

## EXTENSIONS OF REMARKS

## THE PEACE PROCESS IN EL SALVADOR

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. McNULTY. Mr. Speaker, one of my constituents, Sister Jane Brooks, CSJ, was kind enough to send me a very important article entitled, "The Peace Process in El Salvador (A Hermeneutic of Suspicion)," by the Reverend Daniel Santiago, which appeared in the publication *America* on January 11, 1992. I would like to insert this article in the CONGRESSIONAL RECORD.

## THE PEACE PROCESS IN EL SALVADOR (A HERMENEUTIC OF SUSPICION)

(By Rev. Daniel Santiago, a Catholic priest working in El Salvador)

On Feb. 11, 1990, the Salvadoran Air Force bombed Corral de Piedra, a small community of returned refugees in the Province of Chalatenango. The attack proceeded thus: At about 8:30 in the morning three Huey helicopters commenced strafing Corral de Piedra with machine-gun fire. They then let loose a barrage of rockets against the village and its environs. Later two A-37 Dragonfly airplanes dropped eight bombs on Corral de Piedra. The attack lasted one hour.

Three houses received direct hits. The corrugated metal roofs and adobe walls offered minimal protection against flying shrapnel. Four children and one adult died immediately. Seventeen others required hospitalization for wounds sustained in the attack. The most horrible sight greeting the survivors was the lacerated and crushed body of two-year-old Blanca Guardado enveloped in the arms of her dead father, Jose.

The survivors who were ambulatory organized an evacuation of the wounded to the city of Chalatenango. During this evacuation the Air Force returned with two C-47 Dakotas and again strafed the village.

Corral de Piedra is not an extraordinary case. The list of massacres and attacks against defenseless civilians is a long one. As the Government of El Salvador and the Salvadoran resistance, the F.M.L.N. (Farabundo Marti National Liberation Front), intensify their negotiations for a cease-fire it is important to recall these victims and the reason they died: Mogotes, 31 killed; Guazapa, 34 killed; Armenia, 23 killed; Mozote, 800 killed; San Antonio Abad, 35 killed; San Jose de Las Flores, 57 killed; Sumpul River, 600 killed; Los Cerros de San Pedro, 300 killed.

The special, U.S.-trained Atlacatl Battalion has its own list of massacres: Tenango and Guadalupe, 150 killed; Tenancingo, 50 killed; Copapayo, 118 killed; Las Piletas, Gualsinga River, 34 killed. At times the Atlacatl has joined forces with the Belloso Battalion—San Carlos Lempa, 25 killed; Los Llanitos, 68 killed. The Atlacatl also participated in Operation Phoenix on Guazapa volcano where 245 civilians, mostly women and children, were killed. On Nov. 16, 1989, soldiers of the Atlacatl Battalion entered the

Jesuit University of Central America and brutally killed six priests, a housekeeper and her daughter.

Salvadorans long for assurances that these massacres will end. They know it is not enough to sign a document saying "the Armed Forces and the F.M.L.N. will respect human rights." Such assurances have been offered in the past. Called, variously, "messages," "symbols," "indications" and "signs of peace," they have been ineffectual. Massacres are not the cause of El Salvador's problems, they are a consequence of larger injustices. The dialogue for peace must address the underlying causes of the conflict as well as their consequences.

Some claim that the Armed Forces of El Salvador kill only for the pleasure of killing, because they are evil. This is an expression of the "Black Legend," the most ubiquitous interpretation for Latin American history heard in the United States. It goes like this: Killing is a Salvadoran cultural trait. Salvadorans are a naturally violent people. They are hot-headed, hot-blooded and lacking any appreciation for democracy, human rights and peaceful mediation of differences.

On the contrary, military actions in El Salvador, like that at Corral de Piedra, are acts of terrorism. They are planned and executed in order to maintain the Salvadoran system of agricultural production by terrorizing the population and guaranteeing a ready and cheap supply of labor. The proof of this contention is, quite literally, evident across the Salvadoran landscape.

From early November until late January, in early mornings and late afternoons, Salvadoran highways are choked with lines of peasants—men, women and children—trekking to the plantations to pick coffee and cotton and to cut sugar cane.

Each coffee worker carries a basket and tumpine. These are not happy peasants, like the Juan Valdez of commercial fame. The children are malnourished and exhausted. The adults appear haggard. Coffee picking is tiresome work with little economic reward.

During these months, bales of cotton line the sides of the coastal highways. One can see lean-tos set among the cotton fields, temporary homes for the seasonal workers toiling under the sun.

Sugar cane is cut by hand. Sugar cane also cuts, lacerating the hands and arms of the men and women who wield machetes. Children haul the cane to waiting trucks. Exhausted after a few hours work, they cannot pause to rest except at designated periods. The flow of profit cannot be disrupted.

The coastal highways are very dangerous during harvest time. Trucks brimming with sugar cane race from field to crusher and from crusher to refinery. Profit rules in El Salvador. There is no concern for the safety of the workers. These trucks are piled so high they often fall over, killing people on the road. All spew toxic fumes. This is harvest time in El Salvador.

