us account for these missing veterans. According to Vietnam's Ambassador to the United States, Trinh Xuan Lang, if the United States would stop making a condition of normalizing relations, Vietnam could readily settle our questions about Americans missing in action. Former KGB Maj. Gen. Oleg Kalugin alleged that at least three American prisoners in Hanoi had been interrogated by the Soviets in 1978. We should be encouraged by this and other evidence to redouble our efforts to locate any American prisoners still living in Southeast Asia.

I do not agree with those who argue that the time has come to deal with the Communist governments in Southeast Asia in a soft-hearted manner. The totalitarian states in that part of the world understand only firmness and determination. No matter how desperate they become in their pleas for diplomatic recognition and financial assistance, we should withhold any such consideration until we receive full cooperation and a full accounting.

Mr. Speaker, this week, a great deal of press attention has been generated by statements to the Senate select committee to the effect that the administration knew perfectly well 19 years ago that we were leaving American prisoners behind during our withdrawal from Vietnam. Other testimony has refuted these contentions.

Whatever the truth may be, I believe we should ask those who are making this allegation why they waited nearly two decades before coming forward with this information? The House Select Committee on POW's and MIA's, on which I served as a member during the existence of that committee, from 1975 to 1977, certainly would have welcomed this information at that time. Likewise, our House Task Force on POW's and MIA's, which has existed since 1977, extensively solicited and searched for any information of this nature.

The failure of these individuals to come forward prior to 1992 with these allegations, and with whatever evidence they may offer, is unconscionable. Common decency makes it clear to every man, woman, and child in the United States that it would have been far preferable to have evidence of living Americans in Southeast Asia in the 1970's rather than the 1990's. I am confident that eventually we will be able to get to the bottom of these allegations, and that the American people will be justified in their anger with regard to the suppression of this relevant information for far too long.

Mr. Speaker, we support National POW/MIA Day honoring these American heroes to whom we are greatly indebted. As we commemorate this day, let us pledge to do all we can to support our Government's efforts to return our prisoners of war and missing in action to the safety of their homes, to their families and loved ones.

Mr. Speaker, I insert the remarks of retired Chief of Staff, and Special Presidential Envoy to Hanoi for POW/MIA Affairs, Gen. John W. Vessey, and Deputy Secretary of Defense,

the Hon. Donald J. Atwood, at this point in the CONGRESSIONAL RECORD:

REMARKS BY GEN. JOHN W. VESSEY

Mr. Secretary, distinguished guests, and we surely have a lot of Distinguished Guests—you of the families of our missing, you former Prisoners of War, and you soldiers, sailors, airmen, Marines and Coast Guardsmen who are here to help us honor our missing comrades.

Thanks for letting me be a part of the ceremony.

We have several special days honoring those who have served our nation. On Veteran's Day we honor all of our Veterans. On Memorial Day we honor those who have given their lives in the Nation's Service.

Today, we Americans have set aside another day to honor a particular group of servicemen and women who have made particularly arduous sacrifice in the service of our Nation, our prisoners of war and those missing in action. Today is different from Memorial Day and Veteran's Day. Not only do we honor this particular group and remember their sacrifices, we also remind ourselves that we have an unpaid debt to those soldiers, sailors, airmen and Marines for whom we have not yet accounted.

We can never fully repay that debt, because there is no way to balance their sacrifices or the pain and anguish of their families. We can however, treat the family members with compassion and honesty, and we can diligently continue to search for their loved ones and the truth about their fates.

There are about 90,000 Americans unaccounted for from the wars of this last half century. The shape of the curve on a graph of those losses tells us a lot about our increasing ability to take care of our people. Nearly 79,000 missing from WW II, 8200 from the Korean War, 2265 from the Vietnam War and 0 from Desert Storm.

Recent astounding changes in the world situation give us new opportunities to search for our people. The President and cabinet—particularly the Secretaries of State and Defense have moved quickly to capitalize on these opportunities. A joint US-Russian Commission has been established to search for our people and information about their fates. North Korea has returned the remains of a few of the missing. Vietnam, Cambodia and Laos have all increased cooperation.

The Secretary of Defense has more than trebled the dedicated manpower and resources. A Deputy Assistant Secretary of Defense has been appointed to deal exclusively with the issue. A Joint Task Force has been established and is operating in Indochina. Its name signifies its mission. It is called Joint Task Force—"Full Accounting." The task force has offices in Hanoi, Phnom Penh, and Vientiane. We have had thousands of man-days of American investigators on the ground in Vietnam working with the Vietnamese investigators searching for information about people we thought had the best chance of being alive. As you can see we have a President, a Secretary of Defense and an acting Secretary of State who care and they are backing their cares with action.

We continue to urge more openness and fullest possible disclosure from the Governments of Indo-China. Although there are day-to-day frustrations, problems and disappointments, the general level of cooperation continues to improve, but to those governments, I must say, there is room for much more cooperation.

I am confident that we will achieve our objective of the fullest possible accounting. It is unlikely that we will account for every-

one, but it is certain that we will make an honest, diligent search for everyone.

Last year the Senate formed a Select Committee to look into the matter. I'd like to say thanks to the Committee and its staff for its thorough look into the matter and particularly for its help in getting the message to the governments of other nations.

I want to say a special thanks to the soldiers, sailors, airmen and marines of the Joint Task Force and the service people and civilians of the Defense Intelligence Agency, for their very good work under difficult conditions.

Again thanks to all the Former POW's. To all those who have not returned we salute you; we will not forget you and we continue to search for you.

REMARKS BY DEPUTY SECRETARY ATWOOD

Thank you, and welcome everyone.

I'd like to offer a special welcome this morning to the former prisoners of war and the POW/MIA families who have joined us for this very important occasion.

Events such as these express our deep obligation to the Americans who served our country with such a valor in World War II, Korea, and Southeast Asia. And, we are reminded as well of our enduring responsibility to learn the fate of the missing and unaccounted for. We owe it to them, and we owe it to their families.

In the year that has passed since we last marked National POW/MIA Recognition Day, we have seen substantial progress on this key issue. President Bush, Secretary Cheney, and all of us in this administration are committed to the fullest possible accounting.

To the families of those missing, and to the friends and fellow soldiers of those who have not yet been accounted for, I want to reiterate that we are committed to this effort. There can be no doubt about our willingness to go anywhere, and do all we can to resolve what is a matter of the highest national priority.

Here at the Defense Department, we have vastly broadened our efforts to resolve the questions about our missing.

We are backing up our commitment with a substantial allocation of personnel. We now have over 400 people dedicated to this effort. That's up from 150 in July of last year. Since then, the operational unit of our POW/MIA effort—Joint Task Force Full Accounting—has more than quadrupled in size. Not only that, we have highlighted the importance of the Task Force by selecting a general officer as its new commander.

In July, as a further sign of our commitment to finding the answers everyone seeks, President Bush ordered the declassification of our POW/MIA files. Already we estimate we have made public approximately 82 thousand pages of documents. That's just the initial installment. By next summer we estimate we will have released over 2 million pages of material.

And, we have given the Senate Select Committee access to everything that we have in our files—let me underscore that, everything.

I know that the burden of uncertainty that so many families carry is a heavy load. There can be no doubt about our willingness to help lift this burden. Nothing is more important to this nation and this government than keeping faith with those who have given so much to our nation. We will not quit this search until the last question is answered, the last doubt resolved.

But we must not overlook the facts. The answers are not here in Washington as some

would claim. The answers lie in Southeast Asia, in Vietnam, in Laos, in Cambodia, and in North Korea and in Russia. With the new openness we are seeing from Russia, we are extending our look to that nation. The answers are slow in coming, but we will not rest until we are certain we have them. We will continue to press all these governments for answers that the families of these heroes deserve.

With us today is a man whose dedication to resolving the POW/MIA question has earned him the respect of a nation. Our 10th Chairman of the Joint Chiefs of Staff, General John Vessey, was willing to devote his retirement years to this important matter because of his love of and respect for those who put on the uniform to serve this nation. It is that devotion to those willing to make the ultimate sacrifice that has made John Vessey one of the most respected men ever to lead our armed forces.

It is my pleasure to present our featured speaker for National POW/MIA Recognition Day, General John Vessey, the Special Presidential Emissary to Hanoi for POW/MIA Affairs.

SOUTH DAKOTA VOICE OF DEMOCRACY WINNER

HON. TIM JOHNSON

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. JOHNSON of South Dakota. Mr. Speaker, Megan Sebastian of Kimball, SD, was recently selected as a State winner in the Voice of Democracy broadcast scriptwriting contest conducted each year by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary. The contest theme for this year was "Meeting America's Challenge," and of the more than 147,000 students who participated in this year's contest, Megan also placed 13th at the national level. Mr. Speaker, I ask that Megan's winning script be reprinted in the CONGRESSIONAL RECORD. Megan deserves to be commended for her exceptional efforts in writing this script and participating in this contest. Her insights and enthusiasm will serve as a model to others her age.

MEETING AMERICA'S CHALLENGE

(By Megan E. Sebastian)

In 1491, Christopher Columbus faced a challenge. He believed he could reach the east by sailing west. Everyone knew he was wrong because no one had been able to do what he hoped to do. Columbus dreamed, dared and did what had to be done. Because of his dream, a new world was discovered.

In 1620, the pilgrims faced a challenge. They believed that a man had the right to worship his God without interference from the government. Everyone knew they were wrong because the government had always controlled religion. The pilgrims dreamed, dared, and did what had to be done. Because of their dream, religious freedom became one of the self-evident rights of a new country.

In 1787, George Washington and Thomas Jefferson faced a challenge. They believed that the people of America could govern themselves. Everyone knew they were wrong because only the rich and powerful knew how to govern a nation. They dreamed, dared, and did what had to be done. Because of their dream, a democracy was created.

In 1860, Abraham Lincoln faced a challenge. He believed that a nation divided against itself could not stand. Everyone knew he was wrong because people had owned slaves for hundreds of years. He dreamed, dared, and did what had to be done. Because of his dream, a race of people was freed from slavery, and a nation preserved.

In 1933, Franklin Delano Roosevelt faced a challenge. He believed he knew how to raise a nation up out of a Depression. Everyone knew it couldn't be done because many before him had failed. He dreamed, dared, and did what had to be done. Because of his dream, America rose to become one of the most economically stable countries in the world.

In 1963, Martin Luther King faced a challenge. He believed he could change a nation's attitude about racial prejudice. Everyone knew he was wrong because it's impossible to change age-old beliefs and customs. He dreamed, dared, and did what had to be done. Because of his effort, we have seen the birth of a new understanding between men of different races.

In the late months of 1991, America faces many challenges. We believe we must solve the education crisis, eliminate the deficit, bring the nation out of the recession, win the drug war, and find homes for the poor and the homeless. Everyone knows these challenges cannot be solved. As we focus on them, it seems that each will mean the end of life as we know it. The sky is falling and there is no escape. We will all be crushed.

And yet amazingly we did not perish yesterday, are alive today, and in spite of all our problems, I know we will be here tomorrow. The secret strength of America is that at each moment of crisis, when things are darkest, a champion has emerged—a Washington, a Lincoln, a Roosevelt, and yes, even a Schwarzkopf. As welcome as these heroes have been, they did not solve the challenge they faced by themselves. It was the American people—the white, black, yellow, Irish, German, Catholic, Jewish people—who for millions of individual reasons joined together to solve the problem.

That is the challenge of America: to unite as one people, to dream, to dare, and to do what has to be done.

IT'S DOWN TO THE LAST BLANK CHECK

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. EDWARDS of California. Mr. Speaker, our distinguished colleague from California, the Honorable GEORGE E. BROWN, Jr., has made some timely remarks in a recent edition of the Los Angeles Times. I found his examination of the scientific community's relationship with history, society, and politics to be both insightful and thought provoking.

I'm sure our colleagues would find much food for thought in this commentary, which I am pleased to enter into the RECORD.

The article follows:

[From the Los Angeles Times, Sept. 8, 1992]

IT'S DOWN TO THE LAST BLANK CHECK

(By George E. Brown, Jr.)

Science inexplicably has come to occupy a place in American culture somewhere alongside Plymouth Rock, Johnny Appleseed and

the Bill of Rights. Science and the technology that it spawns are viewed as a cornerstone of our past, the strength of our present and the hope for our future.

An unofficial contract between the scientific community and society has arisen from these beliefs. This contract confers special privileges and freedoms on scientists, in the expectation that they will deliver great benefits to society as a whole.

The scientific community enthusiastically embraces this relationship. Our leading science journals publish an unending stream of editorials and articles citing past accomplishments while making the case for increased federal funds in support of research that can improve national health, protect the environment, free us from dependence on foreign oil and provide us with the tools to rejuvenate a stagnant economy and achieve a better quality of life.

The promise of science—a miracle cure—serves politicians, who always are looking for a tonic to sell to the public, and it serves scientists, who understandably seek to preserve their elevated position in our culture. But it may not serve society as advertised. Indeed, the promise of science may be at the root of our problems, because it is easier—politically, economically, socially, scientifically—to support more research than it is to change how we behave.

In truth, the path from scientific discovery to societal benefit is neither certain nor straight. Today there are more human beings living in abject poverty throughout the world than ever before. The gap in the standard of living between industrialized and developing nations continues to expand, fueled in large part by concentration of scientific and technological resources in the industrialized world.

At home, our global leadership in science and technology has not translated into leadership in infant health, life expectancy, rates of literacy, equality of opportunity, productivity of our workers or efficiency of resource consumption. Neither has it overcome a failing education system, decaying cities, environmental degradation, unaffordable health care and history's largest national debt. All this in a nation that spent \$100 billion on civilian R&D last year, \$30 billion more than any other nation on earth.

In the 45 years since World War II, the federal government has given the science community carte blanche, secure in the faith that the products of research would resolve the challenges that face us. Advocates for research—myself included—always have fallen back on the argument that we must support as much science as possible because we can't predict where the breakthroughs will come from or what the benefits will be.

The underlying assumption is that the imagination and initiative of our scientists and engineers, unfettered by political constraints, will lead inevitably to progress for society. But in reality, there is no such thing as unfettered research. Research choices made by even the most independent of scientists are contextual. For example, most basic researchers work within our academic system, which is organized around traditional disciplines and pressure to publish, and is structured so as to encourage specialization and discourage both radical approaches and interdisciplinary initiatives.

The disciplinary organization of the sciences and the relative distribution of resources that support these disciplines are much more a reflection of political history than of unconstrained pursuit of knowledge. For example, the strong federal commitment

to supporting individual investigator research in physics—and to multibillion-dollar projects such as the Super-conducting Super Collider and the "Star Wars" missile defense program—derives directly from the dominance of nuclear physicists in policy-making circles, which in turn derives directly from the success of the Manhattan Project, which was, in turn, made possible and necessary by the rise of Hitler, which stems rather more indirectly from the Treaty of Versailles. Research trajectories are highly dependent on the momentum of history, and changing these trajectories can be difficult; often, change is accomplished through political means—especially by shifting funding priorities—rather than through the play of unfettered scientific inquiry.

Yet we have developed an uncritical faith that wherever science leads us is where we want to go. We accept the argument that objective scientific knowledge leads to subjective benefit for humanity. We assume that society will absorb and disseminate those research results and technologies that make life better, while suppressing or controlling those that are threatening. We believe that all of our problems will be worked out as long as we keep generating new scientific ideas and new technologies based on those ideas. We create, as if incidentally, a self-perpetuating market niche for scientists.

But the fact is, we already have much of the knowledge and many of the technologies necessary to decrease population growth, increase energy efficiency, reduce and recycle wastes and improve public health and education throughout the world. What we lack are the social and economic systems that can assimilate and use the information and the hardware that are already in our possession.

Indeed, as the pace of technological development continues to accelerate, so does the speed with which we encounter new, unanticipated societal crises. The current debates over issues such as global climate change; energy production, consumption, and conservation; endangered species and disposal of hazardous waste all hinge on the expectation that science will provide the data and the technologies needed to overcome these challenges, many of which were caused by technological innovation in the first place. But there has never in human history been a long-term technological fix; there have merely been bridges to the next level of societal stress and crisis.

Society needs to negotiate a new contract with the scientific community. This contract must be rooted in the pursuit of explicit, long-term social goals, such as zero population growth, reduced generation of waste, reduced consumption of non-renewable resources, less armed conflict, less dependence on material goods as a gauge of wealth or success and greater opportunity for self-realization for all human beings. A new contract will measure the value of research and innovation not by number of publications or citations or patents, but by progress toward these specific goals. A new contract will focus not just on research at the frontiers of knowledge, but on the utilization of existing knowledge. A new contract will require an increased emphasis on exploring humankind's relationship with the surrounding world, through research in the oft-maligned disciplines of the social and interdisciplinary sciences.

Now is the time to begin drafting this new contract. We must not wait until increasing population, pollution, resource consumption and concentration of wealth become insur-

EXTENSIONS OF REMARKS

mountable obstacles to the well-being of society. Scientists and politicians must abandon the self-serving rhetoric that drives today's science agenda, and work together to ensure that tomorrow's scientific research better serves the needs of all humanity, not just a privileged few.

A TRIBUTE TO DONALD MITCHELL

HON. LINDSAY THOMAS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. THOMAS of Georgia. Mr. Speaker, this past Sunday family and friends joined together to pay final tribute to one of Georgia's leading citizens—Mr. Donald Mitchell of Woodbine, GA.

At times like these, when a death in the family occurs at such an early age, our faith in God and His wisdom is tested to the limit. But it is that same faith and the love of family and friends that give us the comfort and strength to go on.

Donald Mitchell will be sorely missed by all those persons fortunate enough to have known him. As an elected official, an educator, and a community leader and spokesperson, Donald Mitchell dedicated his life to helping others.

In memory of his distinguished service to his community, I would like my letter to Donald's mother, Mrs. Rebecca Mitchell, to be printed in the CONGRESSIONAL RECORD at this point:

Mrs. REBECCA MITCHELL,
Woodbine, GA.

DEAR MRS. MITCHELL: Please let me again extend my most sincere sympathy to you and the entire Mitchell family on the sudden and tragic passing of your son, Don.

There are many influential people who come to the Nation's Capital, but there are very few who come here and make a difference—Donald Mitchell was one of those people.

He made a difference because of his sincerity, his intelligence, and his character. It was those qualities that made Don such an effective spokesman when he testified on Capitol Hill before lawmakers from across the country, and the decisions those lawmakers made because of Don's influence have had a profound affect on the lives of every citizen in Camden County. In my nearly ten years in the Congress, I would have to say that Don was one of the most effective individuals who assisted me in representing our District's needs. When Don talked, people paid attention.

Every person who lives in the three cities that make up Camden County can always remember what a great job Don did representing them at home and in Washington as Chairman of the Kings Bay Impact Coordinating Committee. You can remember as you look at your new schools, your new City Halls, your new courthouse, your new public safety complex, and your new library.

There are many people who might think that it was me and my staff that won approval of the impact aid money to help Camden County grow and prosper, but let me tell you that our strongest ally in winning the support of the Congress was Donald Mitchell. He was a dear friend to me and I will miss him.

September 22, 1992

God bless you, and please know that you are in my thoughts and prayers.

Sincerely,

LINDSAY THOMAS,
Member of Congress.

A TRIBUTE TO MARIBELLE
"MITZIE" MACKENZIE

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. FOGLIETTA. Mr. Speaker, I rise today to honor Maribelle "Mitzie" Mackenzie, who has served from 1941 to 1991 as the center director of the Chinese Christian Church and Center in Philadelphia, PA. At the end of 1991, Mitzie retired from this position, but she continues to serve voluntarily until a new director is found. At the time of the appointment of a new director, Mitzie will become the center's director emeritus.

During her tenure, Mitzie has planned and implemented numerous programs at the center to meet the needs of the Asian people. These programs include a very successful kindergarten for preschool-age Asian children, a boys' club, teen groups, college and career programs, job placement for young persons as well as adults, and so many more very worthy efforts that have greatly benefited her community and the city of Philadelphia.

Notable among these activities are the English Speaking Language [ESL] classes to teach English to recently arrived children, youths, and adults. This program has helped thousands of people to obtain U.S. citizenship so that they could bring their families to the United States after as much as 40 years of separation. Mitzie initiated the first Health Screening Program in Chinatown, developed the Chinese Christian Church and Center playground, which has become the focal point of activities in the summer, and she has provided family care and services for all ages.

Mitzie was instrumental in sponsoring the first refugees from China living in Hong Kong, welcoming the first Vietnamese coming to Philadelphia in 1975, and helped sponsor the First Chinese New Year Party for ethnic Chinese from Vietnam in 1976.

Mitzie has devoted 50 years of her life in genuine loving service and dedication to the Asian community in Philadelphia. These efforts have forever endeared her to all of the people in the Asian community and the Greater Philadelphia area.

WEALTH, POVERTY, AND
PERCEPTIONS

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. DUNCAN. Mr. Speaker, as I have said many times, nations all around the world are collapsing economically, and their people are suffering, due to too much government. They are being forced in the direction of free enterprise and private property, because socialism

is ultimately doomed to fail, no matter where it is tried.

Yet people have to undergo terrible hardships once they have come under the control of a big government that has caved in. I hope that at the very time most of the rest of the world is coming in our direction, we do not make the mistake of moving in their direction, toward more and more government control, of every aspect of our society.

These points are made very articulately in the following column by economist Walter Williams.

I would like to call it to the attention of my colleagues and other readers of the RECORD. [From the Washington Times, Sept. 17, 1992]

WEALTH, POVERTY, AND PERCEPTIONS

(By Walter Williams)

More than anything else, wealth results from a state of mind and a set of values. Government is not a source of wealth. Governments, including ours, are essentially parasitic; they consume and dispose of wealth produced by private individuals. Of course, government can make some people wealthier but only by plundering someone else. If we are truly concerned about the welfare of our fellow man, both at home and abroad, we'd better pay greater attention to just what creates wealth.

Some believe national wealth depends upon natural resources because we just happen to be rich and simultaneously blessed with bountiful natural resources. South America and Africa are also blessed with bountiful natural resources but are home to the world's most miserably poor people. On the other hand, Japan, Hong Kong, Taiwan, Great Britain and Switzerland are resource-poor but home to the world's more affluent people. Some will argue that Third World people are poor due to colonialism. Hogwash! The United States was a colony, and so were Canada, Australia and New Zealand; Hong Kong is still a colony. On the other hand, Ethiopia, Liberia, Tibet and Nepal were never colonies but are home to the poorest of the world's poor.

We can't ever give a complete explanation for why some people and nations are wealthy while others are miserably poor, but we have a pretty good idea. At the individual level, we can all agree that being well off at least requires motivation, self-discipline, self-respect, honesty and respect for others. All of these wealth-enhancing attributes are for naught unless, at the societal level, there is freedom of exchange, inviolability of private property, sanctity of contracts and protection of the right to earn. Tragically, these very institutions that permit the accumulation of wealth are a tyrant's first targets for takeover.

The role of private property is not understood well; thus, we fall prey to charlatans and quacks with hidden agendas. Private property creates the powerful inducement for people to voluntarily behave in socially responsible ways. For example since my home is privately owned, I reap the complete benefit (a higher selling price) from taking good care of it and bear the complete cost (lower selling price) of not taking care of it. Anything that weakens private property rights, such as nationalization and high taxes, tends to reduce incentives to do the socially responsible thing.

Contracts are the lubrication for economic activity and wealth creation. Without contracts, all economic activity collapses to day-by-day negotiation, and future activity commands a stiff penalty. Would you build a

house, lend me money or work for me if you could not be reasonably assured that I would honor the terms of our agreement? Money manipulation leading to inflation destroys the value of contracts. For example, I promise you \$10,000 (which can now buy a small car) for three carloads of May 1993 potatoes. Suppose, in the interim, Congress inflates the currency so that \$10,000 can no longer buy the car. Will you honor your end of the deal?

When all is said and done, it is free people with free minds that account for the creation of wealth. Free people and free minds permit us to escape nature's stingy grip. Because of technological advance, one farmer's output can feed thousands. Computers save millions of hours, dollars, and perhaps lives. Plus, these valuable machines are getting cheaper and better all the time. You name me one thing that government does that's getting cheaper. If you are not a staunch defender of free exchange, sanctity of contracts, private property and the right to earn, then you're for impoverishment of your fellow man.

THE AMISTAD REVOLT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Ms. DELAURO. Mr. Speaker, this week New Haven celebrates a unique and great event in the history of our city and our Nation. We commemorate the Amistad Revolt, in which dozens of captive Africans, bound for Cuba, rebelled against their enslavers and eventually won a legal battle for their freedom. The revolt was a crucial moment in the abolition movement, and profoundly shaped many subsequent efforts for racial justice. This weekend, New Haven remembers that moment, and invokes it in the ongoing struggle for racial harmony and human rights.

The Amistad Revolt began in 1839, when captives from Sierra Leone seized the merchant ship *La Amistad* and ordered their kidnapers to return to Africa. When the slavers instead sailed toward the United States, the *Amistad* was taken into custody in the Long Island Sound. The rebels were held in the New Haven jail while they defended their civil rights in court. Antislavery advocates across the country rallied to the Africans' cause, and after 2 years, the U.S. Supreme Court upheld a decision that freed them and allowed them to return home.

The Amistad controversy galvanized opposition to the injustices of slavery. The incident deeply affected countless Americans, both black and white, who hailed the captives' courageous assertion of their human rights. Led by Sengbe Pieh, Cinque, the heroic revolt has inspired generations of African-Americans, fighting to achieve the full citizenship they deserve.

To this day, New Haven's involvement in the Amistad case is a source of pride for our community. More than 150 years ago, local residents formed the Amistad committee to help defend and support the prisoners. Today, we can reflect on how much progress has been made in the battle for racial justice, and on what remains to be done. This weekend's

celebration provides an opportunity for all of us to come together and remember the Africans' brave actions, and the courtroom victory that affirmed the justness of their efforts. Festivities include a musical performance, youth march, cultural festival, and religious convocation. Also featured is the dedication of an Amistad Memorial. The memorial—a statue of Cinque—will stand as a monument to the fearless individuals whose extraordinary experience should never be forgotten. That experience remains an inspiration for us all.

AUDIO HOME RECORDING ACT

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. CLEMENT. Mr. Speaker, I rise to acknowledge the most significant accomplishment on behalf of the music industry since I was elected to Congress nearly 5 years ago.

Today this House is expected to adopt the Audio Home Recording Act, precedent-setting legislation that for the first time will give songwriters, music publishers, and artists a percentage share of the sale of blank digital audiotape and DAT machines. Current analog cassette recorders and tapes are not subject to this legislation.

For far too long the United States has lagged behind other countries in the protection of intellectual property rights. In the past writers and publishers received no payment for unauthorized copies made of their creations. Now the creators of musical compositions will finally receive the compensation they deserve for the works they create.

This legislation is very important to the music industry and to my district—Nashville, TN, where music is big business and contribute millions of dollars each year to our local economy.

And, I want to salute the many groups who worked for years for passage of this important legislation and who helped me persuade every member of the Tennessee Congressional delegation to cosponsor this bill.

CONCERN ABOUT MIA'S

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. SOLOMON. Mr. Speaker, I have spent a large part of this morning watching the hearings of the Senate's Commission looking into the questions of those of our MIA's in Southeast Asia who remain unaccounted for.

Mr. Speaker, as a former chairman of the House task force on prisoners and missing in action in Southeast Asia, I feel I have to voice my outrage over what I perceive to be some hypocrisy coming out of those hearings.

I am as concerned as anyone that we have a full accounting of what happened to our missing in southeast Asia.

I strongly supported the decision made by former President Reagan—and then-Vice

President Bush—immediately upon their election, to reopen the question of what happened to these men.

And, I remind my colleagues, Mr. Speaker, that he made that decision after the Carter administration had closed the books on the matter.

What bothers me about the Senate hearing I watched this morning is this: It seems that the very same party that has nominated a draft dodger for President—the very same party that was led by the get out of Vietnam at all costs crowd in the early 1970's—is now in the process of castigating former Government officials with the allegation that they did not do all they could have to force the Vietnameses to produce more information on those of our servicemen who we suspected might still be alive.

The very same officials who were then being forced by that party to withdraw our military forces as rapidly as possible.

They are castigating those former officials for not doing something—something that they left them powerless to do.

Mr. Speaker, I am sickened by such hypocritical hindsight.

I have heard it from many members of the same party when it comes to President Bush's more recent successful prosecution of Operation Desert Storm.

While many of them opposed President Bush's use of force to liberate Kuwait, they now castigate him for not carrying military actions further—even though he halted those actions out of concern that Iraqi lives not be needlessly wasted after seeing the damage our forces were inflicting on the fleeing Iraqi Army.

Mr. Speaker, as so often is the case, many of the members of the Democrat Party can only find wisdom in hindsight.

Let's hope that the American people don't find that out the hard way after November.

H.R. 918, THE MINERAL EXPLORATION AND DEVELOPMENT ACT OF 1992

HON. BARBARA F. VUCANOVICH

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mrs. VUCANOVICH. Mr. Speaker, H.R. 918, the Mineral Exploration and Development Act of 1992, may be considered on the House floor later this week, or next. This is one of the most misnamed bills I have encountered in my five terms as a U.S. Congresswoman. It should be short-titled "The Latin American Exploration Incentive Act" because the bill would surely send our domestic mining industry and its capital offshore in search of a better investment climate.

To be candid about my intentions, I take this opportunity to print the following amendments, which I intend to offer during debate. Indeed, during this election year when economic viability is on everybody's mind, I intend to ask for a rollcall vote for each amendment in order for my colleagues to have an opportunity to put their vote where their economic rhetoric is.

The amendments follow:

AMENDMENT TO TITLE I, SEC. 101 OF H.R. 918

Page 2, line 3, delete "REFERENCES" and insert in lieu thereof "PURPOSE".

Page 3, line 4, insert:

(a) It is the purpose of this Act to carry out the policies of the United States expressed in the Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a) and the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601 and following).

Page 3, line 4, delete "(a)" and insert "(b)".

Page 3, lines 6-8, delete "on the first day of the first month following the date a mining claim is located under this Act" and insert "on the first day of September and ending on the thirty-first day of the following August."

Page 5, line 8, delete "downstream of" and insert in lieu thereof "other than."

Page 5, line 12, insert the phrase "located or converted under this Act" after the phrase "means a claim."

Page 6, line 14, add the phrase "expenditures and/or undertakings made in pursuit of mineral activities, including without limitation," after the word "means."

Page 6, line 15, insert the phrase "explore or" after the word "to."

Page 6, line 19, insert the phrase "and reclamation" after the word "activities."

Page 6, line 21, delete "alone without" and insert in lieu thereof "together with."

Page 6, line 22, delete the word "not."

Page 7, line 3, insert "pursuant to specific authority under this Act" after the phrase "mineral activities."

Page 7, line 16, delete in subsection (c) the word "Act." and insert in lieu thereof "Act, and nothing in this Act shall be construed so as to apply to mineral activities and reclamation on private lands or state lands or any other lands not owned by the federal government."

AMENDMENT TO TITLE I, SEC. 102 OF H.R. 918

Page 7, line 24, insert "or"

Page 8, lines 2 and 3, delete "section 204(f) or"

Page 8, line 3, insert "the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714), after the phrase "section 205 of"

Page 8, line 3, delete "this Act".

Page 8, line 11, insert "and the locatable minerals therein" after the phrase "of the claimed land"

Page 8, line 13, insert "only" after the word "subject."

AMENDMENT TO TITLE I, SEC. 103 OF H.R. 918

Page 10, line 4, insert "no more than" prior to "40."

Page 11, line 25, insert an additional sentence, "Such adjudication shall be final agency action subject to judicial review in the United States District Court for the district in which the claims are located. The U.S. District Court shall have jurisdiction without regard to the amount in controversy or to the citizenship of the parties."

AMENDMENT TO TITLE I, SEC. 104 OF H.R. 918

Page 13, line 4, delete "\$5" and insert in lieu thereof "\$2.50", and insert the phrase "(but not less than \$100 per claim)" after the phrase "per acre."

Page 13, line 5, delete "fifth" and insert in lieu thereof "tenth."

Page 13, line 6, delete "\$10" and insert in lieu thereof "\$5", insert the phrase "(but not less than \$200 per claim)" after the phrase "per acre", and delete the term "sixth" and insert in lieu thereof the term "eleventh."

Page 13, line 7, delete "tenth" and insert in lieu thereof "fifteenth."

Page 13, line 8, delete "\$15" and insert in lieu thereof "\$7.50", insert the phrase "(but

not less than \$300 per claim)" after the phrase "per acre," and delete the term "eleventh" and insert in lieu thereof "sixteenth."

Page 13, line 9, delete "fifteenth" and insert in lieu thereof "twentieth."

Page 13, line 11, delete "\$20" and insert in lieu thereof "\$10", and insert the phrase "(but not less than \$400 per claim)" after the phrase "per acre."

Page 13, lines 11-16, delete "sixteenth" and all of lines 12-16, and insert in lieu thereof the phrase "the twenty-first diligence year following the location of the claim, and each diligence year thereafter."

Page 14, line 10, delete the word "contiguous."

Page 14, line 12, delete the word "contiguous."

Page 14, line 18, insert the phrase "mineral activities such as those made for" after the phrase "those made for."

Page 14, line 24, delete the word "and" and insert the phrase "and feasibility" after "engineering."

Page 15, line 2, insert the phrase "and mining" after "exploration."

Page 15, lines 6 and 7, delete item (G) in its entirety.

Page 16, line 11, insert the phrase "including the inability to obtain required federal, state or local permits required for conducting mineral activities" after the word "action" and delete the word "or."

Page 16, line 22, insert the word "or" after "thereon;" and insert a new item "(ii) pending deferment under Section 104(g) of this Act."

Page 17, lines 20-22, delete the phrase "the date which is the last day of the third calendar month after the anniversary date of each diligence year for such claim" and insert in lieu thereof "December 31st of each year."

Page 19, line 6, delete "subsection (d)" and insert in lieu thereof "this section."

Page 19, line 7, delete "10" and insert in lieu thereof "30."

Page 19, line 12, delete "subsection (d)" and insert in lieu thereof "this section"

Page 19, lines 13 and 14, delete "within 10 days after date of the notice referred to in subsection (d)(2)" and insert in lieu thereof "within a reasonable period of time after notice from the Secretary."

Page 19, lines 15-18, delete the phrase "and if the Secretary determines that such failure was justifiable or not due to a lack of reasonable diligence on the part of the claim holder, or that such failure was inadvertent."

Page 19, line 19, insert the phrase "not more frequently than annually" after "authorized."

Page 19, line 20, delete the word "such" and delete the phrase "as he deems necessary."

Page 20, line 20, delete the phrase "the holder of" and insert in lieu thereof "seeking to conduct mineral activities pursuant to a plan of operations covering."

Page 20, line 24, delete the phrase "the holder of" and insert in lieu thereof "seeking to conduct or conducting mineral activities pursuant to a plan of operations covering."

AMENDMENT TO TITLE I, SEC. 105 OF H.R. 918

Page 21, line 8, delete "or willfully" and insert in lieu thereof, "and willfully"

Page 21, line 12, delete "or willfully" and insert in lieu thereof, "and willfully"

Page 21, line 16, insert "unreasonably" after "(3)."

Page 21, line 21, insert "and no penalty under section 104" after the phrase "No civil penalty under this section"

AMENDMENT TO TITLE I, SEC. 107 OF H.R. 918

Page 22, line 10, delete in subsection (a) "February 6, 1991." Insert in lieu thereof "the effective date of this Act."

Page 22, lines 12-14, delete in subsection (a) "unless the Secretary of the Interior determines that, for the claim concerned—"; delete lines 15-16 in subsection (a)(1). Insert in lieu thereof "unless a patent application or mineral survey application was filed with the Secretary for the claim concerned on or before the date 3 years after the effective date of this Act."

Page 22, lines 17-22, delete subsection 107(a)(2).

Page 22, lines 23-24, delete in subsection (a) "the Secretary makes the determinations referred to in paragraphs (1) and (2)" and insert in lieu thereof "a patent application or mineral survey application is so filed."