The three main export crops—cotton, sugar and coffee—must be harvested in November, December and January. All are labor intensive and require very little labor during the rest of the year. A lack of available labor during these months would mean

losing the crop and thus El Salvador's second-largest source of foreign capital after the United States' contribution to the war effort. If the majority of people were gainfully employed in a stable economy, there would be no workers for the harvest. The Salvadoran export economy, therefore, depends as much on seasonal unemployment and underemployment (from February until October) as on available labor from November until January.

The wages from the harvest are low and are used to purchase clothing or shoes for the children and possibly a few Christmas presents. The peasants are paid piecemeal and by the end of the harvest many workers spend more on the costs incurred to pick coffee than they earn. Why would they continue to work? For the coffee pickers, gleaned rights belong to those who stay for the whole harvest. Also, some plantations refuse to rehire peasants who work only during the more profitable early part of the season.

The export economy of El Salvador is weakened by competition from crops cultivated for local consumption. The staples of the Salvadoran diet are corn and beans. Corn is planted, usually on leased land, in early May. The corn ripens in August and some is harvested. The majority of the corn cobs, however, are snapped while on the stalk, allowed to dry in the field and picked throughout October, November and December. Thus El Salvador's three main export crops—its source of foreign capital—and its two, important domestic crops—the dietary staple of the poor—are all harvested in the same season. The corn and bean harvests are more important to the peasant than the coffee, cotton and sugar harvests. The motivation to pick coffee is undermined, not only by low wages, but by the relative lack of importance of the crop in the life of the poor.

Salvadoran peasants have long realized how easy it would be to demand higher wages if they were organized. If workers had the right to organize and to strike, the agricultural economy would favor workers over producers. Coffee beans, for example, ripen at different times throughout the harvest, and the export-quality beans must be picked before they fall to the ground. A two-week strike would cost the landowners early. If there are no pickers, there is no harvest. If there is no harvest, there is no foreign exchange for the government and oligarchy.

Until El Salvador diversifies its economy and restructures the relationship of the workers to the landowners, allowing greater participation from all levels of society in decision making, it will be torn by civil and class war.

## THE HISTORY OF THE SYSTEM

How did El Salvador's economy develop in such a precarious fashion? Soon after the conquest, the central region of El Salvador was organized in colonial plantations that grew trade crops of balsam, cacao and indigo. But partly as a consequence of isolation, large-scale development was delayed. The Spanish permitted the Indians to maintain much of their traditional system of commercial lands. Nuclear families kept gardens close to home for fresh fruits and vegetables. Large, extended families used fields for com-

\* 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.

mon grazing, cultivation of staples and some crops for sale. The extended families adopted a saint as protector and used the saint's feast day as an annual celebration and opportunity to review communal leadership.

Central America became independent from Spain in 1821. A loose Central American Union flourished until 1839, at which time El Salvador and the other countries of Central America became separate. During these years the landed oligarchy initiated efforts to dissolve the Indian communal lands and in 1833 suppressed an uprising under Anastasio Aquino.

In mid-century, the Government secured most of its operating revenue from export taxes on indigo. A decline in demand for indigo led the oligarchal families to propose full-scale privatizing of the Indians' communal lands, so as to increase export production. This "bourgeois revolution" culminated in the Constitution of 1886 [discussed in *America*, 9/24/91]. Large tracts of once communal land, used for internal production, were turned over to cash crops—indigo, cotton, sugar and coffee. The Indians were required to lease lands from the new landowners. The Indians' only source of cash was to work as seasonal laborers on the newly enlarged plantations. The oligarchy explained this as bringing El Salvador into the modern world. The poor and Indians saw it as land theft, reducing the majority of Salvadorans to serfdom and installing a feudal economy over Salvadoran society. The Indians again rebelled but were crushed.

Peasant subservience to the landowner was assured through the local militias. Terror kept the workers from organizing. Landowners lent workers to each other as if bartering in slaves. This system functioned until 1932, when the rural Indian population in the western part of El Salvador and workers in the capital rose against the landowners. The military crushed this uprising, killing 30,000 Indians. The Great Killing, as it is called, transformed the regional militias into a national institution and gave the military a key role in Salvadoran social life, which it still plays today.

In the late 1970's the working classes of El Salvador again organized to demand higher wages and land reform. The landowners and military responded with the same brutal efficiency. In 1980 the United States, under the Reagan Administration, replaced the Salvadoran oligarchy as the chief patron of the Salvadoran Armed Forces. With this exception, little has changed in El Salvador since the "liberal reforms" of the late 19th century that dissolved the communal lands.

#### A RATIONALE FOR WAR

Which brings us back to Corral de Piedra. Why did the Salvadoran Air Force strike this small settlement with such ferocity on Feb. 11, 1990? Why kill Jesuit priests, Archbishop Oscar Romero, American nuns, tens of thousands of civilians?

Corral de Piedra is an agricultural cooperative. A review of massacres and invasions over the past 12 years shows that cooperativists have been prime targets for attacks by the Salvadoran Armed Forces. A cooperative is a self-sufficient, agro-economic model of development. Corral de Piedra is not a direct economic threat to the oligarchy. It subverts the economy, however, in that it is a model for economic self-sufficient cooperative, even one that is very poor, does not provide labor for the annual harvest.

This helps account for the massacre of the Jesuits. Many in the Christian base communities, cooperatives and unions saw the Jesu-

its' deaths as an attack on economic and social-self sufficiency among the poor. The Jesuits still work openly and alongside the poor to undermine class dependency and institutionalized poverty. In this they are subversive of the economic status quo.

Oscar Romero was an economic subversive. He advocated programs like land reform that would have given the poor economic stability. A stable, economic base for El Salvador is contradictory to the interests of the landowners.

Archbishop Rivera Damas is subversive in this way. Under his leadership the Social Secretariat of the Archdiocese has started a credit union program for small communities. Communities are given a small amount of capital to allow them to create a middle-interest account. They are allowed to keep this capital if the community invests. People who are saving money do not have to borrow at 20 percent interest to buy seed and fertilizer. If poor communities do not need the seasonal work in order to support the cost of planting their staple crops, the export corps would not be harvested.

Ironically, even capitalism is subversive to El Salvador's feudal economy. The oligarchy and military do not want to see an expanded middle class in El Salvador. Competition would force prices down and reduce the oligarchy's profit margin.

Until the conditions of dependency and institutionalized poverty change, the peace process and dialogue between the F.M.L.N. and the Government of El Salvador mean little. On the other hand, when cooperativists, like those from the Good Shepherd Agricultural Cooperative in Aguilaes, can report that they are raising chickens and selling eggs on the open market without fear of reprisal from the large egg-producers, we will know that peace is coming to El Salvador.

When unions, like Fenastras, can organize and negotiate wages without their members being beheaded and their offices blown up, we will know that peace is coming to El Salvador.

News of a peace accord is a sign of hope. But El Salvador is a land of crushed hopes and there is ample cause for suspicion. As the Government and the F.M.L.N. were negotiating in New York, Mirtala Lopez, a courageous Salvadoran who works with the Christian Committee for Displaced People of El Salvador, received five successive death threats from the Anti-Communist Society of El Salvador. These threats were accompanied by a candle dripped in blood and a five colon donation for a coffin. Shortly after, Mirtala came to the United States to speak about her experience. Despite the danger to her life she decided to return to El Salvador. Bishop Thomas Gumbleton of Detroit, Patrick McManamon, S.J., of the Detroit Province of the Society of Jesus, Alice Fairchild, O.P., a Dominican from New York, and two congressional aides—Hector Lucena from the office of Thomas Foglietta (D., Ohio) and Karen Masterson from the office of Tony Hall (D., Ohio)—volunteered to accompany Mirtala to El Salvador. All were denied visas by the Salvadoran Minister of the Exterior. Mirtala Lopez has good reason to be dubious whether justice is really coming to El Salvador.

The Armed Forces could easily manipulate the F.M.L.N. into an armed confrontation. The political space that has appeared in recent years in El Salvador is not the result of altruism on the part of the oligarchy and military. It grew, to a large extent, because of the sustained military effectiveness of the F.M.L.N. For the F.M.L.N. to agree now to a

cease-fire and enter the political struggle is a serious risk. A cease-fire would surely make the front pages of the international newspapers. When the F.M.L.N. endorses candidates for elected office in El Salvador, this too will make news, although the back pages. But what would be the news-value of the following succession of events; if the Minister of the Interior deports the international church-workers and human rights advocates; if the government reneges on its agreed-upon reform of the Armed Forces; if the Anti-Communist Society acts on its promise to kill Mirtala Lopez; if selected leftist candidates meet with accidents?

El Salvador has already ceased to be news. Renewed outbreaks of killing would receive very little attention in the United States, if any. Yet the F.M.L.N. would respond to such attacks. Caches of arms buried in abandoned wells and grenades hidden in volcanic ravines would be retrieved. Some efforts to organize would take place, and a general call for an insurrection would be made. And there would be a great killing of the poor, the Christian base communities, unions, and grass-roots, human rights groups.

A massacre of the poor could take place without help from the United States, for the Armed Forces of El Salvador have not always relied on U.S. patronage. The State Department may even object to the killing, but it certainly would not intervene to protect the poor. The important question is, how would the North American people respond?

#### TRIBUTE TO RICHARD "FOXY" MARSHALL

#### HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize Richard Foxy Marshall for his outstanding achievements as head football coach of Portsmouth High School.

Since his arrival at Portsmouth High School in 1985, Foxy Marshall has won three State titles and has never had a losing season. With those State titles, Foxy Marshall has become the first coach in Rhode Island interscholastic football history to win championships in Rhode Island's three football divisions: B, C, and the newly formed championship division, which contains the top football schools in Rhode Island.

An enthusiastic coach, Foxy, is a role model to the players he coaches. After suffering a heart attack, Foxy returned to the game with the same vigor and enthusiasm he has always displayed.

Foxy Marshall came to Portsmouth in 1985, after coaching football at Warren High School and at Roger Williams College in Bristol. Foxy was a police officer for the town of Bristol for 23 years before retiring as a captain in 1989.

I sincerely congratulate Richard "Foxy" Marshall of all his recent achievements. You have proved to be a role model both on and off the field to the young men you coach. I wish him success in all his future endeavors.