Page 23, lines 2-3, delete in subsection (a) "Act, unless and until such determinations are withdrawn or invalidated by the Secretary or by a court of the United States" and insert in lieu thereof "Act."

Page 23, line 5, delete in subsection (b) "February 6, 1991." Insert in lieu thereof "the effective date of this Act."

Page 23, lines 7-9, delete "unless the Secretary of the Interior determines that for the mill site concerned—"; delete subsection (b)(1), lines 10-12, insert in lieu thereof "unless a patent application or mineral survey application for such land was filed with the Secretary on or before the date 3 years after the effective date of this Act."

Page 23, lines 13-14, delete subsection 107(b)(2) in its entirety.

Page 23, lines 15-16, delete in subsection (b) "the Secretary makes the determinations referred to in paragraphs (1) and (2)" and insert in lieu thereof "a patent application or mineral survey application is so filed"

Page 23, lines 20-22, delete in subsection (b) "Act, unless and until such determinations are withdrawn or invalidated by the Secretary of State or by a court of the United States" and insert in lieu thereof "Act."

AMENDMENT TO TITLE II, SEC. 201 OF H.R. 918

Page 27, line 11, delete in subsection (a) "environment." and insert in lieu thereof "environment, and prevent unnecessary and undue degradation of the lands, provided, however, that such claim holders shall have the right to develop, produce and process locatable minerals discovered within their claims."

Page 31, lines 4-8, delete subsection (d)(1) in its entirety and renumber accordingly.

Page 32, lines 15-18, delete subsection (e)(7) in its entirety and renumber accordingly.

Page 34, lines 15-23, delete subsections (g)(1)(C)-(D) in their entirety and renumber accordingly.

Page 38, line 23, delete in subsection (j) "Secretary." and insert in lieu thereof "Secretary. The Secretary shall consider the costs and operational practicability when modifying plans of operation and the Secretary shall not modify or place restrictions or conditions on plans of operations that would cause mineral activities to be commercially impracticable."

Page 43, lines 23-25, page 44, lines 1-2, delete in subsection (m)(1) "restored to a condition capable of supporting the uses to which such lands were capable of supporting prior to surface disturbance, or other beneficial uses, provided such other uses are not inconsistent with applicable land use plans" and insert in lieu thereof "reclaimed to the extent that such reclamation is technologically and economically practicable considering the value of the minerals produced and the value of the land for other uses."

Page 44, line 12, in subsection (n) after the word "establish", insert the words "reasonable and technologically and economically practicable"

Page 44, delete in subsection (m)(3) lines 7-10 in their entirety.

Page 44, lines 12-13, delete in subsection (n) "but not necessarily be limited to."

Page 46 delete in subsection (n)(4) lines 3-24.

Page 47 delete in subsection (n)(4) lines 1-2.

Page 47, delete in subsection (n)(5) lines 3-14.

Page 52, line 2, insert:

(p) If a claim holder establishes that mineral values remain in a mined area that could be produced in the future, the Secretary shall waive any of the requirements of this section that would impose an unreasonable additional cost on the resumption of mining

AMENDMENT TO TITLE II, SEC. 202 OF H.R. 918

Page 53, line 12, delete in subsection (b)(1) "determines" and insert in lieu thereof, "establishes by substantial evidence"

Page 53, line 14 in subsection (b)(1), after the word "violation", insert "in any material respect"

Page 53, line 16, delete in subsection (b)(1) "shall issue" and insert in lieu thereof "may issue"

Page 53, lines 21-22, delete in subsection (b)(1) "the Secretary or authorized representative finds that"

Page 53, line 23, delete in subsection (b)(1) "he shall" and insert in lieu thereof "the Secretary or authorized representative may"

Page 53, lines 24-25, delete in subsection (b)(1) "all mineral activities or the portion thereof relevant to the violation" and insert in lieu thereof "establishes by substantial evidence"

Page 54, lines 1-2, delete in subsection (b)(2) "determines" and insert in lieu thereof "establishes by substantial evidence"

Page 54, lines 2-3, delete in subsection (b)(2) "that any condition or practice exists, or"

Page 54, line 5, in subsection (b)(2) after the word "violation", insert "in any material respect"

Page 54 line 6, delete in subsection (b)(2) "such condition, practice or" and insert in lieu thereof "that"

Page 54, line 8, in subsection (b)(2)(A) after the word "imminent", insert "and significant"

Page 54, line 10, delete in subsection (b)(2)(B) "significant, imminent" and insert in lieu thereof, "unnecessary, significant and imminent"

Page 54 line 12, delete in subsection (b)(2) "shall" and insert in lieu thereof "may"

Page 54, lines 13-14, delete in subsection (b)(2) "mineral activities or the portion thereof relevant to the condition, practice or violation" and insert in lieu thereof "the portion of the mineral activities relevant to the violation."

Page 54, line 16, in subsection (b)(3)(A) after the word "(2)", insert "or a suspension order pursuant to section 201(g)(3)(B)"

Page 54, line 18, delete in subsection (b)(3)(A) "condition, practice or"

Page 54, line 22, delete in subsection (b)(3)(A) "shall" and insert in lieu thereof "may"

Page 54, line 23, delete in subsection (b)(3)(A) "possible, and shall," and insert in lieu thereof "practicable, and may,"

Page 55, line 8, in subsection (b)(3)(B) after the phrase "subsection (f)", insert "and an appeal to a court of competent jurisdiction. The operator or person conducting mineral activities shall have the right to continue mineral activities provided for in the plan of operations during such hearing and appeal

unless the Secretary obtains an order from a court of competent jurisdiction that the operator or person conducting mineral activities must cease such mineral activities."

AMENDMENT TO TITLE II, SEC. 204 OF H.R. 918

Sec. 204. UNSUITABILITY REVIEW. should be deleted in its entirety. (page 66, line 23 through page 74, line 25)

AMENDMENT TO TITLE III, SEC. 301(A) OF H.R. 918

Page 82, line 13, in subsection (a) after the word "Enforcement" add "for lands and waters eligible for reclamation expenditures under Section 423 of this Act."

AMENDMENT TO TITLE IV, SEC. 402 OF H.R. 918

Page 86, delete all of Section 402, lines 11-21, in their entirety and renumber accordingly.

AMENDMENT TO TITLE IV, SEC. 402 OF H.R. 918

Page 86, line 16, delete "requirements," and insert in lieu thereof "requirements, provided that such fees shall not exceed \$5.00 per claim."

AMENDMENT TO TITLE IV, SEC. 404 OF H.R. 918

Page 88, line 25 of subsection (a)(1), delete "subsections (a), (b), (c), (d)(1), (f), and (h) of sec-" and insert in lieu thereof "subsections (a), (b), (c), (d)(1), (f), (g), and (h) of sec-"

Page 92, delete lines 8-15 of subsection (e) and insert in lieu thereof, "(e) DISPOSITION OF LAND.—No mining claim shall be located under this Act on lands encumbered by a prior mining claim or mill site located under the general mining laws unless the claim or mill site located under the general mining laws is void or invalid under this section."

Page 92, line 17 of subsection (f), delete the words "the date of enactment" and insert in lieu thereof "the effective date"; delete lines 20-21 of subsection (f) and insert in lieu thereof "laws governing such conflicts in effect on the effective date of this Act in a court of proper jurisdiction."

AMENDMENT TO TITLE IV, SEC. 405 OF H.R. 918

Page 96, lines 6-7 of subsection (c)(2), delete the words "and the operation is fully engaged"

Page 96, line 10 of subsection (c)(3), delete "make each of the following determinations:" and insert in lieu thereof "determine that"; delete in their entirety lines 11-19 of subsection (c)(3); line 20, delete "(D)"; lines 21-22, delete "other Federal requirements, and State" and in lieu thereof insert "applicable Federal and State requirements and"

AMENDMENT TO TITLE IV, SEC. 406 OF H.R. 918

Page 76, line 19, add the following section: "SEC. 406. TAKINGS.

Whenever the Secretary shall make a determination of unsuitability, the determination shall be deemed a taking of property under the Fifth Amendment of the United States Constitution and any person with a property interest in such lands deemed unsuitable for mining shall be entitled to just compensation therefor from the Secretary."

AMENDMENT TO TITLE IV, SEC. 407 OF H.R. 918

Page 98, line 25 of subsection (a), delete "not"

Page 99, line 1 of subsection (a), delete "until" and insert in lieu thereof "unless"; line 2, delete "valid" and insert in lieu thereof "invalid"

Page 99, line 19 of subsection (c), delete "completion of the contest proceeding." and insert in lieu thereof "final judgment by a court of competent jurisdiction determining the validity of the claim."

AMENDMENT TO TITLE IV, SEC. 409 OF H.R. 918

Page 100, line 2, delete "shall" and insert in lieu thereof "may"; delete lines 5-10 and in-

sert in lieu thereof "10 years following the date of enactment of this Act, using appropriate indices for the mining industry, including but not limited to the price of mineral produced and the costs of operating a mine."

AMENDMENT TO TITLE IV, SEC. 410 OF H.R. 918

SEC. 410. ROYALTY. should be deleted in its entirety (page 100, line 11 through page 102, line 14).

AMENDMENT TO TITLE IV, SEC. 410 OF H.R. 918

Page 100, line 18, delete from subsection (a) "income from the production of such locatable minerals or concentrates, as the case may be." and insert in lieu thereof "value of such locatable minerals at the mouth of the mine."

Page 102, line 5, delete from subsection (g) "income" and insert in lieu thereof "value"; line 7, add the following "Gross value shall be the value of locatable minerals at the mouth of the mine. Gross value may be defined as actual proceeds of sale of the locatable minerals or products therefrom, less the costs of beneficiation, processing, transportation to the point of sale, and less severance taxes levied upon the same locatable mineral or product by State or local government subdivisions."

AMENDMENT TO TITLE IV, SEC. 411 OF H.R. 918

Page 104, add a new subsection (d) as follows: "(d) PROTECTION OF VALID EXISTING RIGHTS.—Any person with a valid, existing right under the general mining laws, or any other law, which is rendered null or void by the operation of this section or any other part of this Act shall be entitled to bring an action under the Fifth Amendment of the United States Constitution for a taking of property and shall be entitled to compensation therefore."

A TRIBUTE TO SISTER MARY
IGNATIUS KERRIGAN

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. FOGLIETTA. Mr. Speaker, I rise today to honor Sister Mary Ignatius Kerrigan for her contributions to the Chinatown community in Philadelphia, PA, as well as the entire city of Philadelphia.

Sister Mary was born and raised in Brooklyn, NY. She received her bachelor's degree in education from Saint Bernard's College in Alabama and her master's degree along with her post graduate's degree from Temple University in Philadelphia.

Sister Mary worked as an elementary teacher since 1953. In 1969, she came to the Chinatown section of Philadelphia to teach at the Holy Redeemer Chinese Catholic School and Church. In 1981, in recognition of her dedication and service to the children, Sister Mary was appointed principal of Holy Redeemer School. Throughout her tenure at Holy Redeemer School, she has been a dedicated religious administrator and teacher for many of the adults and children in the community.

In addition to her busy schedule with school and church work, Sister Mary was elected by the community to the board of the Philadelphia Chinatown Development Corp. She also served on the police advisory board. She is a

member of the tenant selection committee of Dynasty Court and served on the PADOT Committee for the Vine Street Expressway as it was being built. Sister Mary was the regional leader in her order of the Missionary Servants. She is also the coordinator for the Principal's Association.

As of September 1992, Sister Mary moved on to the Queen of the Universe School in Bucks County where she will continue her dedicated work in education and social service as the principal of the school. Although Sister Mary is no longer a daily part of the Chinatown community, her presence and fine efforts will keep her always in the forefront of our minds.

WISCONSIN NATIVE PROUDLY
SERVES OUR NATION

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. KLECZKA. Mr. Speaker, of the many duties a Member of Congress must perform, one that consistently provides me with great satisfaction is the recommendation of young men and women to our service academies.

One of my nominees to the Air Force Academy, Brian Sanford of Greendale, WI, was recently selected to enter the selective Euro-NATO Joint Jet Program. In this program, he will be one of 31 Academy graduates to receive advanced pilot training. I'd like to take this opportunity to congratulate Brian on the outstanding job he is doing serving our Nation. I would also like to include in the RECORD a recent article from the Greendale Village Life which further details Brian's record of excellence in leadership, academics and athletics.

[From the Greendale Village Life, Sept. 1992]

YOUNG GREENDALER FINDS SUCCESS IN AIR
FORCE

(By Kim Sweet)

Like Tom Cruise in the movie Top Gun, Brian Sanford lives to fly, dreaming of soaring in a fighter plane wherever the U.S. Air Force might send him.

Unlike Cruise, he isn't a rebel. Sanford graduated from the U.S. Air Force Academy as a top student and leader, and will go on to be part of a select flight training group.

Sanford, 22, has returned to the Academy in Colorado Springs, Colo., where he is working as a research assistant in the management department. The 1988 graduate of Greendale High School hopes that the case studies he is researching will be published in a cadet textbook.

"I'm enjoying it because I get to see things from the other end of the stick," says Sanford, who only graduated from the Academy on May 27, 1992. But soon he will return to the life of a student.

In about six months, Sanford will enter the Euro-NATO Joint Jet Program to receive advanced pilot training. He was only one of 31 students in a class of over 1,000 people (although not all applied) to be accepted to the program.

"We're really excited for him that he's doing so well," said his mother, Adelle. "It's really only an elite few that receive what he did."

The program is run by NATO, with many of the instructors from Allied countries. Un-

like the standard programs, training is done in the air rather than with simulators, and the lessons are tactically-oriented, involving maneuvers and formations in small planes.

"It's geared more to the fact that when you graduate you're going to be flying a fighter," he says in a voice hinting at both excitement and pride. Although he didn't like rollercoasters as a child, Sanford says his favorite aspect of flying is probably the speed.

He didn't come to the academy solely to be a pilot, but caught the long the summer between his freshman and sophomore years when he started to fly gliders, engineless planes.

"That's actually when I started to fall in love with flying," he said. "They're lots of fun to fly because we're flying at the base of the mountains and there's lots of thunderstorms."

Sanford started flying the gliders during the free time that opened up as a result of his decision not to return to the Academy's football team after his freshman year. He eventually became a glider instructor.

Sanford also kept busy with the Scuba Club, downhill skiing, helping out with the cadet basic training programs, and his leadership roles on group staff and as squadron commander. All this while maintaining a 3.4 grade point average.

His record of excellence began at Greendale High School, where he was a straight-A student for four years, the class president for three years, and a member of the variety football team for two years. He also was an Eagle Scout, and volunteered with the United Way.

"He's always been a very self-motivated person," said his mother, a registered nurse at St. Luke's Hospital, Milwaukee.

Neither she nor Brian's father, Alan, were in the military, and said Brian made the decision to enter on his own.

"We were very proud, very happy for him when he graduated. That was one of the goals that he had set, and he achieved it," Alan said. "We've raised all three of our boys to make their own decisions, and set their own goals and reach for them."

Brian's two brothers are 20-year-old twins, Mark and Dan, whom he described as "great guys." His parents, he said, "were really supportive, but they didn't push me one way or the other."

His friends, however, were less than encouraging. "I was pretty wild in high school and a lot of people didn't think I'd fit into the regimented life," Sanford admits. "They didn't think I would make it."

It is true that the Academy is tough, not only to go through but to get into. Those interested in the Academy must be appointed by a congressman and must have outstanding qualifications. Sanford, however, seems to be unfazed by the requirements, seeing his decision as more of a personal choice.

"It was really a great opportunity for me at the time. For one thing, we were at peace," he laughs. Sanford kids around a lot. "That was 1988. Glasnost and perestroika were big."

In a more serious vein, he added, "The prestige of being a military officer appealed to me. And being a pilot."

In addition to fueling his military career, appointment to the Air Force Academy provided him with a free four-year education and a bachelor's degree in management.

Sanford plans to earn his master's degree in business administration through the Air Force in a few years, but his vision of the future centers on flying. His ideal: "I'd be fly-

ing a General Dynamics F16 Fighting Falcon anywhere they want me to go. I don't care specifically where, as long as I have a good time."

He adds, "So far, I just love being in the military. I'd love to make a career of it."

AT WHAT COST THE DEATH PENALTY?

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. EDWARDS of California. Mr. Speaker, the tremendous cost of implementing the death penalty is often overlooked in the debate about capital punishment. As we look for ways to allocate our limited resources in the most effective manner, I commend to my colleagues the following op-ed article which appeared in my hometown newspaper, the San Jose Mercury News, this past Sunday. Gerald Uelmen, the distinguished dean of the Santa Clara University School of Law and a former Federal prosecutor, writes that "When we can't afford to pay for the educational bread our children need, paying for the circus of an occasional execution is an extravagant waste of public resources." The full text of Dean Uelmen's article follows:

[From the San Jose Mercury News, Sept. 20, 1992]

AT WHAT COST THE DEATH PENALTY?

(By Gerald F. Uelmen)

For 20 years, politicians and pollsters have asked California voters the wrong question about the death penalty. When asked simply if they favor the death penalty, Californians respond with an overwhelming "yes." Now, for the first time, Californians must be asked, "How much are you willing to pay to have a death penalty?"

Among the competing public priorities of educating our kids, housing our homeless, giving health care to our sick, keeping our parks and libraries open, and hiring police officers to patrol our streets, how high do you rank paying for the occasional spectacle of an execution?

The issue was recently presented in proceedings before a little-known body called the Commission on State Mandates. When the Legislature, under the leadership of then-Sen. George Deukmejian, restored the California death penalty in 1977, it enacted Penal Code Sec. 987.9, to provide that one accused of a capital offense can apply to the court "for funds for the specific payment of investigators, experts and others for the preparation of presentation of the defense."

From 1977 to 1990, the state reimbursed counties \$77 million for judicially approved defense expenses pursuant to Sec. 987.9. In 1990, the Legislature unanimously appropriated \$13 million for Sec. 987.9 funding, to ensure "uniform and reliable enforcement" of the death penalty in California.

Then-Gov. George Deukmejian vetoed the bill, suggesting the state had run out of money. The State Department of Finance adopted the position that funding these expenses was a county responsibility, since the decision to prosecute a case as a capital offense is made by the county district attorney.