**NISHA HITCHMAN SELECTED AS  
1992 McDONALD'S BLACK HIS-  
TORY MAKER OF TOMORROW**

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, Ms. Nisha Hitchman of Miami Norland Senior High School was selected as 1 of the 10 1992 McDonald's Black History Makers of Tomorrow. The McDonald's Black History Makers of Tomorrow program is a salute to educational excellence, high moral character, and student leadership shown among America's high school juniors. The students are recognized both for present accomplishments and for their expected positive impact on our Nation. The energetic idealism of the 10 national winners and 5 semifinalists represent grand hope for our Nation's future. The program is sponsored by McDonald's for the purpose of highlighting talented minority youth and that of providing positive role models.

Ms. Hitchman's résumé is replete with academic honors and student involvement. She currently attends Miami Norland Senior High School where she is active in the school newspaper, the Calculus Math Team, Mu Alpha Theta, Junior Committee, Inter-Club Council, National Honor Society, softball, English Honor Society, Top Teen of America, and Campus Life. Ms. Hitchman plans to serve as a page in the Florida State Legislature this spring.

The winners were selected based on submission of an application, school transcripts, letter of recommendation, and a 500 word essay titled "How I Plan to Make an Impact on Black History." McDonald's received more than 1,000 essays from high school students nationwide. Nisha and the other nine winners recently traveled to Washington, DC, from February 19 to 22 to attend the McDonald's Leadership Conference and had the honor of participating in a live taping of Black Entertainment Television's [BET] Teen Summit on February 22.

In her noteworthy essay, Ms. Hitchman wrote:

I plan to make an impact on black history by living free and giving others the courage to be free. . . . The path I have taken to be mentally free is that of realizing my uniqueness, yearning for quality education, being determined, and having the intent of teaching others how to be totally free.

I wish her much success in her effort to use the dynamic force of liberty in those around her, and challenge her peers to strive for excellence as well.

I commend Ms. Hitchman on receiving this impressive national award. She has already accomplished many impressive things and I am confident her future will bring great things as well. I also thank Ms. Barbara W. Gothard, the president of the Gothard Group, a public relations firm in Miami, for getting the story of Ms. Hitchman's accomplishment out to the south Florida community.

**EXTENSIONS OF REMARKS**

**FORMER CONGRESSMAN JOSEPH  
FISHER, GENTLEMAN, LEGISLA-  
TOR**

**HON. J.J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. PICKLE. Mr. Speaker, last week we lost one of our finest colleagues, Congressman Joseph Fisher of Virginia. Those of us who have served with him recognize Joe Fisher as one of the most honorable and talented Members who ever served.

Always polite and gentlemanly, yet always full of insight and integrity, Joe Fisher was a public servant in the best sense of the word. The Washington Post captured the essence of this splendid gentleman and his service, and I ask that it be reprinted in the CONGRESSIONAL RECORD as follows:

JOSEPH L. FISHER

Joseph L. Fisher was not a feature writer's dream. The most vivid adjectives applied to him in the papers were "mild-mannered," "soft-spoken" and, in later years, "gray" and "grandfatherly." But as even the journalists who thus caricatured him knew, there was a lot more to Joe Fisher than that. He commanded enormous respect—in county government, state office and Congress—because he combined a first-rate intellect with a strong commitment to principle. He didn't have to be loud to be listened to, and although he had a knack for compromise and conciliation, he could also—in things that counted—be very determined.

In 1968, for example, he and two other members of the Arlington County Board secured passage of Virginia's first open housing ordinance, despite a Republican walkout and some strenuous opposition from the county prosecutor. Six years later, he took on Rep. Joel Broyhill, an institution in Northern Virginia's 10th District who had rolled over one strong challenger after another. What most considered to be an impossible quest became even more impossible when Mr. Fisher threw his back out in the middle of the campaign and had to seek votes for a time in great pain and in a wheelchair. Even his friends were urging him to pull out, but instead Mr. Fisher pulled off a stunning upset, ending Mr. Broyhill's congressional career after 11 terms.

Mr. Fisher, who died Wednesday at the age of 78, was one of the postwar generation of government leaders who saw this metropolitan area whole and worked to knit its cities, towns and counties together through various forms of regional cooperation. A respected economist and a World War II veteran, he gained election to the Arlington board in 1964, and while there also served as chairman of the metropolitan transit agency and the Council of Governments. After three terms in Congress, he wound up his public career in Gov. Charles S. Robb's cabinet as secretary of human services. It was there that state Sen. Edward E. Wiley—no great admirer of Northern Virginia—appraised Mr. Fisher's performance in terms that could be applied to just about all his works. "Joe's a fine gentleman," he said, "doing a superb job."

**TRIBUTE TO CORTLAND BANKS**

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to the Cortland Banks in my 17th Congressional District of Ohio which is celebrating its 100th anniversary this year.

Mr. Speaker, in these troubled times of bank failures and lending crises, it gives me great pride to honor an independent local bank that has grown prudently and safely for the past 100 years. Over its lifetime, Cortland Banks have survived no less than seven national recessions and the Great Depression. During the periods of economic boom, the Cortland Banks resisted the temptation to outgrow its original purpose to serve its Mahoning Valley depositors. Founded by William H. Wartman, the Cortland Banks have added nine branches to its original in Cortland, OH. Cortland Banks now has offices in Brookfield, Vienna, Bristolville, Windham, Hiram, Williamsfield, Manuta, and Hubbard.

Mr. Speaker, it is with great pleasure that I rise today and pay tribute to the Cortland Banks on its centennial.

**RESCUING THE U.S. SAVINGS  
BOND PROGRAM**

**HON. AUSTIN J. MURPHY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MURPHY. Mr. Speaker, today I rise to demand the U.S. Treasury reverse a recently implemented policy regarding U.S. savings bonds. No longer is it possible to walk into a bank, and simply purchase a bond. We are now required to fill out an application and submit it to the bank before receiving the actual savings bond in the mail. Implemented in the name of cost savings, this streamlining policy will, I predict, do serious harm to a popular Government savings program.

Throughout the years of this program's existence, purchasing a U.S. savings bond has been the ideal gift. Over the years I myself have purchased bonds for numerous children, nieces and nephews, and now grandchildren. Speaking from past experience, I believe that giving a child a U.S. savings bond, conveys to them a certain sense of maturity and responsibility. As bondholders they could share the same pride that adults had in their Nation and the value of hard work. Americans have always held the belief that patience and perseverance pays off in the end. Watching a bond grow to maturity taught young people this valuable and vital lesson.

Now, unable to purchase a savings bond upon demand, I am concerned that people will simply be deterred from buying them. Call me old fashioned, but people do not trust what they cannot see, and do not have faith in what they cannot hold. Now it will be simpler to write a check as a gift. They are easy to cash and even easier to spend. One more tradition to help American children learn the values of

thrift, patience, and perseverance, sacrificed at the expense of Government efficiency policies.

I can only hope that the Treasury will reverse this decision. Americans are now desperately looking to Washington for leadership. Telling them one more time that even simple requests, like buying a U.S. savings bond, will require filing an application and dealing with Washington's monstrous bureaucracy is the wrong message to send to our citizens. Let's throw the average citizen, already drowning in a hostile sea of Government rules and regulations, a lifeline. Let us demand that the Treasury reverse this policy.

CONGRESSMAN KILDEE SALUTES  
GARNETT NELSON JACKSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. KILDEE. Mr. Speaker, I rise today to ask you and my fellow Members of Congress to join me in saluting a great American, Garnett Nelson Jackson. She has dedicated her life to what I consider to be the most noble of occupations—teaching. Garnett Jackson's accomplishments have been a great source of pride to me, both as her Congressman and as her colleague, being a former teacher myself.

Ms. Jackson was born in New Orleans, LA. The second child of three girls, Garnett is the product of a private and Catholic school education. Garnett Jackson earned a bachelor of arts degree in education from Dillard University in New Orleans. Formerly employed with the U.S. Postal Service, Ms. Jackson is currently a kindergarten teacher at Civic Park and Coolidge Elementary Schools in Flint. She has one child, Damon Jackson, a graduating senior from Flint Central High School.

Garnett Nelson Jackson's outstanding ability to educate others transcends the title of "teacher." her achievements in the field of education have received national recognition. She is a recipient of the National Association for the Advancement of Colored People [NAACP] Harambee Medal. This award is given to African-Americans who inform and enlighten the community. Ms. Jackson also received the 1991 Dorothy A. Evans Educator of the Year Award from the NAACP-Flint branch.

A noted author, Garnett Jackson has published several books under the series title, "African Like Me." The book series targets African-American children ages 4 through 8 and is designed to promote positive self-awareness through the study of important historical figures. The titles include, "I Am An African-American Child," "The Little African King, King Tut," "Benjamin Banneker and His Wooden Clock," "Frederick Douglass, Freedom Fighter," and "Phyllis Wheatley, Poetess." Additionally, Garnett Jackson has a column that appears weekly in the local daily newspaper, the Flint Journal, and writes for a local African-American newspaper, the Flint Editorial.

Garnett credits her many accomplishments to her mother, Carrie Sherman. Ms. Sherman not only instilled in her children a respect for truth and honesty, she also taught them to always stand up for their beliefs and to be true

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to themselves. To Ms. Sherman, words were not enough. She knew that for her children to internalize these values, she must set the example. Carrie Sherman blazed a path for her three daughters, including Garnett, by becoming a successful businesswoman owner of a grocery store, barber shop, and ice cream shop. With such an outstanding foundation to build upon, it was inevitable that Garnett Jackson would become the outstanding citizen we know today.

Mr. Speaker, it is my belief that the role of government is to promote, protect, defend, and enhance human dignity. If our Government is to fulfill this role, it certainly needs the support of educators such as Garnett Nelson Jackson whose life has been dedicated to a series of struggles to promote and enhance human dignity. She exemplifies all that is good about being an American and I am proud to have the opportunity to represent her.

TRIBUTE TO LARRY BERMAN

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MACHTLEY. Mr. Speaker, I rise today to congratulate Larry Berman on being named the "Young Citizen of the Year," an award by the Woonsocket Jaycees.

During the past 4 years I have spent in public life, I have become well acquainted with a wide variety of people who interact with my office on a daily basis. I am consistently impressed with the level of commitment and effort demonstrated by so many of them.

However, I must agree with the Woonsocket Jaycees that there are some people among us whose dedication and hard work stand out from the crowd.

You are clearly one of those special persons, Larry.

As Assistant managing editor of the Woonsocket Call, your commitment to delivering the truth to your readers day in and day out stands second to none.