The issue, of course, is whether the state or the county foots the bill. Options do not

include simply refusing to provide the services that Sec. 987.9 makes available. In 1985, the U.S. Supreme Court ruled in an Oklahoma case that the federal constitutional guarantee of due process requires the government to foot the bill for psychiatric experts needed to defend an indigent in death penalty sentencing hearings.

In late July, by a vote of 3-2, the Commission on State Mandates rejected a claim for \$8 million in reimbursement sought by Los Angeles County, declaring that counties must pick up the full tab for death penalty defense costs.

A predictable response will be an attempt to reduce those costs, by refusing more requests for defense investigators and experts. Perhaps a more appropriate response would be for county prosecutors to be more selective in the use of the death penalty, but that hardly seems likely.

In the wake of the Robert Alton Harris execution, California is headed for a record year, with more new death judgments coming down than in any of the past 10 years. In Santa Clara County, the grand jury recently returned an indictment seeking the death penalty for 12 Nuestra Familia prison gang members, a case that may set another record in the costs the county will have to pick up.

But counties might not even have the option of avoiding the costs by declining to seek the death penalty. When impecunious Calaveras County balked at the costs of a death penalty trial for Charles Ng, accused of torturing and murdering 12 victims in a mountain cabin, the state attorney general took over the prosecution. But the state has refused to provide Calaveras County with any funds to reimburse expenses for Ng's defense, insisting the county must pay those costs.

The reimbursement of defense experts is only a small part of the expense of death penalty trials. The biggest item on the bill is likely to be the fees paid to court-appointed lawyers. Death cases are very demanding in terms of time and expertise, and court-appointed legal fees are substantially less than experienced lawyers can command in private practice.

Nonetheless, as costs climb, counties are groping for ways to reduce the funding for death penalty defense work. Los Angeles County is proposing the use of "flat fee" contracts much like those used in Southern states, with no opportunity to renegotiate based on the peculiar circumstances of a particular case. The proposal has encountered stiff resistance from the Los Angeles County Bar Association.

If it comes to a standoff, with both the state and the counties refusing to pay, the courts may be left with no choice but to dismiss the death penalty demand and try a case simply as one punishable by life imprisonment without the possibility of parole. In 1983, the Rose Bird Court upheld a contempt of court judgment against a county auditor who refused to pay court-ordered reimbursements to a criminal defense attorney.

But even this power may be limited. In an effort to head off judicial restoration of budget cuts for court funding, the Legislature recently considered a constitutional amendment that limits the power of courts to order disbursement of tax funds. Although it was narrowly defeated, the proposal is likely to resurface.

Thus, California's love affair with the death penalty may crash on the shoals of fiscal reality. To be sure, there will be lots of politicians arguing that the solution is to treat death cases the same as other cases.

Where mere liberty is at stake, we readily accept a wider margin of error, and find comfort in the hypocrisy of promising equal justice while we deliver two levels of justice to indigents and to those who can pay.

That kind of hypocrisy cannot be tolerated in death cases. The courts have always recognized that death is different, and cases where the state seeks to take the defender's life require a greater level of procedural protections and judicial scrutiny. As U.S. Supreme Court Justice Harry Blackmun recently observed, undercutting that premise "undermines the very legitimacy of capital punishment itself."

For years, California politicians have tripped over each other in their eagerness to promote the death penalty without ever reckoning how much it would cost. Today, when we can't afford to pay for the educational bread our children need, paying for the circus of an occasional execution is an extravagant waste of public resources.

You won't find a politician with the courage to even raise the question, though. President George Bush is bashing Congress because it hasn't passed his proposal to expand the number of federal offenses punishable by death from two to 53. At the same time, he's proposed a budget under which funds for the defense of indigents in criminal cases will run out in April.

TRIBUTE TO JUDGE JOSEPH DONOFRIO

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to Judge Joseph Donofrio, the vanguard of justice and human dignity in the State of Ohio.

Judge Donofrio was admitted into the practice of law in 1955 and has served in numerous capacities, including Chief City Prosecutor in Youngstown, as a judge in the city's municipal court and as chief justice of the Ohio Courts of Appeals Association. In his 37 years of service, he has worked tirelessly to improve the human condition both in his hometown and throughout the State.

While serving as judge for the municipal court, Judge Donofrio established a court honor class to rehabilitate indigent, alcoholic offenders. He also organized and chaired the Committee on Homeless Alcoholics. This committee established the first halfway house in Youngstown for those suffering from the disease. The Donofrio House now offers hope to individuals caught in the web of alcoholism, crime, and poverty.

Mr. Speaker, mentally retarded citizens have also benefited from Judge Donofrio's efforts. As chairman and board member of the County Mental Health and Retardation Board, Judge Donofrio was instrumental in establishing a mental health officer post in the Youngstown Police Department. Now the mentally ill and those addicted to alcohol and drugs can be screened and directed to needed medical attention.

I am not surprised, Mr. Speaker, that Judge Donofrio was awarded the Ohio Supreme Court Award for Judicial Excellence. I am also grateful that he has chosen to share his con-

siderable knowledge and expertise with the students of Youngstown State University as an instructor in the Criminal Justice Department.

Mr. Speaker, when men and women expend vast amounts of energy to succeed, they often take for granted those close to them. But Joseph Donofrio has preserved and cherished his family. I have seen firsthand the Donofrios and can tell you only of love and loyalty. His son, Gene, is striving to carry on his father's good works as a judge on the Ohio Court of Appeals. He recently won the primary, and I wish him all the best in November.

Thank you for the time, Mr. Speaker, to honor the compassion and vision of Judge Joseph Donofrio.

IN MEMORY OF EUGENE H.
MORRISON

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. GILMAN. Mr. Speaker, I rise today to inform our colleagues of the passing of my dear friend and former classmate, as well as a prominent citizen of Middletown, NY, Mr. Eugene H. Morrison.

Eugene Morrison, who passed away on September 16, 1992, was the youngest of five children, born to John and Christine Morrison in 1921. After attending grade school in Middletown, and high school at the Harvey School in Katonah, NY, Mr. Morrison went on to graduate from the Massachusetts Institute of Technology in 1943. After graduation, he joined the U.S. Army where he served as general staff engineer officer in Italy for 2 years. He received an honorable discharge with the rank of captain in 1946.

Mr. Morrison began his business career as a terminal engineer at the Norfolk Terminal for Texaco, Inc.; but he soon resigned his position to become the assistant trust officer of the Orange County Trust Co. He became the president of that organization in 1962 and subsequently chairman of the board in 1970.

Mr. Morrison also served his community in many other capacities. He held positions ranging from director of the Federal Reserve Bank of New York to five terms as president of the Horton Memorial Hospital to member of the board of both the Orange County Home for Aged Women and the Orange County Golf Club.

Gene Morrison was a man of laudable character who was admired by many of his colleagues. Despite the success his father had achieved in the oil industry, Eugene worked hard as a young man to earn his weekly 25-cent allowance. This work ethic of his youth continued to manifest itself in every facet of his life throughout his 71 years. Eugene's colleague and predecessor as president of the Orange County Trust, Albert Juliano, said of him:

He was a strong-willed man who once he set his sights on something beneficial for the community, he went all out to see that it became a reality.

Mr. Morrison was also a faithful supporter of the Orange County Community College Schol-

arship Fund and College Association. Morrison Hall was erected in memory of his continued support throughout the years. In recognition of Gene's philanthropy and community involvement, he received a nomination for the title of Colonel of the Commonwealth of Kentucky.

Mr. Speaker, Gene was a dear and close friend who I had learned to depend upon for sound and salient economic advice. Gene was a dependable guy who could always grasp the big picture on any given issue and accordingly offer dispassionate suggestions.

Mr. Speaker, Eugene Morrison was an outstanding contributor to society. His death is a great loss to our community of Middletown, NY and to our State and Nation. He was a close personal friend of mine and I encourage our colleagues to join in extending the deepest sympathies to his wife Clifford, his children Elizabeth, Martha, Eugene, and William, and his many other loved ones. His life should set an example to be emulated by all of us.

Someone once said that man's stay on this Earth is measured by the good deeds he performed during his lifetime. If that be the case, then Gene Morrison's debt to society is paid in full.

FISCAL YEAR 1992 DIRE EMERGENCY SUPPLEMENTAL APPROPRIATIONS BILL

HON. LAWRENCE COUGHLIN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. COUGHLIN. Mr. Speaker, I would like to bring to the attention of my colleagues the administration's concerns with regard to title XII—Additional Assistance to Distressed Communities—of the Senate-passed version of H.R. 5620, the fiscal year 1992 dire emergency supplemental appropriations bill.

Title XII of the Senate-passed bill contains fiscal year 1993 funding for a number of programs, subject to the enactment of authorizing legislation, including \$300 million for a block grant to distressed communities designated as tax enterprise zones and \$200 million for new and existing Federal programs.

As indicated in a recent letter from Attorney General Barr to key members of the House and Senate Appropriations Committees, the administration is concerned that the funds in the Senate-passed bill are either not tied directly to the weed and seed strategy or are earmarked solely for tax enterprise zones.

The Weed and Seed Program is designed to ensure that Federal assistance to State and local law enforcement will be better coordinated with prevention and other demand reduction programs. It is a comprehensive, multi-agency plan to reclaim embattled neighborhoods by weeding out gang leaders, violent criminals, and drug dealers and seeding, or rejuvenating these areas with a wide range of anti-crime and drug prevention programs, as well as human service agency resources.

Economically distressed communities require the expansion and improvement of on-site social programs such as job training, Head Start, drug abuse treatment, literacy programs and programs targeted to high risk

youth. These enhancements will be wasted, however, if progress is not also made in reducing the threat of crime. These additional funds for social service programs must be expended in coordination with law enforcement efforts as called for in the administration's weed and seed strategy.

It is my understanding that the administration supports title XII of H.R. 5620 as passed by the House last Friday, and I urge my colleagues to support appropriate authorizing legislation. For the RECORD, I am submitting a copy of Attorney General Barr's letter outlining the administration's views with regard to title XII of the Senate-passed bill:

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, September 17, 1992.

HON. ROBERT C. BYRD,
Chairman, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MR. BYRD. The purpose of this letter is to reemphasize the Administration's views with respect to the funding provided to distressed communities under Title XII of H.R. 5620.

Title XII of the Senate passed bill contains FY 1993 funding for a variety of programs, subject to the enactment of authorizing legislation. Specifically, Title XII includes \$300 million for a block grant to distressed communities designated as tax enterprise zones and \$200 million in appropriations for four new and five existing federal programs. The Statement of Administration Policy clearly summarizes the problems with this title:

"The Administration objects to this new spending unless the funds are targeted more efficiently and effectively under the Weed and Seed Program. Additional spending for social service and economic development programs is questionable unless those funds are expended in coordination with law enforcement efforts."

The Weed and Seed Program, now operating in twenty communities throughout the country, is designed to effectively coordinate the delivery of social service spending with law enforcement activities while giving local communities the discretion to fashion a program that addresses local needs. In Trenton, New Jersey, for example, the local Weed and Seed steering committee has used limited federal resources complemented by state, local and private sector resources to fund a successful law enforcement effort, community policing program and Safe Haven initiative. Over 600 children per day have used "Safe Haven Schools" during the 1991-1992 academic year or during the summer of 1992. These schools are opened after hours to give the children of these neighborhoods a place, insulated from the fear of violence or intimidation by drug dealers, in which to do their homework, swim, play basketball, and other activities. In effect, "Safe Haven schools have become calm ports in stormy high-crime areas." For your reference, I am enclosing the "First Year" Report on Trenton Weed and Seed as prepared by the local steering committee.

Activities like Safe Haven schools and many others are in various stages of development throughout the country in these pilot and demonstration locations: Atlanta, GA; Chelsea, MA; Charleston, SC; Chicago, IL; Denver, CO; Ft. Worth, TX; Kansas City, MO; Los Angeles, CA; Madison, WI; Omaha, NE; Philadelphia, PA; Pittsburgh, PA; Richmond, VA; San Antonio, TX; San Diego, CA; Santa Ana, CA; Seattle, WA; Trenton, NJ; Washington, DC; Wilmington, DE.

In addition, communities like Springfield, Illinois; Benton Harbor, Michigan; Mobile,

Alabama; Birmingham, Alabama; Savannah, Georgia; Providence, Rhode Island; Indianapolis, Indiana; and Miami, Orlando, Ft. Myers, Jacksonville, and St. Petersburg/Clearwater, Florida are interested in or are beginning to adopt the Weed and Seed strategy without additional funding in FY 1992. The resources for Weed and Seed requested by the President in his FY 1993 budget will enable these and many other communities to implement this innovative strategy for assisting distressed communities. H.R. 5620, however, does not provide the vital "seed" resources for these communities.

The funds provided in the Senate-passed bill are either not tied directly to the Weed and Seed strategy or are exclusively earmarked for tax enterprise zones. Since January, the Administration has consistently asked the Congress to appropriate \$500 million under the Weed and Seed Program, particularly for "seed" or social service activities. In fact, 94% of the President's budget request for Weed and Seed activities is earmarked for "seed" programs.

H.R. 5620, as passed by the Senate, provides \$200 million for new and existing programs. The legislation, however, does not tie these funds to the Weed and Seed strategy. The Administration cannot support this new spending unless these funds are targeted more effectively under the Weed and Seed program. In these difficult times, a business as usual approach to government spending and crime fighting is wasteful and inefficient.

H.R. 5620 also provides \$300 million to the Interagency Council for tax enterprise zones under a block grant program. On the surface and without additional details, this appropriation raises several concerns for the Administration. First, the funds should not be limited to tax enterprise zones. The Interagency Council should have the flexibility to direct the use of these funds to the areas most in need. Second, the funds appropriated under the block grant program should not be strangled by Washington dictated formulas that smother local creativity and ignore community input. Third, the funds should be tied more closely to the Weed and Seed strategy, where law enforcement works hand in hand with social services agencies to comprehensively assist America's distressed communities.

Mr. Chairman, I urge the Committee to work with the Administration to make these critical changes in this legislation. The communities now implementing the Weed and Seed strategy and those who want to participate in the program are in dire need of "seed" resources. Working with State and local jurisdictions, we are effectively coordinating our law enforcement efforts to rid these neighborhoods of the most violent offenders and establish active community police programs. To balance the effort, the President has requested over \$470 million in "seed" programs to assist these communities. I hope the Congress will respond by providing the "seed" resources so important to the success of the program.

Thank you for your timely consideration of this important legislation.

WILLIAM P. BARR,
Attorney General.

HUMAN RIGHTS IN TURKEY

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. HAMILTON. Mr. Speaker, I wish to draw to the attention of my colleagues the latest in a series of letters exchanged with the Department of State regarding the human rights situation in Turkey. The last exchange appeared in the CONGRESSIONAL RECORD on Tuesday, November 26, 1991. The current exchange deals with the question of the existence of political prisoners in Turkey.

The Department's August 3, 1992 response is striking for the number of places where the Department states that information is lacking about the nature of human rights in Turkey. It underscored the need to improve our information and knowledge about this situation.

Once again, I wish to reiterate that Turkey is an important friend and ally of the United States. We have a broad agenda with the Government of Turkey. It is in our interest and in the interest of the future of the United States-Turkey relationship to ensure that serious human rights violations cease to occur in Turkey.

U.S. DEPARTMENT OF STATE,
Washington, DC, August 3, 1992.

Hon. LEE H. HAMILTON,

Chairman, Subcommittee on Europe and the Middle East, Committee on Foreign Affairs.

DEAR MR. CHAIRMAN: I am pleased to respond to the questions you raised in your letter of July 10 to Assistant Secretary Niles regarding the issue of political prisoners and other human rights abuses in Turkey.

On the overall human rights situation in Turkey, there is no better source of information and analysis than the Department's Report on Turkey in its Country Reports on Human Rights Practices for 1991. It provides as complete a review of human rights abuses in Turkey as available information permits.

Despite the care and attention to detail that characterizes that report, it does not establish the number of political prisoners in Turkey at that time or whether, in fact, there are such. In this connection, I can confirm Mr. Niles's statement June 23 that we have no information that there are people in prison in Turkey for specifically "political" offenses, such as, for example, belonging to a political organization. There are persons imprisoned in Turkey for activities which the government considers illegal, and which could be regarded as politically motivated: for example, members of the Kurdish Workers Party (PKK) convicted of carrying out terrorist acts. I do not, however, consider those detained for terrorist activity to be political prisoners. Rather, the PKK is a terrorist organization, recognized as such by most governments in the world, including the United States. As a consequence of intensified terrorist action in the southeast by the PKK, the parliament recently extended the state of emergency in that area for another four months.

We have no information on new cases of persons sentenced for what we would consider political activities since April 1991, when new anti-terrorist legislation abolished features of the criminal code which defined advocacy of beliefs, such as communism and Islamic fundamentalism, as "crimes." As are you, we are aware that the security courts still have the authority, in theory, to indict

and convict persons who advocate separatism, threaten the unity of the state, or conduct "armed propaganda." The Turkish claim that such persons would not be political prisoners does not conform with international standards.

In this regard, we believe that Turkish state security prosecutors take an impermissibly broad view of what constitutes "separation"—as, for example, in their thus far unsuccessful efforts to prosecute Kurdish members of parliament for speaking Kurdish at the rostrum and for wearing Kurdish colors at their swearing-in ceremonies. As a consequence, the security courts may in the past have convicted and sentenced people for what outside observers would consider to be the legitimate expression of opinion. However, there are no estimates of the numbers of such convictions any more definite than those offered by the reports you cite, and these cannot be confirmed. Such estimates are made more difficult by pardons and amnesties (exact number unknown) that have been issued since the passage of the anti-terrorist law.

As regards the other specific questions you raised in your letter:

We do not accept a definition of "terrorist" drawn as broadly as in the Turkish anti-terror law. Our Human Rights Report characterized the Turkish definition as "broad and ambiguous" and susceptible to abuse. As noted in that report, the law's provisions are still pending judicial review.

In whatever manner "political prisoner" may be defined, we consider anyone detained for freedom-of-expression "offenses"—whether through ambiguity of the law, or abuse of the law by authorities—to be an appropriate subject of our concern.