The highest standard of fairness and accuracy have been the hallmarks of your management of the Call's news content.

In addition to your commitment to the paper, you have somehow found the time to give back to your community in numerous other endeavors.

Your work with the budding young journalists in the local schools, commitment to commerce development in the city, and assistance in planning and fundraising for annual events are extraordinary examples of your commitment and dedication to improving the quality of life for the Greater Woonsocket area.

I share with the entire Woonsocket community in extending congratulations to you on this most worthy award. I wish you continued success in all your future endeavors.

February 25, 1992

TRIBUTE TO SAINT XAVIER  
UNIVERSITY

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. LIPINSKI. Mr. Speaker, on May 1, 1992, Saint Xavier College of Chicago will become Saint Xavier University. I rise today to recognize the students and faculty of this academic institution and to congratulate the entire Saint Xavier community on this special occasion.

Saint Xavier College was founded in 1846 by the Sisters of Mercy and chartered by the State of Illinois with the power to grant degrees in 1847. Since that time, it has grown to offer a diverse curriculum including 30 undergraduate majors and 19 graduate programs in the areas of arts and sciences, business, education and nursing.

The change in name is an accurate representation of the Saint Xavier of today. Saint Xavier is a private Catholic university with a tradition of academic excellence. Its outstanding faculty is committed to teaching, scholarship and service to the community. Saint Xavier has developed into both an urban and international university serving the diverse educational needs of over 3,700 students from Chicago's southwest side as well as centers in Orland Park, IL, Paris, and Milan.

As Saint Xavier College becomes Saint Xavier University, I urge my colleagues to join me in saluting this fine academic institution. Its history and accomplishments should serve as a model for colleges and universities throughout the Nation. I join the Saint Xavier community in looking to the future and all the accomplishments it will bring.

CONGRATULATIONS LITHUANIA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. BONIOR. Mr. Speaker, I am proud to support House Concurrent Resolution 239. The people of Lithuania deserve to have a resolution congratulating them for their successful and peaceful revolution.

Recently, we celebrated the 74th anniversary of Lithuania's declaration of independence on February 16, 1918. For 22 years, Lithuania enjoyed independence until Hitler and Stalin agreed to the treacherous Molotov-Ribbentrop Pact. From then on, the people of Lithuania endured over a half century of repression under Communist dictatorship.

Over the past few years, Sajudis led a non-violent movement for democracy. These efforts bore fruit on March 11, 1990 when the newly elected parliament declared the restoration of Lithuania's independence.

However, the trials of the Lithuanian people continued. In January last year, Soviet troops launched a bloody assault against Vilnius. By the thousands, Lithuanians bravely defied the Soviet tanks. The actions of the Lithuanian people were a crucial turning point in the defeat of communism. Freedom loving people

around the world continue to draw inspiration from these events.

I am proud that the United States never recognized the illegal Soviet annexation of Lithuania and the Baltic States. Our patient and principled stand helped lead to the demise of communism. Over the past few years, we have witnessed the triumph of freedom in Eastern Europe. We can all rejoice that Lithuania and the Baltic States were finally able to restore their independence.

I would like to express solidarity with the Lithuanian people who have sacrificed so much for the cause of freedom.

#### ELECTION YEAR SOLUTIONS, LONG-TERM PROBLEMS

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. ANDERSON. Mr. Speaker, our country is mired in the longest recession since the Great Depression. Nearly 9 million Americans are unemployed. Housing starts are at their lowest level since 1945. Business failures are at an all time high, causing job insecurity even among those who are employed. People are looking toward Washington for solutions to their economic problems. Unfortunately, they find a Government whose actions are constrained by a nearly \$400 billion budget deficit. Meanwhile, the economy inches toward recovery, even as we are faced with long-term, structural problems that prevent the resurgence of America as the world's premier economic power.

Most economists agree that the economy will fully recover from the recession by mid-1992. The Congressional Budget Office [CBO] estimates economic growth of 5.2 percent over the next 2 years without Government intervention. But since this is an election year, Democrats and Republicans have offered plans to fix the economy with a fiscal stimulus. The Republican plan centers on a capital gains tax cut. The Democrat's alternative is a tax cut for the middle class. These proposals threaten to embroil the Democrat-controlled Congress in a bidding war with the President to determine who is the party of least responsibility. Neither plan will provide a short-term stimulus to the economy. Both are inadequate to meet the economic demands of the 21st century.

To the extent that additional tax revenues or spending cuts can be found, they should not be squandered on a politically expedient tax cut. They should be used to reduce the deficit and meet pressing domestic problems that inhibit economic growth. These deep-seated problems, including a lack of spending on education, investment, and infrastructure, will linger long after the recession is over unless we act with an eye toward the future.

Congress should also focus on measures to increase our national savings rate. Economists have all pointed to our dismally low savings as the greatest impediment to our economic growth, with our high Federal budget deficit a contributing concern that drags down long-term investment. Consumers have renewed

their commitment to saving and reduced spending to pay off the historically high levels of debt accumulated in the 1980's. While increased saving has caused short-term pain in the form of dampened consumption, it is essential to long-term growth. Enacting tax cuts ignores this long-term prescription for recovery by focusing on short-term consumption.