Our working definition of "political prisoner" is broadly inclusive. To summarize, it includes persons who are incarcerated without charges, or on charges for offenses commonly held to be matters of belief, or for membership in a religious, social, racial, or national group. This definition extends our concern to persons prosecuted even under an ostensibly internationally acceptable law when the charges are trumped-up, or the trial unfair. Our definition also includes those convicted of politically-motivated acts in cases where the punishment is unduly harsh because of the person's race, religion, nationality, or social group. It does not include those who, regardless of their motivation, have gone beyond advocacy and dissent to commit acts of violence.

We are aware of the problem of torture in Turkey. Turkish Government figures show that more than 1400 cases of torture were investigated in 1991. The Turkish Human Rights Association reported 18 deaths of persons in police custody that same year. We continue to receive reports of torture, but the process of compiling full statistics for 1992 is not yet complete. We shall again report fully on this abuse, but we believe the record has improved since our last report in terms of the number of cases.

Thus the Department takes a very comprehensive view of what constitutes human rights abuses, as our annual reports amply demonstrate. We feel that abuse of human rights, as you suggest, does not depend solely on definitions of offenses, nor on numbers of convictions. Indeed, the whole range of issues involving human rights is a matter of serious concern in our bilateral relations with Turkey. We follow closely, for example, reports of unjustified detention, torture, and unsolved deaths of Kurdish activists. Since Mr. Niles met with the Subcommittee on

June 23, Ambassador Barkley again discussed our human rights concerns with the Turkish Minister for Human Rights on July 14 and urged Turkey's compliance with international human rights standards to which it has subscribed.

At the same time, we are encouraged by improvements that have occurred in Turkey since the restoration of democratic government. Although Turkey has faced during that period a growing threat from Dev Sol, PKK, and other terrorist groups, we believe that the long-term trend is good. Turkey has taken many significant steps, and we believe that the present government is committed to implementing democratic standards of human rights. As Mr. Niles stated in his testimony on June 23, the Government of Turkey is actively seeking ways in which those human rights abuses can be put in the past. For example, the government has presented to the parliament for its consideration judicial reform legislation which would limit pre-trial detention and guarantee attorney access at all stages of detention. I believe the Turkish authorities recognize that some of their procedures are simply unacceptable, not just because of international pressure but because of what kind of a country they want Turkey to be. We intend to continue to discuss abuses with Turkey in order to support that trend.

I hope this letter has been responsive to your concerns.

Sincerely,

JANET G. MULLINS,
Assistant Secretary,
Legislative Affairs.

HARRY DANIEL APPOINTED CHIEF RANGER OF THE VIRGIN ISLANDS NATIONAL PARK

HON. RON de LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. DE LUGO. Mr. Speaker, I could not be more pleased that the National Park Service has chosen Harry Daniel to assume the position of Chief Ranger at the Virgin Islands National Park on St. John.

Harry Daniel has earned the respect of all segments of the local community for his involvement and for his outstanding record of achievement during 23 years of service with the Virgin Islands Police Department.

A recent editorial in the Virgin Islands Daily News, which I submit for the RECORD, is titled "An ideal choice," and sums up why Harry Daniel's selection for this job is such a good one.

Beyond Harry Daniel's unquestioned qualifications to be Chief Ranger, his appointment represents another milestone for the community: Harry is the first native St. Johnian to hold this important position in the more than 35 years the national park has been in operation in the Virgin Islands.

This is an important time for the park and the people of St. John. At my request, and with the support of our former colleague, Secretary of the Interior Manuel Lujan, and Assistant Secretary for Fish and Wildlife and Parks Governor Mike Hayden, the Interior Department recently examined closely park operations and park relations with the community.

It became very clear that qualified Virgin Islanders were not being included in training and advancement, and that something has to be done.

Harry Daniel's appointment as Chief Ranger is an ideal first step. His credentials in law enforcement, his obligation to fairness, and his commitment to his community are important assets in building new bridges between the St. John people and the park administration and staff.

To Harry Daniel I extend my personal congratulations and my every wish for his success. In Harry Daniel the entire community places its confidence that his leadership will bring new strength and sensitivity to the Virgin Islands National Park.

AN IDEAL CHOICE

Harry Daniel's appointment as chief ranger for the National Park Service on St. John is sure to win universal accolades.

Daniel is an ideal choice for the job. He's got the right kind of experience after 23 years with the V.I. Police Department.

He's got the respect of everyone in the community—young and old, black and white, rich and poor. That's no small factor given the charges of racism that have been leveled against the park service hierarchy in recent months.

He's got the community at heart, as evidence by his numerous community activities. So if anyone can win the community over to understand the park's inestimable value to St. John, Daniel is that someone.

Harry Daniel is the first St. Johnian to become chief ranger of the V.I. National Park. He starts Oct. 15. We have every confidence that he will do an outstanding job.

SALUTE TO NANCY AKABORI

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. MATSUI. Mr. Speaker, I rise today to salute Mrs. Nancy Akabori, Mr. Toko Fujii, Mrs. Frances Lee, and Mrs. Margaret Lim for their undivided support and continued leadership. On September 26, 1992 the Asian Community Center will be honoring these outstanding citizens at the sixth annual fundraiser for the Asian Community Nursing Home.

The Asian Community Nursing Home is guided and supported by the Asian Community Center and has been a successful and valuable caretaker for many senior citizens of the Sacramento community. Their dedicated staff, volunteers, and supporters have made this organization one of the most respectable nursing homes in the state. This year four individuals have been chosen as exemplary leaders of these successfully run enterprises.

Mrs. Nancy Akabori has volunteered her time between the Asian Community Center, its bingo operations and the Asian Community Nursing Home. She served on the board of directors of the Asian Community Center from January 1987 to January 1988 and has been a cochairperson for the annual nursing home fundraiser since it started in 1987.

Mr. Toko Fujii devoted his time serving on the Asian Community Center board of directors from July 1984 until January 1989. While

-serving on the board, he was instrumental on the finance, marketing, and fundraising committees. He currently is active as a cochairperson for the annual nursing home fundraiser and continues to volunteer at the community center's bingo hall.

As an active board member since 1980, Mrs. Frances Lee is well known for her responsible role for the Asian Community Center's bingo operations. As their bingo manager, Frances spends many hours coordinating and maintaining procedures for running the prosperous bingo hall, which has been successful enough to cover additional maintenance costs for the Asian Community Nursing Home. Frances also serves as the chairperson for the volunteers committee.

Since 1984, Margaret Lim, known to many as Peggy, has actively served on the board of directors of the Asian Community Center. She has served on the finance, marketing, fundraising, and volunteer services committees and always has time to volunteer for many activities at the Asian Community Center and the nursing home. Additionally, Peggy has been valuable as the cochairperson for the volunteer services committee.

Mr. Speaker, the Sacramento community is proud of the commitment from Nancy Akabori, Toko Fujii, Frances Lee, and Margaret Lim. I ask that my colleagues join me in saluting these outstanding leaders and their tireless dedication to the Asian Community Center and the Asian Community Nursing Home.

SALUTE TO THE 77TH U.S. ARMY RESERVE COMMAND AND THE 77TH INFANTRY DIVISION

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. SERRANO. Mr. Speaker, I rise today to salute the members of the 77th Infantry Division and the 77th U.S. Army Reserve Command [ARCOM]. This year, the 77th ARCOM celebrates its 25th anniversary and the 77th Infantry Division celebrates its 75th anniversary and I would like to take this opportunity to commemorate the contributions both these units have made to our Nation's history.

The 77th Infantry Division was organized at Camp Upton, Yaphank, NY, in 1917. It called itself the "Metropolitan Division" and was particularly known as the "Statute of Liberty Division" due to the huge number of soldiers in the division that came from New York City, among which were many courageous men from the Bronx. Six months after its formation, the 77th Infantry Division departed for Europe to fight in World War I where the unit remained 68 days in combat, fighting in four campaigns: Baccarat, Oise-Aisne, Aisne-Marne and Meuse-Argonne.

The 77th Infantry Division was deactivated following the end of World War I and was reactivated for World War II in the spring of 1942. At this point, the unit traveled to the Pacific for its first combat mission which was to help the Marines liberate Guam. During World War II, the 77th Infantry Division participated in five operations in three campaigns, never

fighting in a losing campaign. The unit was once again deactivated in 1946 and the following year went on to become one of the six combat divisions of the Army Reserve. In 1967, the 77th Army Reserve Command was formed as part of the reorganization of the command structure of the Army Reserve.

Six units of the 77th ARCOM were called to active duty as a result of the Pueblo Crisis in 1968. Five of these units served in Vietnam and many unit members received decorations and awards for outstanding service. The 77th ARCOM also participated in the recent Persian Gulf war when approximately 3,500 soldiers, or one-quarter of the unit's strength, was mobilized.

Mr. Speaker, please join me today in celebrating the anniversaries of both these units and in expressing to all the courageous individuals who formed part of the 77th Infantry Division and the 77th ARCOM our deep appreciation for their heroic service to our Nation.

HUGH WECKERLY'S IDEAS TO REDUCE THE FEDERAL DEFICIT

HON. RANDY "DUKE" CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. CUNNINGHAM. Mr. Speaker, Americans are increasingly worried about the size of the Federal budget deficit, now exceeding \$300 billion per year.

This past weekend, while meeting constituents in my San Diego, CA, district, Mr. Hugh Weckerly presented me with a brief paper that makes a lot of sense.

I am proud to enter Mr. Weckerly's paper into the permanent RECORD of the Congress of the United States, in hopes that it will be instructive to the Members of this body.

[Mr. Weckerly's paper follows:]

HOW TO BALANCE THE BUDGET

(By Hugh Weckerly)

There is a workable solution available to balance the Federal Budget in five years without increasing tax rates.

By implementing and combining the recommendations of the Grace Commission, the Heritage Foundation and the Citizens Against Government Waste (all non partisan, non profit, tax exempt taxpayer organizations) the President and Congress could give us a practical solution to our Federal budget problems.

The "Heritage 4% Solution" would establish a cap in spending growth that would still allow policy makers to spend more on all programs or even increase spending well over 4% for some programs if they cut back or terminate others to hold to the 4% total budget increase.

The Citizens Against Government Waste Special Report includes the unimplemented portions of the Grace Commission recommendations that have already saved \$197.2 billion and spells out how the Federal Government can save a whopping \$167 billion next year and a total of \$922 billion over the next five years by identifying over 500 proposed savings with dollar amounts for each.

The Citizens Against Government Waste also recommends that Congress adopt the following items that are just as important to the process:

1. Adopt procedures to identify and eliminate pork barrel spending (a "pork barrel litmus test").
2. Privatize federal services that can be performed better at lower cost by the private sector.
3. Give the President authority to veto line items in spending bills (enhances his power to block special interest spending.)
4. Cut the top rate on the capital gains tax and index capital gains for inflation. (Proven revenue gainer. America is the only Western nation without an indexed capital gains tax.)
5. Roll back increases in the social security payroll tax (Gives direct and immediate financial help to the poor and small business and boosts employment.)
6. Double the tax exemption for children and bring back the Individual Retirement Account (IRA) and remove the penalties for first time home purchases (current tax code penalizes families and discourages savings.)
7. Repeal the job destroying and revenue loser luxury tax and all other tax increases legislated in the 1990 budget agreement.
8. Limit the number of terms members of Congress may serve (will reduce the power of special interests).

The recommendations of these citizen committees offer the necessary tools to obtain a balanced budget in five years or less without raising tax rates.

I would recommend three more proposals for consideration:

1. Reevaluate all entitlements (restore fairness to the budget).
2. No officer, committee, or other House authority, including the Rules Committee, shall allow any spending amendment that is not germane to the question before the House or agree with or allow any officer or committee of the Senate to present any such amendment to the House.
3. Interest dollar amounts due and paid to the Federal government from special low interest loans may be deducted as a business expense only to the extent that they exceed total non operating income received.

It is obvious that Federal spending must be controlled if we are ever to become fiscally responsible.

This proposal suggests the way to obtain a balanced budget without any big sacrifices to any one or more of our people.

It does not recommend a cut in any budget item dollar amounts.

It does identify over 500 budget items where the elimination of government waste would produce savings and does allow all the savings from programs where 4% increases were not necessary to be used to increase others.

A sustainable and eventually balanced budget should be attainable with all the options contained in this proposal.

A TRIBUTE TO JORGE MAS CANOSA

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. SMITH of Florida. Mr. Speaker, the September 1992 edition of South Florida magazine featured an article about my good friend and distinguished Cuban-American, Jorge Mas Canosa.

Many of us know Jorge as the man who, perhaps more than any other, has put the

spotlight on Fidel Castro's tyranny in Cuba. That spotlight has allowed the world to learn about the ongoing tragedy of the Castro dictatorship. It has also won Mr. Mas Canosa the respect and support of fellow Cubans here, on the island, and throughout the world.

Mr. Speaker, I am proud of my friend Jorge and congratulate him for his very long list of accomplishments on behalf of his beloved Cuba. Rare is the person familiar with Washington politics that is unfamiliar with the effectiveness and success of the Cuban-American National Foundation. Jorge's is one of the more successful and prominent immigrant stories that I know. His success is representative of the Cuban-American community, whose rich and varied contributions in all facets of life have made south Florida and other communities throughout the country a better place in which to live.

MAS MACHO: THE MOST POWERFUL CUBAN IN AMERICA

(By Pat Jordan)

Jorge Mas Canosa, 52, is a Miami beekeeper and former milkman who made his fortune planting telephone cable and has a very busy-looking passport. It is stamped with the names of far-flung ports-of-call: Brazil, Argentina, El Salvador, Panama, Hungary, Honduras, Chile, Costa Rica, Guatemala, Portugal, Angola. It should also be stamped with the name of the American city he visits most frequently, Washington, since Mas still considers himself a foreigner in the country in which he's lived for more than 30 years.

Mas, as he is called by those who know him, visited Czechoslovakia shortly after Vaclav Havel assumed power and tutored him on capitalism. In mid-1991, Mas visited Nicaragua to congratulate Violeta Chamorro after she was elected president. He also visited Lisbon, where he helped broker the peace agreement between Angola's Castro-backed communist government and the Angolan rebel, Jonas Savimbi. And Mas visited Boris Yeltsin the week before the Soviets announced they were pulling their troops out of Cuba.

Sometimes people come to Mas. When Cuban rafters wash up on the shores of South Florida, the first name they are likely to mention is that of Jorge Mas Canosa. When President Bush wants to make a policy speech about Cuba, he sends Bernard Aronson, his assistant secretary of state for inter-American affairs, to deliver that message before Mas and the Cuban-American National Foundation, the powerful lobbying group Mas founded in 1981. Sometimes Bush comes and speaks to the CANF himself, or Mas goes to Washington and confers with the president. "I know him close enough to call," Mas says of Bush, "and even if I don't talk to him personally, I get his attention."

In 11 days last summer, Mas visited 10 foreign countries and was received by 10 heads of state. His visits had a single purpose, just as Mas has only a single purpose: to persuade those heads of state to help him drive Fidel Castro from power.

Jorge Mas Canosa is a trim, dapper, gray-haired little man who favors gray suits, tasseled black loafers and tinted eyeglasses indoors or out. Little is known about Mas, his personal life, his lifestyle, even his movements, until they are made. What is known about Mas is that he is a footnote to international politics who happens to be the most influential Cuban in the United States. He is also, according to friends, the man most likely to become the first democratically

elected president of Cuba. To his enemies, he is the man they most fear becoming president of Cuba.

Mas sees the world in terms of conspiracies only he can unravel. He drives a bomb-proof Mercedes-Benz 560 SEL and has been known to carry a loaded .357 magnum in his briefcase. He debugs his house every few months. He is not afraid to act physically to defend a real or imagined slight. A few years ago he punched out his brother Ricardo over a business matter. Ricardo sued Mas for libel and won a judgment of more than \$1 million.

Mas has established "a very profitable business" installing telephone line for Southern Bell, one that has made him a millionaire 10 times over. But more important, to him anyway, it has given him access to the corridors of power, especially in Washington.

He is a friend to presidents (Reagan, Bush) and an enemy (Kennedy). In 1975, when he wanted to start Radio Marti, he had a friend contact Sen. Edward M. Kennedy to ensure that the senator would not oppose their efforts. He didn't. In 1985, when he wanted to make sure Savimbi's rebels continued to get financial aid, he stopped by the late Sen. Claude Pepper's house. It was done, to the tune of \$30 million.

Bernard Aronson says of Mas: "His views are taken very seriously by this administration *** The stereotype of him—which holds that Mas is an intransigent demagogue—is not accurate."

It does not matter to Mas whether the men he courts are liberals or conservatives. It matters only that they stand on the "honorable" side of the only issue that concerns him: Castro's demise. It is his litmus test that determines which politicians receive contributions from the vast sums at his disposal—CANF directors contribute at least \$10,000 a year to join; Mas contributes \$50,000. "We never forget our friends," says Mas. "And we always remember our enemies."

Mas has a lot of enemies, besides Castro. Left-wing Cuban exiles who would like rapprochement with Castro. Right-wing Cuban exiles who want nothing less than a military invasion of Cuba. Americans who would like the United States to resume trade with Cuba.

Mas laughs. "I must be doing something right," he says. "Both the left and the right hate me."

Mas claims constantly he is misunderstood by Miami Anglos. When a Miami Herald editorial opposed a bill that would tighten the U.S. embargo of Cuba, Mas was furious. He paid for signs on buses that read in Spanish and English, "I don't believe the Herald!" He accused the Herald of being an unwitting tool of Castro, which to Mas was perfectly understood hyperbole. The Herald was not so understanding, especially when its newspaper boxes were destroyed or defaced, its offices received bomb threats, and its publisher's life was threatened.

Mas reserves his deepest scorn for those he considers Anglo apologists for Castro, like Wayne S. Smith, who believes that the best way to help Cuba is to encourage dialogue with Castro. Smith, a former U.S. diplomat in Havana, says the idea of Mas as president of Cuba is "bizarre. Most Cubans on the island fear him. He's too narrow and impassioned. He doesn't even understand democracy."

Mas describes Smith's views on Cuba as "the dream of a nice gentleman without a hat on a hot summer day." According to Mas, it is men like Smith who don't understand democracy and how it is intertwined

with capitalism. Mas learned that the more money he made, the more access he got. His theory: Capitalism and democracy equals power.

"When Castro falls and the exiles move in," says Mas, "the biggest problem in Cuba will be its economy. We (exiles) have very carefully designed programs to start companies and businesses that will be partly owned by the Cuban people. They will accept us because we will give them jobs. The power of the free market will annihilate everything."

At 14, Mas broadcast slogans opposing the dictatorship of Fulgencio Batista over the radio and was arrested. After his release, his father promptly enrolled him in junior college in North Carolina. At 19, he flew back to Cuba after Batista was overthrown. When he grew disenchanted with Castro, he began broadcasting anti-Castro tirades. He was arrested again. After he was released, a friend found him distributing anti-Castro literature on a street corner. "You're crazy, man!" said the friend. Mas fled Cuba a second time, only to return in a PT boat during the Bay of Pigs fiasco.

He managed to escape a third time, to Miami, where he bought a small boat, armed it with missiles, and fired them at Havana. He rented a B-26 bomber, outfitted it with bombs and missiles, but couldn't find a country that would let him launch it toward Cuba. So he joined the U.S. Army, urged on by the CIA, and trained with other exiles for what they thought would be an invasion of Cuba. When he discovered that President Kennedy had no intention of launching them against Cuba, just as he'd had no intention of providing the Bay of Pigs rebels with air support, Mas quit in disgust. Kennedy then became the second-most hated man in Mas' life.

Even today, Mas does not apologize for his past acts of violence. "I am a man of strong feelings," he says.

In 1776, he would have been considered a patriot like Thomas Paine. In Cuba in 1898, he would have been considered a freedom fighter, like his grandfather who fought to free Cuba from Spain. But those were simpler times, when men's only recourse to freedom was physical acts of courage. Such acts are considered out of step in an age when international problems are debated at a table in a glass-walled skyscraper.

Mas claims he has tried to change with the times, to shed his caveman image. "I am a misunderstood man," he says. Then he goes on to admit that many of the criticisms are valid. He is passionate, prone to physical action, unbending, but only because his cause is just. And, of course, because he is Cuban, not American. He sees Americans as flaccid, emasculated, without passion. Which is why, he says, "I have never assimilated. I never intended to. I am a Cuban first. I live here only as an extension of Cuba. I live a Cuban life here. My friends, my social activities, they are all Cuban."

Mas says he did not come to this country like immigrants before him, hat in hand, looking to be fed. "I was a political exile," he says, "not an economic immigrant. I thought I'd return to Cuba in a few months, a year or two." When he finally realized that was not a realistic goal, he accommodated himself to his new country, but only up to a point. He became an American success, but only in ways that would lead him back to Cuba.

"I love America," he says. "I would die for it. I'd never have been so successful in Cuba. But people like me need to be fed with more than success."

In speeches, Mas often says, "Cuba is a bankrupt society on the verge of collapse *** Castro will fall in a year or two." Mas is so sure of this that he has made arrangements to rent the Orange Bowl for a celebration on that day. He believes that Eastern Europe's economic problems will not befall Cuba after Castro, because 20 percent of the island's population is exiled to America. Those exiles understand the free market. They came to America with nothing, remade their lives, became successes, without welfare, and now they are strong enough financially to aid in Cuba's reconstruction. They will rebuild Cuba with private capital and American know-how. "And we won't ask the United States for anything," Mas says.

The offices of Mas' company, Church and Tower, are west of the Miami airport in an industrial area. Mas started his company, now a \$60-million firm with about 500 employees, with only a trailer for an office. Bees built honeycombs underneath the trailer. Mas tried to shoot them away with a stick, but they wouldn't budge. The honeycombs grew apace with his business until Mas finally said to his help, "Goddamn it, leave the bees alone." Nowadays, Mas bottles his honey and gives it to friends.

Inside, Cuban-American secretaries in miniskirts talk in English to handsome young Cuban-American men. They grew up on McDonald's, MTV, Madonna, the Dolphins, Tom Cruise, Calvin Klein, BMWs and the American Revolution. Their parents told them stories of a different world, of *congrí* and *lechlón* quincenas and carnavales, of campesino huts and the *revolucion* that forever changed their lives. The parents were trying to instill in their children reverence for their homeland and the obsession to reclaim it. But the children missed the point. To them, those stories were not about a lost place, but of a lost time.

"No, Mr. Mas is not in," Mas' secretary, Ines Diaz, is saying into the telephone. She repeats this refrain to every caller in a monotone. Diaz's job is to protect her boss while remaining invisible herself. Once, though, she had a moment of notoriety. Her name appeared in Oliver North's diaries. So did that of her boss, beside a cryptic notation for \$80,000. The Senate committee investigating North's Iran-Contra dealings never could connect Mas to North. Jack Blum, special counsel to the committee, finally threw up his hands. "We have more loose ends than a plate of spaghetti," he said. Mas said that maybe the notation referred to another Jorge Mas.

"No, Mr. Mas is not in," Diaz hangs up. She looks, without expression, across the room. "Mr. Mas will see you now."

Mas is one of those amiable, yet serious men not given to small talk. He says, through furrowed brows, "After the Bay of Pigs I was demoralized. I felt I couldn't trust our allies. It was a good lesson. I continued a little longer to think I would go back because I was obsessive about Cuba. *** After 1968, I began working toward my own future."

Mas' activities brought him to the attention of other, wealthier exiles. In 1964, Jose M. Bosch, then president of Bacardi rum, gave Mas \$10,000 to start Cuban Representation in Exile (RECE). In the early '70s, Mas used his RECE connections to get Vicente Rubiera, former head of the telephone workers' union in Cuba, to get him a job with Iglesias y Torres, a construction company. Rubiera introduced Mas to Southern Bell executives, who liked his aggressiveness. Shortly after, Mas persuaded Aristides

Sastre, president of Republic National Bank, to loan him \$50,000 to buy Iglesias y Torres, which he promptly renamed Church and Tower, its English translation. Within a year, C&T was doing more than \$1 million worth of business with Southern Bell. Mas used that money and the power it brought him to start Radio Marti, then CANF, and later TV Marti.

The one criticism Mas doesn't like to hear is that he's become Americanized. "My lifestyle has changed drastically," he says, despite his attempts to retain "a Cuban life." He skis at Vail. He has a season box seat for Dolphin games. He lives in a million-dollar Spanish-style mansion surrounded by a towering wall with an electronic gate.

He still rises at 6 a.m., still speaks only Spanish in his "Cuban house" with his wife, Irma ("very much a Cuban wife"), and his three sons, as he did with his father, who died in 1990.

Irma Mas, a soft, pretty blue-eyed blonde dressed in silk, summons her servant in Spanish as she sits in darkness at the outdoor bar overlooking the swimming pool. She is a reticent woman, either because she is not comfortable with English or because she is "very much a Cuban wife." The servants, dressed in white uniforms, appear with trays of Russian caviar on crackers.

Mas is giving a guest a tour of his sprawling grounds. He makes a sweeping gesture to encompass six towering royal palm trees planted beyond the pool. "For the six provinces of Cuba," he says. He leads his guests to an open-air hut. "I had it built by Seminole Indians. It's a campesino house, a poor man's house in Cuba." He sits in a lawn chair underneath the thatched roof. "When I come home from work, I relax here first. I fantasize that I'm back in Cuba. I'd give it all up for a house on a hill overlooking the bay in Santiago, where I was born."

Mas says his most immediate dream is to return to Santiago and live like a gentleman farmer. "Some horses, cattle," he says. "I'll grow every vegetable I can eat. I'll have peace of mind. Tranquility." He laughs. "Maybe in six months I'll be bored. I don't really know Cuba anymore. I only know the Cuba of my memories."

"I want to know Cuba now. To see its countryside, touch its people, provide them with the opportunities I had in this country. The Cuban people are hard-working, passionate, fun-loving, with great moral fiber. Castro has stolen their personality. Maybe it will be hard for me to go back. I will feel out of place. The toilets and phones won't work. Maybe I'll throw up my hands and say, 'I wanna go home.' Maybe it'll take three years to adjust. But I'll make the toilets work. I'll make Cuba the richest country in the Americas." Then he smiles. "Of course, if I go back now they will take me from the plane to the firing squad."

After dinner of fried plantains and pork, Mas and his guests retire to his living room, furnished with Mediterranean furniture and French and Spanish antiques. Irma appears with a bottle of Spanish brandy. "1866," says Mas. "A gift from the king of Spain." Irma hands him the bottle along with his digestion pill, which he takes first.

Later, Mas insists on driving his guests to the airport. "A taxi! Forget it!" he says. He drives and Irma sits beside him. As they drive through Little Havana, they hold hands over the gearshift, clasping and unclasping their fingers like young lovers. Mas' fingernails and cuticles, illuminated by the dashboard's light, are bitten to the quick.

Mas mentions that this is the neighborhood of a friend from the old days—whom he

refers to as Tony Forte (not his real name). Each December, Tony tells Mas, "We'll spend this Christmas in Santiago, eh, Jorge? I'll drink to you in the Presidential Palace."

When they were younger, Tony lived next door to Irma. He introduced the two, and later, in Miami, Mas and Irma became engaged at Forte's house. Forte was a rebel with Castro—a tough, muscular man with a machine gun always at his side. When he fell out of favor with Castro, he fled to Miami, where he got a job managing a gym. Today, in his 60s, Forte is still tough and muscular and, more than Mas, has retained his Cuban past. He speaks accented English, still favors only frijoles negros, and still has an eye for the ladies. When three youths recently ran his car off the road, he challenged them to a fight. His face was bruised and swollen the next day. "You should see the other guys," he said, smiling.

Mas laughs at this story, and shakes his head. "Tony, he still only exercises his muscles." He taps his head.

Irma speaks for the first time. "Tony only wants to love the girls," she says.

Her husband says, "Tony never did adapt to America."

TRIBUTE TO CY WONG

HON. MERVYN M. DYMALLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. DYMALLY. Mr. Speaker, I rise before you today to recognize a truly deserving individual who serves as a great, positive role model for countless Americans of color.

Cy Wong was born on December 11, 1937, in Gary, IN, a steel mill town 20 miles southeast of Chicago. He is the oldest of 13 children of Nathaniel and Olevia Donway Wong. In 1940 the family moved to Campti, LA, where Cy's parents had migrated from several years earlier. Wong had two sisters born in Gary, while five brothers and five sisters were born in Campti.

Cy Wong is a fourth generation mixed Chinese and black. His great-grandfather Phillip Wong, a first generation pioneer, immigrated into Louisiana on January 15, 1867, from Cuba with a Frenchman, Jules Honorat Normand who owned a plantation. Wong had come to work as an indentured agriculturalist for 5 years.

In 1872 Phillip married Lillie James, a woman of color, Creole. They had two sons and two daughters. In 1904 their son Emile Wong, Sr., a noted businessman in northwest Louisiana, married Nellie Washington, a mixed black and native American woman. They had five children including Cy's father Nathaniel.

Nathaniel Wong, Sr., the second son of Emile, took charge of the Wong estate and livestock operation following the death of his father in 1940. Cy's earliest recollections of that time are that he enjoyed feeding the cattle but disliked the less glamorous, albeit necessary task, of tending the hogs.

Wong attended Campti Rosenwald School, which later became Campti Junior High School, where he won many awards in academics, track and vocal music. While in school Cy sold newspapers, picked cotton and cut paper pulp wood to earn money and help his

family. He was very trustworthy and proved to be an excellent organizer and problem solver. His commitment to academic excellence and self improvement continued while enrolled at Central High School in Natchitoches, LA. In addition to winning more awards, he proved to be a precocious baritone, reaching the lower octave with ease when he was 17.

Wong graduated from Central High School with honors and joined the U.S. Navy in 1956. He served as a seaman aboard two attack troop transports in the Pacific: the USS *Noble* and the USS *Paul Revere*. In 1958 while serving aboard the *Revere* he organized a singing group called The Reveres. He composed his first song for the group, "Petals from a Rose," for which the group won many talent shows throughout the Pacific. During this period Wong received the Navy's Good Conduct Medal.

Cy was honorably discharged from the Navy in 1960 and returned to Natchitoches, LA, where, in 1958 while on leave, he had met an elementary school teacher, Miss Betty Jean Batiste, fell in love and became engaged. On November 20, 1960 Cy married Betty and they later had one child: Faith Devona Wong.

Wong went to New York in January 1961 to promote several songs he had written. With very little success he ended up studying voice under noted vocal coach Mable Horsey for 3 months. Later in the year he moved to Los Angeles and began working in several clubs prior to signing a recording contract as a singer/songwriter with Nat King Cole's K-C records. Wong received recognition and remuneration for his composing efforts on his recorded records *Della* and *Too Proud to Cry*. *Tel* magazine voted him 1962's most promising star.

Unfortunately, the company died with the demise of Cole in 1965 and Wong returned to working the night club circuit while managing the Dear Hearts, a young rock group from San Francisco for 2 years. He was successful getting them club work and television appearances, but a conflict with parents forced him to leave the act.

Wong decided to broaden his talent into the acting field. In 1968 he enrolled in the Professional Theater Workshop in Hollywood. Using the school as a springboard, Cy subsequently appeared in several productions in Los Angeles including *American Hurrah*, *The Blood Knot*, and *Wuthering Heights*.

In 1971 while working on ABC's daytime melodrama *General Hospital*, Wong enrolled full-time in Los Angeles City College and the California State University earning a bachelor of arts in journalism and public relations in 1974.

Cy left ABC in 1978 and went to work at the Columbia Broadcasting Co., on the melodrama, "The Young and the Restless." Other television work to his credit include episodes of "Sanford and Son," "Hill Street Blues," and the CBS Movie of the Week "Perfect Gentlemen," in 1978.

Wong left the "Young and the Restless" in 1981 to research and write a motion picture script entitled "The Other Cowboys." He followed this project with research work on his Chinese heritage entitled "The Cross-Over," in 1983.

In 1985 Cy became a member of the Chinese Historical Society of southern California.

He was elected to the board of directors in 1989 as an interim member and was re-elected in 1991 for a 2-year term.

Mr. Speaker, I know my colleagues will want to join me in congratulating and honoring Mr. Cy Wong for his tremendous achievements. I think we can all agree that he does indeed serve as a great, positive role model of success, perseverance and hard work for all Americans, regardless of race, creed, or color.

**"THE HURT IS REAL"; CONGRESS
"RETREATS" FROM WASHINGTON**

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. OWENS of New York. Mr. Speaker, the leadership has decided to shut down Congress and leave the grievances, anxieties, and pains of the American people to the two Presidential candidates. Some have indicated that this would be a contribution to a winning strategy for the frontrunning Democratic candidate. This oversimplified reasoning contends that a so-called discredited Congress has nothing useful to contribute to the current political dialogue. We are therefore racing to get out of town and out of sight. We are running away from the need for an extension of unemployment benefits. We are refusing to do our duty for the overwhelming majority of Americans who are demanding a civilized national health care program which covers everybody. We are abandoning any emergency effort to relieve 75 percent of the school districts which are presently suffering from wrenching budget cuts. Far from being a clever or smart move, this evacuation of the Capitol, this retreat from Washington, places the Democratically controlled Congress in a category close to the administration in the White House which is being firmly condemned for its lack of sensitivity and its coldness. The voters are ready to throw out an executive team that just can't understand that the hurt is real. Beware, Mr. Speaker, lest the escape from the spotlight by Congress be interpreted as another example of the failure of people in power to understand that the hurt is real. To be unemployed is a devastating experience. Democrats in Congress must at least stay long enough to pass an extension of unemployment benefits. All across America there are empty refrigerators and Congress must take steps to fill some of these empty refrigerators. The hurt is real.

THE HURT IS REAL

Cold Commander
The hurt is real
Why can't you feel
Your hype is flat
Words can't combat
Paydays that come and go
With nothing green to show
To hell with quota baiting
It won't work this time
Your greed is the crime
Capital gains ghoulies
Played us for fools
You kicked us hard
With veto boots
But for your pals
You put out golden parachutes
The hurt is real

Why can't you feel
Your S and L hogs
Drained the treasury dry
Out of budget
You pushed hungry children
And left them to die
Enough kind and gentle play
Cold Commander
You can't stay
Blind Chief of Pain
Its judgment day
No more spin on the news
No more dopes to confuse
Don't tell me no tales
Bout Willie Horton
Family firesides and all that
Sentimental stuff
One empty refrigerator
Educates me enough
The hurt is real
Cold Commander
Why can't you feel?

**TRIBUTE TO BERT "BUD" WHITED
AND THE MEN OF THE U.S.S.
"HORNET CV-8"**

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. SWETT. Mr. Speaker, today I introduced H.R. 5981, a bill to award the Navy Expeditionary Medal to the officers and enlisted men of U.S. Navy and Marine Corps who served on the ships of Task Force 16.1 and 16.2, including the U.S.S. *Hornet* CV-8, that participated in the raid led by Lt. Col. James H. Doolittle on Tokyo in April 1942. This important piece of legislation will recognize the heroic efforts of Lieutenant Colonel Doolittle and his men on the 50th anniversary of their mission over Tokyo.

In early 1942, Japanese advances had resulted in declining American morale in the Pacific. On April 18, however, Jimmy Doolittle's successful foray in the face of overwhelming odds served as a turning point that led to an eventual Allied victory. No group had ever undertaken a more dangerous mission with less chance of survival. They were able to bomb Tokyo and other targets without a single loss from enemy fire.

Mr. Speaker, this attack so infuriated Japan's generals that later, during the Battle of Santa Cruz, the *Hornet* CV-8 became the target of a series of unrelenting attacks from enemy aircraft. Despite these efforts, the crew of the *Hornet* was able to shoot down all but two of the Japanese attack aircraft. It is now time to recognize the efforts of Doolittle's men who served on the U.S.S. *Hornet* and helped his squadron of B-25's realize a successful mission.