Tax cuts will be ineffective in the short term because they have little effect on consumer spending. A tax cut of \$400 for a family is too little; an extra dollar a day will not stimulate a family to spend more money. Now they are also too late. Last month Americans spent more money and increased home purchases. Consumer spending rose without the benefit of a tax cut because of reduced personal debt levels. Even if the tax cuts were timely, polls show that consumers would use additional revenue to further reduce their personal debt level. While reducing debt and increasing savings should be encouraged, giving families tax cuts to accomplish these goals would increase public debt, thereby canceling the benefits of increased personal savings.

The President's capital gains tax cut will, like middle-class tax cuts, exacerbate the budget deficit without providing fiscal stimulus to the economy. While its exact budgetary implications are disputed, the Joint Committee on Taxation estimates that the President's proposal will lose \$15.4 billion over the next 6 years. To compound its negative fiscal impact, the benefits of a capital gains tax cut will disproportionately flow to wealthy Americans, those who need a handout from the Government the least after receiving most of the income gains of the 1980's. Those who have incomes over \$200,000, will receive an average tax cut of \$19,000. At the same time, those in middle-income tax brackets will receive, on average, only \$200. A capital gains tax cut at this juncture provides little relief to middle-income Americans who have been hard hit by the recession. I have supported a capital gains tax cut in the past, because I believe the Tax Code should stress investment, but the President's proposal neither addresses the short-term needs of most Americans nor the specter of our unbridled deficit.

Increasing budget deficits will add to the long-term economic problems of our country. There is direct causal relationship between how much the Federal Government goes into debt and the interest rate we pay on our outstanding debt. Financial markets are sure to panic if the Government breaks the fiscal restraints of the budget. This will drive up interest rates. Higher interest rates dampen home sales, vital investment in plants and equipment, and decrease exports by artificially strengthening the dollar. This will cost the average American far more than he or she will gain through a politically popular tax cut. Lower interest rates will allow Americans to reduce their mortgage payments, care payments, and payments on their student loans. This will give the middle class money in the long run without increasing our budget deficit.

Congress is elected by the people to represent their best interests, both short and long term. Yet during the time I have represented my constituents, debt levels have soared. We cannot let election year pressures obscure our view of the future. Even without tax cuts,

budget estimates for the next 10 years project deficits bottoming out at \$156 billion in 1996, but rising to \$303 billion in 2001. We simply cannot run annual budget deficits in the hundreds of billions of dollars. There is a saying in the Navy that the commander is responsible for what happens during his watch. My last act as a Member of Congress will not be to exacerbate the deficit problem and threaten this Nation's long-term prosperity. We have passed too many bills onto our children. Short-term fixes, while effective in campaigns, do not address systemic and fundamental problems that only add to our long-run economic and budget problems. We must separate election year politics from sound policy in crafting economic policy.

I am in the enviable position where, unlike that of my colleagues, the winds of political expediency blow less strong. Immune from these pressures, I am absolutely free to pursue the responsible, if not politically popular, course of action. Growth, with fiscal responsibility, will guide my actions during the 102d Congress.

**OLGA MIYAR, HONORED  
PRINCIPAL**

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize Olga Miyar, who has been honored by the Dade County Public School System as being one of its best administrators. She was one of seven candidates to be chosen to compete for an award.

As principal of Auburndale Elementary, Ms. Miyar strongly believes that recognition motivates her young students to learn and encourages parental involvement. She was recently featured in the Miami Herald for her extraordinary dedication and commitment to education. The article "Auburndale Principal 'Never Wants to Leave'" by Jon O'Neill reveals why she is so admired and loved by students and colleagues. The article follows:

Olga Miyar knows all about the three Rs. But the Auburndale Elementary principal has added two more of her own: Recognize and Reward.

Miyar believes this concept not only motivates kids to learn, but keeps parents involved with the school as well.

"It works for everyone, even me," she said. "I enjoy being recognized, too."

And so she is. Miyar, 47, is the region IV nominee for the 1991-92 Principal of the Year.

"She really runs a terrific school," said Region IV Superintendent Carol Cortes. "There are so many facets to it and she manages to blend them all together. Auburndale is the kind of school people are always trying to transfer into."

Parent involvement is one reason the school is successful. Auburndale, at 3255 SW Sixth St., has 1,054 students and consistently ranks among the highest in average attendance and school volunteers.

"It's like a family here," said second-grade teacher Marlene Rodriguez. "The kids really look up to her, and she used her own experience to help me get started. She's accessible

and helpful to everyone. I don't know how she has the energy to do what she does."

Miyar says she makes a point of communicating with teachers, parents and students to make them feel they are a part of the school.

"I want to empower people," Miyar said. "My mission is help our students achieve."

To Miyar, that means all students, including the 150 kids who attend the exceptional Education Center there, recognized as one of Dade's best.

She also helped bring Auburndale into the age of technology. The school has a new computer lab, uses video discs for music lessons and is getting computers in each classroom.

Miyar has also added personal touches to her work. She loves pink, and the color is everywhere. Her office is painted "School Board pink," and festooned with pink ribbons. The school mascot is a pink panther.

"Pink is a very soothing color," she said. "It gives off a special glow."

Miyar was born in Cuba and came to Miami in 1961. She has a bachelor's degree in education and a master's in administration and supervision from the University of Miami.