Mr. Speaker, in introducing this bill I would also like to recognize a constituent of mine, Bert "Bud" Whited, ADRC USN (Ret.), of Grantham, NH. In 1942, Bud Whited was a 20-year-old seaman, first class, in Scouting Squadron 8. He was aboard the *Hornet* when Doolittle led his raid and remained a part of his unit until the *Hornet* was sunk on October 26, 1942.

This year, Bud Whited will serve as co-host of the annual convention of the U.S.S. *Mustin* DD-413 and U.S.S. *Hornet* CV-8 to be held in

Merrimack, NH in October. His tireless efforts on behalf of those who served under Lieutenant Colonel Doolittle and Admiral Halsey should be recognized as we commemorate the 50th anniversary of their heroic raid.

Mr. Speaker, I urge my colleagues to support this bill so that the men who served aboard the *Mustin* DD-413 and the *Hornet* CV-8 can receive the medals which they so richly deserve for their outstanding service to our country.

**DESIGNATING THE YEAR 1993 AS
"BLACK HISTORY YEAR"**

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. RANGEL. Mr. Speaker, I include the following resolution:

Whereas, 1993 is the 130th anniversary of the issuance of the Emancipation Proclamation of 1863 which freed African-Americans from physical slavery;

Whereas, African-Americans have survived over 300 years of oppression in these United States and have overcome insurmountable odds in their pursuit for human rights;

Whereas, African-American youth can learn from the achievements of their ancestors and be themselves inspired to succeed;

Whereas, the American community at large will see the innumerable contributions that African-Americans have made to the United States of America in the fields of industry, education, and politics;

Whereas, the people of the United States should be encouraged to participate in the educational, organizational, and legislative endeavors that promote the commemoration of Black History Year;

Whereas, the commemoration of Black History Year will encourage corporations and advertising agencies to cooperate with African-American media in the promulgation of 1993;

Whereas, the dedication of an entire year affords ample time for cultural and religious organizations to reassess the goals of the African-American community as they prepare for the next 130 years;

Whereas, the commemoration of 1993 as Black History Year is also a fitting time, for African-Americans to chart a course for their survival and progress over the next 130 years;

Whereas, the fundamental principles and ideals of the Emancipation Proclamation have bonded all Americans regardless of their diverse cultures: Now, therefore, be it

Resolved, That the United States House of Representatives pause in its deliberations and memorialize its members to adopt this resolution; and be it further;

Resolved, That a copy of this resolution be transmitted to the President of the United States of America.

TRIBUTE TO NORMA STEWART

HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. HUBBARD. Mr. Speaker, I want to pay tribute to a longtime friend and a beloved, out-

standing lady, Norma Stewart, who died at age 59 last Thursday in my hometown of Mayfield, KY.

Norma Stewart, a lifelong resident of Graves County, KY, was a tremendous influence to the thousands of western Kentuckians who knew her. For the past 15½ years she has struggled with cancer, but she was an inspiration at all times to those with whom she came in contact.

Her husband, Joe Stewart, is the Graves County circuit court clerk and has served in this elective position for the past 11 years.

Norma Stewart was a very pretty, talented, personable lady. She had lots of friends and admirers. She lived for others.

She was a member of Pryorsburg United Methodist Church.

Many Graves Countians would agree with me that Joe and Norma Stewart have been for many years the most popular couple in the area.

Kirk Byrn III, owner of Byrn Funeral Home in Mayfield, said today that the hundreds who came by to visit with Norma Stewart's family last Friday and Saturday comprised one of the largest outpourings of affection and admiration he had ever seen.

Survivors, in addition to her husband, Joe Stewart, are her parents, Mr. and Mrs. Louis Jones of Mayfield; three daughters, Regina Clapp of Mayfield, Michelle Everett of Dresden, TN, and Deneice Story of Plant City, FL; two sisters, Virginia Abernathy of Union City, TN, and Carolyn King of Mayfield; one brother, Walton Jones of Mayfield, and four grandchildren.

My wife, Carol, and I extend our sympathy to Norma's husband, Joe, and the other members of her family.

WITHDRAW YUGOSLAVIA'S MFN STATUS

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. ANDERSON. Mr. Speaker, later today we will consider H.R. 5258, legislation to withdraw most-favored-nation trade status from what remains of the Federal Republic of Yugoslavia. I rise this morning to encourage all my colleagues to support this long-overdue measure.

More than a year ago, the people of Croatia, Slovenia, and Bosnia-Herzegovina boldly declared their independence from the Serbian-dominated totalitarian regime in Belgrade. Although they did not receive the support from the West that they expected and deserved, the newly independent republics have gamely resisted the vicious attacks and overwhelming might of the Yugoslavian Federal Army. That resistance, however, is taking a heavy toll on the people of the region.

We must do what we can to end the political and ethnic clashes, and help to establish peace in the Balkans. Withdrawal of Yugoslavia's MFN status will be a sign of our resolve to tolerate no more broken promises, shattered treaties, or blatant aggression from the Communists in Belgrade. I urge all of my

colleagues to vote to withdraw most-favored-nation trade status from the Federal Republic of Yugoslavia.

TRIBUTE TO "THE CONDORS"

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. GEKAS. Mr. Speaker, I rise today to praise "The Condors" of Harrisburg, PA, as they celebrate their 10th anniversary on October 12, 1992. The Condors started as an informal social club of eight Harrisburg-area men that met once a month, but it has evolved into a group that has become selflessly involved in helping charities around central Pennsylvania.

They have participated in Muscular Dystrophy Association events that have benefitted that organization greatly. They have come to the help of a local church that was in need of replacing stained glass windows. They have contributed to local Jewish homes for the aged, and have assisted in local charity golf tournaments that benefit cancer research.

It is small, selfless efforts like these that all Americans can and should put forth to help their fellow citizens. The efforts of the Condors are indeed inspiring and heartening.

Mr. Speaker, I congratulate the Condors on the occasion of their 10th anniversary, and wish them many more years of good will and good fun.

HONORING THE FIRST ANNUAL 24-HOUR RELAY CHALLENGE

HON. DOUGLAS APPLIGATE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. APPLIGATE. Mr. Speaker, there is probably not a single Member of the House of Representatives or the U.S. Senate who is unaware of the rapidly growing problems of drug and alcohol abuse among the youth of our Nation, and we are all deeply concerned over the possible marketing of tobacco products to underage Americans.

It is one thing to recognize and decry these trends, but it is truly honorable and commendable when concerned citizens take swift and strong action to combat these social evils which ruin family and health and which undercut the future of our children. Such citizens are to be found in Newark, OH, with the strong involvement of the Newark School District At-Risk Task Force, combined with the Police Athletic League of Newark and Licking County and the Board of Education, along with many others.

Starting on Saturday, September 26, 1992, these concerned and actively involved citizens will be sponsoring the First Annual 24-Hour Relay Challenge which will take place at the Evans Athletic Facility in Newark. This Challenge will strive to create a world for children which will be free of alcohol, drugs, and tobacco by bringing together youth and adults in this event which emphasizes exercise. Mem-

bers of relay teams made up of ten participants each will run or walk at least one mile and will continue this process for the entire 24-hour period of the event. Proceeds from the event will be directed at obtaining materials, equipment, training associated with substance-free activities for our youth.

As stated by Glenn Cunningham, president of the Police Athletic League of Newark/Licking County, this event is about cops and kids, with youngsters joining with law enforcement officials to learn and understand the constructive influence of their elders when it comes to learning about constructive influence and the lessons of responsibility. As stated in their program, the 24-Hour Relay Challenge is a "win-win situation" which will bring students and community members together to experience a shared sense of purpose and accomplishment.

Mr. Speaker, I want to join with my colleagues in the U.S. House of Representatives in bestowing special honors on all of those participating in this First Annual 24-Hour Relay Challenge. Most of all, we should recognize those youth and those students who come to understand the importance of this program, not just for today, but for the rest of their lives as well. I wish all of them tremendous success, not only this coming weekend but also for every day which follows.

ACCESS TO INFORMATION IN NATIONAL INTEREST

HON. BERYL ANTHONY, JR.

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. ANTHONY. Mr. Speaker, as America prepares for the 21st century, our society continues to move from an industrial and manufacturing based culture to a more service-oriented culture, and access to information is a key component in allowing this change to occur.

In these early days of the Information Age, we are confronted with a growing gap between those who currently have access to information and those who do not. While the vast array of information available to Americans increases, the large bulk continues to be most accessible only to large businesses or those consumers who are able to afford sophisticated computer equipment.

This division has led numerous consumers to recognize that an advanced telecommunications network is vital to our country's ability to meet the economic challenges of the 21st century, and an advanced telecommunications network will only be stunted by the effects of restrictive, protectionist legislation such as H.R. 5096.

Last winter, I cosponsored H.R. 3515, but after much review and consideration, I have come to believe that Americans need easy, affordable access to information, and restrictive bills such as H.R. 5096 and H.R. 3515 will only hurt America in the end. The national interest can best be served by encouraging the largest number of participants to provide the fullest selection of telecommunications services and products.

TRIBUTE TO THE MAHONING
COUNTY OUTSTANDING RURAL
AND URBAN FAMILIES OF 1992

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. TRAFICANT. Mr. Speaker, it gives me great pride to stand here today to pay tribute to two families from my 17th Congressional District of Ohio. The Pincham family and the Less family were selected as the Urban and Rural Families of the Year by the Ohio Cooperative Extension Service and the Ohio State University.

Mr. Speaker, this award was presented at the Canfield Fair at the Mahoning County Fairgrounds this past Labor Day weekend. Mr. Speaker, as you know, I am very interested in farming and agriculture. Sometimes I think the cure for this country's ills is for some of its citizens to sweat for a few days working on a farm. Everyone is talking about family values these days. Well, no one has better and more true values than these two families.

The Francis and Jane Less family hails from Salem, OH, in Mahoning County. Francis and Jane have been married for 52 years and have been blessed with 7 children, 15 grandchildren, and 1 great-grandchild. The entire family has been active in 4-H, the Canfield Fair Board of Directors, the Greenford Library, the Cleveland Farmers Club, and the Mahoning County Extension.

On its rural farm, the Less family devotes 25 acres to an orchard, 100 acres to sweet corn, 240 acres to field corn, 60 acres to soybeans, and 15 acres to green beans. The farm is a model for agricultural conservation, as the Less family practices both soil and water conservation techniques.

Mr. Speaker, Houston Howard Pincham and Edna Dolores Pincham were selected as the Outstanding Mahoning County Urban Family of 1992 by the Mahoning County Extension Advisory Committee.

Edna and Howard Pincham came from different backgrounds but met and started a moving business in Youngstown. Edna grew up in rural Georgia, 7 miles from town on a family farm. Howard was reared in the urban setting of Youngstown, served his country in Korea, then took a job with Youngstown Sheet and Tube. Following their marriage, Howard and Edna founded H.H. Pincham Moving Co.

Edna volunteered much of her free time with many groups in Youngstown. These included the PTA, the U.S. Department of Education's Task Force on Excellence in Education, a member of the U.S. Department of Education Task Force on Absenteeism in the State of Ohio, the Childrens Services Board of Mahoning County, Mahoning County Food Bank, Homeless Coalition, Crime and Violence Task Force, YWCA, the United Way Planning Council, Arts Council, Playhouse Trustee, Mahoning County Chemical Dependency Board, and many others.

Howard volunteers at St. Elizabeths Hospital Medical Center and as a driver for the St. Elizabeth medical van to the Kimmelbrook Center. He has also served as a volunteer to the American Red Cross.

EXTENSIONS OF REMARKS

September 22, 1992

Edna and Howard have been models for their children and grandchild. They have been actively involved with the community and with 4-H activity. Edna continues to participate in the agricultural and homemaking components of family life as she served on the committee which originally organized Jubilee Gardens and remains concerned about the welfare of this project from year to year.

Mr. Speaker, I am happy to stand here today to pay tribute to these two families, the Less' and the Pincham's. I always enjoy speaking out about families that foster education and service through hard work and family values.

A TRIBUTE TO MRS. MARY BEARD

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. NEAL of Massachusetts. Mr. Speaker, today I pay tribute to Mrs. Mary Beard who is retiring from the Springfield Armory Historical Association after 25 years of dedicated service.

Since the closing of the Springfield Armory in 1967, Mrs. Beard has worked to keep the Springfield Armory Historical Association working to provide information for members worldwide. As well as sending out newsletters to the members, she has also single-handedly kept the records for the organization which consisted of knowing member's addresses and making sure everyone paid their dues. Several times during the year, Mrs. Beard would publish a newsletter describing any new events that had happened in the organization. As well as organizing the records and the newsletter, twice a year Mrs. Beard would organize a picnic and a Christmas party which all the members would attend. Through her hard work, the Springfield Armory Historical Association remained an active organization.

At the end of the annual picnic, the Springfield Armory Historical Association will disband. This will also signify the end of Mrs. Beard's service for this association. From 1966 to the present Mrs. Beard organized and preserved this organization through her endurance and determination. Mrs. Beard is a remarkable citizen and I thank her for the exceptional work that she has done for her community.

HONORING ROBERT A.
PIETROWSKY

HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. ROE. Mr. Speaker, I rise today to pay special tribute to an outstanding individual, Mr. Robert A. Pietrowsky, for 20 years of faithful and distinguished service in the Federal Government, and particularly for his dedicated and untiring efforts as the now former Chief of the Passaic River Division of the U.S. Army Corps of Engineers' New York District.

As Division Chief, Mr. Pietrowsky managed and directed the Corps of Engineers' field operating office responsible for the flood control program for the Passaic River basin in northern New Jersey. The program includes the management of engineering-design activities for projects totalling almost \$2 billion in construction. Most notable among these projects is the Passaic River flood protection project which I have wholeheartedly endorsed for many years. This project consists of over 20 miles of large underground deep-rock-tunnel diversions as well as surface elements including levees, channel widening, streambank restoration, fish and wildlife protection, wetlands protection and mitigation, and recreational facilities.

Mr. Pietrowsky's diligence and team leadership have been key to designing a project which is technologically functional, economically feasible, and environmentally sensitive. No small task considering the engineering complexity and magnitude of a project which will provide flood protection to over 20,000 homes and businesses in 36 towns and prevent over \$100 million in average annual damages, all within one of the most densely populated regions in the country.

Using his deft management skills, Mr. Pietrowsky worked fervently to create a cooperative atmosphere among all involved resource agencies including the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, National Marine Fisheries Service, the New Jersey Department of Environmental Protection and Energy, various environmental and business groups, and numerous officials on the Federal, State, and local levels. This cooperative effort has resulted in a comprehensive plan which exemplifies the kind of economically and environmentally sustainable engineering which will, I am certain, carry this country into the 21st century.

Always sensitive to the needs of the public he serves, Mr. Pietrowsky initiated an aggressive public information campaign for the project which facilitated communication between the Army Corps of Engineers and the public. This effort has and continues to provide citizens a means to ask questions, voice concerns, and request information while ensuring an accurate and timely response from the Federal Government.

Mr. Pietrowsky's rise to the position of chief of what is currently the largest civil works project in the country is a testament to the virtues of hard work and perseverance. Mr. Pietrowsky joined the Corps of Engineers in 1972 as an engineer after graduating with a civil engineering degree from the State University of New York at Stony Brook. He continued graduate studies at Polytechnic Institute of New York where he earned a master's degree in civil engineering in 1977. In the following year, he was selected for long-term training in the Corps' Water Resources Planning Associates Program. As he worked his way up the project management ladder, he authored or coauthored many reports while earning numerous awards for exceptional performance. The fruits of his labor were recognized in 1989, when, in only his second year as chief of the Passaic River Division, Mr. Pietrowsky won the prestigious New York Federal Executive Board's Executive Manager of the Year

Award. But the real highlight of Mr. Pietrowsky's career would come a year later as his leadership was instrumental in the processing of a high-quality report which facilitated his inclusion of the Passaic River project's authorization in the Water Resources Development Act of 1990. In authorizing the project, the act set a clear course for the future of flood protection in northern New Jersey.

Throughout his career Mr. Pietrowsky has maintained a "can-do" approach to every assignment he has been given. His enthusiasm, even temper, and positive attitude have ensured that momentary set-backs were just that, momentary. His resourcefulness during times of both fiscal and manpower constraints reflects his unwavering enthusiasm for his work.

Mr. Speaker, I am very proud to have worked with a man of this caliber. This pride, I am sure, is shared by his wife, Camille, and his entire family. I look forward to reading about Mr. Pietrowsky's future accomplishments as he continues his career with the Army Corps' Water Resources Support Center in Washington. Finally, as the corps would say, Mr. Pietrowsky has indeed brought great credit upon himself, the U.S. Army Corps of Engineers and the United States Government.

TRIBUTE TO THE HONORABLE
MILLICENT FENWICK

HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. GUARINI. Mr. Speaker, she was once called the conscience of the Congress. And indeed she was. Millicent Fenwick devoted her life to serving the needs of others. She will be missed for her style, her quick wit, and her humor. But most of all, she will be missed for her fierce determination to make this world a better place.

Millicent once said "Success, you see, is not the measure of a human being. The point is what are you trying to do." If this is true, then Millicent Fenwick was one of the most successful people I have ever known.

She began her political career in 1938, when she was elected to the Bernardsville Board of Education. Twenty years later she became the first woman ever elected to the borough council. She was a pioneer on the path toward equal rights and civil rights; in 1959 she became a member of the New Jersey Advisory Committee to the U.S. Commission on Civil Rights. She became a State assemblywoman in 1970, and then served as Director of Consumer Affairs.

In her 1947 bid for Congress, Millicent defeated Tom Kean—who would later be elected Governor of the Garden State—by just 70 votes in the Republican primary. She served in the House of Representatives for 8 years, and was on the House Foreign Affairs Committee on the House Banking Committee.

Millicent's concern for the common man extended well beyond the borders of her own State. She wrote the legislation that led to the formation of the Helsinki Commission, which was set up to protect human rights in the So-

viet Union and Eastern Europe. After she left Congress, she was appointed United States Ambassador to the United Nations Food and Agriculture Organization in Rome, Italy. She worked on projects to help people of Third World countries improve their agricultural potential.

Millicent brought a real sense of compassion and commitment to the realm of politics. Her death is a tremendous loss not only to New Jersey, but to our entire Nation. She will go down in history as one of the most honorable politicians of her day. She touched many lives and made them better. She leaves a legacy that marked a life of excellence.

A TRIBUTE TO MRS. IRENE
MANEKOFSKY

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. FASCELL. Mr. Speaker, I rise today to recognize Mrs. Irene Manekofsky's efforts on behalf of Soviet Jewry and respect for international human rights. Mrs. Manekofsky, who recently passed away, was national president of the Union of Councils for Soviet Jews from 1979 to 1980 and president of the Washington Committee for Soviet Jews from 1973 to 1978.

It was Mrs. Manekofsky's steadfast devotion to the plight of Soviet Jews that helped heighten public awareness and congressional action on this issue. Irene's untiring devotion to the cause of freedom for the beleaguered Jewish minority in the former U.S.S.R. helped to educate and energize Congress. Her efforts helped secure passage of the Jackson-Vanik amendment and the creation of the Helsinki Commission, of which I had the privilege to serve as chairman from its inception in 1976 until 1985.

Mrs. Manekofsky was also the originator of the "Congressional Call to Conscience Vigil." This forum, still in existence today, provides an opportunity for Members of Congress to make statements on behalf of Soviet Jews and other victims of human rights abuses.

I am deeply grateful that I had the opportunity to work with Mrs. Manekofsky on human rights issues, which are of such grave international importance. I am also grateful that she was able to see firsthand the fruits of her labor—hundreds of thousands of Soviet Jews now free from the yoke of repression and discrimination and living in Israel and the United States. Twenty years ago, when Irene began her rescue efforts on behalf of Soviet Jews, this successful outcome was but a dream.

I am honored to pay tribute today to Irene Manekofsky and her enormous contribution to the cause of freedom for Soviet Jews. She will indeed be missed by those of us who knew her, but will remain a shining example of commitment and dedication which others may emulate, but never duplicate.

TRIBUTE TO CAPITOL POLICE SER-
GEANT KENNETH L. BURKHEAD

HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. SABO. Mr. Speaker, as the 31st annual RollCall Congressional Baseball game is to be played this evening at 7 p.m. at Alexandria's Four Mile Run Stadium, let me take this opportunity to express my appreciation to Capitol Police Sgt. Kenneth L. "Buddy" Burkhead for his invaluable assistance to the Members over the years as a coach and personal confidant.

Sergeant Burkhead retires this year from the Capitol Police Force where he has served with unique distinction since July 18, 1966. He was appointed sergeant in 1975 and has served in various special capacities as bodyguard to speakers, advance arranger for various congressional funeral delegations, and assistant without portfolio to the Sergeant-at-Arms.

Through all these years Kenny has been active in the D.C. Metropolitan Police Boys and Girls Club, where he has devoted countless hours to the #8 Club at St. Albans and has served as coach and mentor to hundreds of appreciative youth in the metropolitan area. Fortunately for the Boys and Girls Club, he continues in that capacity despite his retirement from the Capitol Police force.

AUTOMOBILES AND
UNEMPLOYMENT

HON. BARBARA-ROSE COLLINS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mrs. COLLINS of Michigan. Mr. Speaker, there are too many Americans out of work; there are too many Americans in my community who are out of work and hurting. The figures are startling. Close to 9 million Americans are unemployed; in Michigan, the unemployment rate is above the national average at 9 percent.

Nationally, over 1½ million new applications were filed for unemployment benefits during the first 3 weeks of February—averaging an astonishing 500,000 applications per week. At 12 percent, the official unemployment rate for my district is even higher. The unemployment rate among black males in Detroit is an astonishing 21 percent.

As we all know, there is a strong link between unemployment, the vitality of the U.S. economy, and the sales of motor vehicles. The U.S. auto industry accounts for 4 percent of the gross national products and employs one of every seven American workers. Just 13 years ago, one in every five jobs was auto related.

The dismal state of the auto industry is clearly shown in Big Three losses of \$9.7 billion for the last six reported quarters. For employees, the 1991 losses have been calculated at \$1 million an hour—for each hour of each day of the year.

And anyone from Michigan can tell you what it means when a company moves to cut ex-

cess capacity. It hurts our people and our communities. Over 9,000 of Michigan's best workers were affected by GM's recent round of plant closings. And GM announced in late 1991 that its overall plans call for 20,000 fewer salaried employees and 54,000 fewer hourly workers by the end of 1995.

With so many people out of work and so many people in need, it's hard for me to believe that Congress is seriously considering legislation that could jeopardize the jobs of 150,000 to 300,000 workers in the motor vehicle and related industries. This is especially depressing when you consider that the latest available data shows 111,000 workers in the motor vehicle industry are already on temporary or permanent layoff.

The legislation I am referring to would increase motor vehicle corporate average fuel economy [CAFE] standards by 40 percent or more. I am not an expert on the CAFE law, and I will not go into specific details about how this law hurts the people who live under it. I will only say that it is a terribly complex law which makes it very difficult for individuals to run their business and plan their product line-ups.

While the debate will rage on about the effectiveness of the CAFE law, I can tell you now that raising CAFE standards will hurt my constituents and tens of thousands of other Americans. None of the Buicks, Cadillacs, Oldsmobiles, or Jeep Cherokees produced in my district meet the standards proposed in the CAFE bills, yet these vehicles provide excellent fuel efficiency and have been well received by both consumers and the press.

One effect of the current CAFE law that is not often disputed is that it hits domestic automakers, like GM, Ford, and Chrysler, the hardest. That is because these companies produce a full line of vehicles, including large family-size cars and trucks. Conversely, Asian-based manufacturers, which mainly produce small cars, have not been constrained, and some would say have been aided by the CAFE law in recent years.

The products built in my district in the Detroit metropolitan area are the result of hundreds of millions of dollars of investment and the proud labors of many thousands of workers. After years of criticism, American automakers apparently are now listening to their customers—and it shows.

That's why it bothers me so to see CAFE bills that take dead aim at these vehicles and the people who build them.

Consider the vehicle themselves. Cadillac's 1992 Seville STS was named Car of the Year by both Motor Trend and Automobile magazines and one of Car and Driver's "Ten Best."

Consider the plants. Employ's Detroit-Hamtramck plant was recently cited as one of the Nation's 10-best manufacturing facilities. The new Jeep Cherokee plant represents a \$1 billion investment in Detroit's east side.

Consider the workers. Last year, Cadillac workers were honored with the prestigious Malcolm Baldrige Quality Award. Seventy percent of the workers at the new Chrysler plant are minorities with at least 26 years of seniority.

I am not surprised that most CAFE sponsors do not have car or truck assembly facilities in their communities. According to Michi-

gan National Bank economist David G. Sowerby, CAFE increases would risk 64,000 jobs in Michigan alone—including auto suppliers. Over 165,000 Michigan citizens work in the supplier community; that is 1 of every 5 manufacturing jobs.

Over 1,000 organizations and companies, including over 100 from Michigan, are on record as opposing CAFE increases. Groups as diverse as the Michigan Association of Recreational Vehicles and Campgrounds, Traffic Safety Association of Michigan, and the seniors coalition have joined industry groups representing dealers and motor vehicle, steel, and tire manufacturers in opposing this CAFE legislation.

When over 1 million Americans tell a U.S. labor survey they have given up looking for employment, we simply cannot sustain any more legislation which further jeopardizes jobs. Recent events show the Big Three embarking on a painful new round of changes to remain competitive. Instead of adding to the problems of American automakers and workers, we should be helping them.

When you are considering new burdens for the motor vehicle industry, please keep in mind that the people of my district are hurting. Please keep in mind also that those who are working in the auto plants in my district take great pride in the products they build and the improvements they have made in the quality and reliability of their products. The years of hard work and attention to the needs of their customers are paying off. Please keep that in mind when next you are tempted to mandate changes in the products my constituents are producing.

I would also ask that this article, printed in the March 1992 edition of the National Black Monitor, by Mr. Rodney Coleman, executive director of urban and municipal affairs for General Motors Corp., be inserted into the RECORD.

[From the National Black Monitor, March 1992]

HIGHER CAR AND TRUCK FUEL ECONOMY STANDARDS HURT MINORITY EMPLOYMENT (By Rodney A. Coleman)

A common thread surfaces in my meetings with local government and civic leaders. Over and over again, they talk about the importance of the auto industry to the local and national economy.

Today, there are over 13 million Americans employed in motor vehicle and related industries—which is one of every seven jobs. Only thirteen years ago, it was one of every five jobs! Even though Japanese manufacturers have opened American plants, over 200,000 U.S. motor vehicle and equipment manufacturing jobs have been lost in 1990, 111,000 industry workers were on classified temporary or permanent layoff.

Economists predict that another 150,000 to 300,000 jobs would be at risk if pending Federal legislation sponsored by Senator Richard Bryan (D-Nev.) is passed. This bill mandates a 40 percent increase in the Corporate Average Fuel Economy (CAFE) standard. CAFE is a weighted average of each auto manufacturer's annual vehicle production and the fuel economy of the vehicles.

It's no wonder many local leaders are concerned about the possible effect this legislation would have on employment in their cities and elsewhere. The burgeoning cost of government regulation already threatens

these jobs. According to the Motor Vehicle Manufacturers Association (MVMA), the typical 1991 new car cost over \$16,000 taking over 24 weeks of the average family's income to purchase. This price includes over \$2,500 worth of government-mandated fuel economy, emissions and safety equipment.

The cost of new regulations, like CAFE, will increase car prices even more. MVMA pegs the cost of implementing new clean air requirements alone at \$8 billion to \$10 billion annually.

Since less than 3 percent of U.S. vehicle sales meet the proposed fuel economy requirements, the legislation puts vehicle manufacturing jobs at risk at 42 assembly plants—posing a special risk to minorities. Minorities make up over 20 percent of total GM employment. Auto supplier plants, dealerships and other related business employment would also be affected.

In 1990, GM purchased \$1.1 billion worth of goods and services from 1,500 minority suppliers, estimated to employ 40,000 minorities.

Minority unemployment is already on the rise. According to the National Center for Policy Analysis, Black unemployment was 21 percent eight years ago, fell to 11 percent, but is now 12 percent. Hispanic unemployment was 16 percent, dropped to seven, but is now 11 percent. We simply can't afford any more government programs which pose additional risks to minority employment.

Auto dealers have been hard hit too. Automotive News recently reported that the number of new-car dealerships has declined by one-third since 1958. In 1990, the Big Three lost 395 dealers—two percent of the total dealer body. Average dealer profits have also declined; last year, the average GM dealership's return on sales was only 0.3 percent. Unfortunately, the rate of unprofitability among minority dealers is even greater.

Since 1974, GM's fleet fuel economy increased 125 percent from 12 to 27 mpg. GM will continue to explore ways to improve fuel economy. But there is no economically practical technology yet available which would allow the average car to reach 40 mpg without undesirable trade-offs in size, weight and safety.

A recent study by Charles Rivers Associates concludes that achieving a CAFE level above that which is cost effective would cost consumers thousands of dollars over the value of fuel saved.

Experts say if vehicle choice is limited or costs increased, many consumers will opt to hold onto their present vehicles longer. An increase of just six weeks in the average ownership period is estimated to reduce new-vehicle sales by 500,000 units annually. Then the ripple effect will kick in. Reduced sales lead to reduced employment.

In addition, researchers warn that higher CAFE standards may actually increase total fuel consumption and pollution. That's because people will tend to keep their old vehicles longer, delaying the introduction of newer vehicles that achieve better fuel economy and emit fewer emissions.

Our Congressional representatives need to be reminded of the hidden impact that regulatory proposals, like CAFE, have on our neighbors as well as ourselves. Dick Warden, former UAW Legislative Director, recently told Congress: "The nation would be poorly served if fuel economy gains were achieved at the cost of thousands of high-productivity, high-wage jobs that cannot be replaced."

The U.S. auto industry is one of the necessary engines driving our economy—accounting for four percent of the annual gross national product—over \$200 billion. When

combined with the ripple effect of parts producers and suppliers, the vitality of the American motor vehicle industry is considerable.

For example, in 1989, the auto industry represented 77 percent of natural rubber purchases; 60 percent of malleable iron; 16 percent of aluminum; and 14 percent of U.S. steel production. The industry buys \$1.9 billion of textile and textile products, \$1.7 billion of radios and speakers, and \$1.6 billion of glass.

That's why it is absolutely essential that all citizens, especially those who would be adversely affected by an onerous CAFE bill, let their members of Congress know that this is a poor piece of legislation.

EARTH TRAIN

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. PORTER. Mr. Speaker, on October 2, the Earth Train will roll into our Nation's Capital. I am pleased to have the honor of welcoming the motivated, visionary, and accomplished group of young leaders who are the passengers on the Earth Train. These young leaders of the next generation are participating in a long-term plan to educate, empower, and inspire millions of young people all over the world in order to create an environmentally healthier tomorrow.

Their goals will be reached through a variety of paths. They will assist students in developing community plans to effectively design and implement projects to better their local environment. The passengers of the Earth Train are also creating an international network allowing students to share and acquire information rapidly. Furthermore, they will assist young people in developing problem-solving skills, leadership characteristics, and community service ideals in order to enable effective leadership on environmental issues in the next century.

These visionaries represent a variety of diverse geographical, ethnic, and social backgrounds, yet all have individually contributed something enormously and uniquely beneficial to their community.

The student-teachers of Earth Train are an inspiration to me and I believe they will have the same effect on other Members of Congress. I am proud to welcome them to Washington and to be a member of the Earth Train Advisory Board. Mr. Speaker, Members of Congress, please join me in welcoming this gifted band of young visionaries to our Nation's Capital.

CONFERENCE REPORT ON S. 12

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. SYNAR. Mr. Speaker, I supported the conference report on S. 12, the Cable Television Consumer Protection and Competition Act of 1992 during its recent consideration on

the House floor. I did so because in my view the root of the complaints about cable rates and cable service is the consumer's lack of competitive alternatives to cable television. Although not perfect, the conference report promotes competition in the cable industry, especially in the key area of providing fair access to television programming, and therefore deserves to be enacted into law.

The access to programming provisions in the conference report will ensure that television viewers in rural districts like my own will receive a broad range of programming at a fair price. The legislation prohibits cable-affiliated programmers, like HBO, CNN and the Discovery Channel, from engaging in unfair or deceptive practices to prevent cable's competitors from providing programming to consumers. This is critical for my district where many of my constituents rely on satellite dishes for their television programming. Right now some cable programmers refuse to even sell programming to home satellite dish distributors and those that do, charge the distributors an average of 500 percent more than they charge cable operators for the exact same programming. Cable programmers get away with this because they have no real competition. But when this bill is enacted, my constituents will have better cable television because cable operators won't be allowed to restrain their competition from providing the programming consumers want.

I also strongly support several other provisions in the conference report which consumer advocacy groups claim will save cable subscribers billions of dollars. Currently many cable operators force subscribers to purchase a higher-priced package of cable service prior to receiving access to premium services such as HBO, Showtime or the Movie Channel. The report ends this practice by requiring only that consumers subscribe to the lowest-cost, basic level of service prior to accessing premium programming. The conference report also requires cable companies to end arbitrary pricing for cable installation services and equipment rental fees for converter boxes and remote control devices. The legislation mandates that the prices charged by cable companies for equipment and services be fair and reasonably based on actual costs.

In addition, the conference report provides for a number of service enhancers that will benefit cable consumers. The measure allows cable companies to offer reasonable senior citizen discounts and discounts for other disadvantaged groups. The report also prohibits cable operators from charging subscribers for programming which was not affirmatively requested by the subscriber and requires cable companies to meet a prescribed minimum standard for customer service and consumer protection. In other areas, the legislation tells cable companies to increase the compatibility between their systems and cable-ready televisions and VCRs.

Aside from the many benefits the conference report will bring to cable consumers, there are two areas of the bill that trouble me—the measure's retransmission consent provisions and the Federal Communications Commission's ability to adequately regulate the cable industry.

The retransmission consent provisions merit concern because they conflict with a traditional

notion of intellectual property rights. Retransmission consent requires local television stations to elect between forcing a cable operator to carry the station on its cable system free of charge or negotiating with the cable operator over the terms and conditions under which the cable operator may retransmit its signal. A disturbing aspect of negotiation option is that it allows local broadcasters to profit from the transmission of television entertainment developed, and copyrighted, by programmers. I believe there are better ways than those presented in the report to protect the rights of copyright holders within the context of retransmission consent. Conveniently, the bill provides a 1-year phase-in period for retransmission consent during which time Congress can revisit the issue if it chooses.

I also have reservations about the Federal Communications Commission's ability to take on the plethora of new regulatory responsibilities mandated by the legislation. For some time I have criticized the FCC for its inability to adequately regulate the seven Regional Bell Operating Companies. The cable legislation requires the FCC to oversee thousands of cable companies in hundreds of local and regional markets. While I question whether the FCC is up to its new task, the primary purpose of the conference report is to promote cable competition. To that end the measure phases out FCC regulation when healthy, viable, competitive alternatives to cable have been established in the marketplace.

The conference report accompanying S. 12 is good legislation that deserves to be enacted into law. While it's not perfect, it will provide better cable programming, at a fairer price, to more consumers. Cable consumers deserve this bill, Congress should give it to them.

SUE KLINE KLUGER RECOGNIZED AS DISTINGUISHED DAUGHTER

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 22, 1992

Mr. KANJORSKI. Mr. Speaker, I rise today to recognize a remarkable woman, and a personal friend, from my district in Pennsylvania. Sue Kline Kluger has recently been named a Distinguished Daughter by Gov. Robert P. Casey and I am pleased to join the Governor in honoring Mrs. Kluger.

Currently, Sue serves as executive director of Leadership Wilkes-Barre of which she was a founding board member. Leadership Wilkes-Barre, a program which helps train local young men and women committed to community service, owes much of its success to the efforts of Sue Kluger. In addition, Mrs. Kluger's organizational skills have been evident in the community for many years through her service to a long list of causes and associations.

Sue serves or has served on the boards of almost 30 organizations including: The United Way of Wyoming Valley, National Association of Community Leadership, Rural Health Corporation, Penn State University, Wilkes-Barre Campus, Luzerne County Human Services, Greater Wilkes-Barre Chamber of Commerce, Junior League of Wilkes-Barre, Women's Divi-