In 1968, she started teaching at Coral Way Elementary, three blocks from where she lived. In 1970, she went to Douglass Elementary. Since then, she has taught or held administrative posts at six other schools. She came to Auburndale five years ago.

Miyar makes no bones about her goal: "I want to be a legend in this community. I don't even want to leave Auburndale."

Mr. Speaker, I commend Olga Miyar for her outstanding achievements as teacher and administrator. Her devotion to education is an inspiration to all teachers and principals in Dade County and around the Nation.

IN HONOR OF DR. JOSEPH  
MASTROMONACO, SR., BAYONNE  
UNICO'S MAN OF THE YEAR

**HON. FRANK J. GUARINI**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. GUARINI. Mr. Speaker, I ask you and my distinguished colleagues to join me in saluting Dr. Joseph Mastromonaco, Sr., who has been named "Man of the Year" by the Bayonne chapter of Unico National.

Dr. Mastromonaco will be honored as "Man of the Year" during a gala dinner this Saturday evening at the Ukrainian National Home in Bayonne, which is my congressional district.

Matthew Guerra, president of the Bayonne chapter of Unico, recently announced the selection of Dr. Mastromonaco as "Man of the Year," noting his accomplishments in the medical field and his more than 50 years of service to the community of Bayonne.

Dr. Mastromonaco was born and bred in Bayonne, taking his education at St. Mary's School and then at Bayonne High School. He attended Gettysburg College and then did graduate work at New York University. Following this, Dr. Mastromonaco journeyed abroad, receiving his M.D. from the University of Rome, Italy and the University of Bologna, Italy in 1935.

Despite the time he spent away from his home studying and preparing for his career,

EXTENSIONS OF REMARKS

Dr. Mastromonaco always planned to return to his home in Hudson County, NJ. Following his graduation in Italy, he took a rotating internship at the Jersey City Medical Center, where he stayed for 2 years.

In 1938, Dr. Mastromonaco returned to his home in Bayonne as a doctor at Bayonne Hospital. This marked the beginning of an illustrious 48-year career at the hospital.

While practicing at Bayonne Hospital, Dr. Mastromonaco also undertook numerous positions in the public sector. From 1938 until 1946 he was the city physician for Bayonne. During World War II, he was a civilian medical officer for the U.S. Army's Manhattan project. From 1946 until 1948, Dr. Mastromonaco was the medical inspector for the Bayonne Board of Education.

Following this period of service, the doctor took a leave from the public sector. In 1959, he was named a fellow of the International College of Surgeons, and in 1960 was named a fellow of the American Society of Abdominal Surgeons.

In 1962, Dr. Mastromonaco returned to serve the city of Bayonne as the director of health and welfare. He served in this post for 17 years, and from 1976 until 1979 was also health officer.

During his tenure as director, the department established community health programs such as the Free Screening Clinic for Cancer, Heart Disease and Hypertension; the Prenatal and Child Health Care Clinic at the Bayonne Hospital; the Drug and Alcohol Abuse Program; the Bayonne Mental Health Center; the Senior Citizens Nutrition Program; the Bayonne Community Day Nursery and many other programs.

Dr. Mastromonaco also became the first director of the department to be licensed as a health officer by the State of New Jersey.

Upon his retirement in 1979, then-Mayor Dennis Collins honored him by declaring June 20, "Dr. Joseph Mastromonaco Day."

In 1985, Dr. Mastromonaco received the Golden Merit Award from the Medical Society of New Jersey for his completion of 50 years as a practicing physician.

In addition to the aforementioned activities, Dr. Mastromonaco is also a member of the Hudson County Medical Society, the Medical Society of New Jersey, the American Medical Association, the Royal Arcanum, and is a past president of the Bayonne chapter of Unico National.

Mr. Speaker and my distinguished colleagues, Dr. Mastromonaco is a man truly deserving of our praise and thanks for his dedication to improving the quality of life for the residents of Bayonne. I know this august body will want to join me, Dr. Mastromonaco's wife Elinor, his four sons, Vito, Joseph Jr., Edward, and Thomas, along with his 13 grandchildren in congratulating him on being named "Man of the Year" and thanking him for a job well done.

February 25, 1992

ALLISON WINS DAYTONA 500

**HON. BEN ERDREICH**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. ERDREICH. Mr. Speaker, I rise today to congratulate two of Alabama's most distinguished citizens. On Sunday, February 16, Davey Allison of Hueytown, won the 34th annual Daytona 500. Just 4 years ago, Davey's father, Bobby, became the 30th winner in the annual NASCAR event. With Davey's win Sunday, the Allisons became only the second father and son team to win at Daytona.

Bobby and Davey are two outstanding representatives of Alabama and both are proud to be members of the "Alabama Gang."

In the Sixth District, and throughout Alabama, we are proud of the Allisons and the contributions they have made to our State. These two men are outstanding role models and are to be commended for their achievements in the auto racing world.

Mr. Speaker, I can safely say if Congress were able to move as fast as these two men, most of our problems would be small ones. Just so, like these two, we move in the right direction.

TRIBUTE TO ROGER C. MARKELL

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize a fine individual from the community of Midland, MI.

Mr. Roger C. Markell was born in Holt, MI. After graduating from high school he served in the Army until 1946. Upon leaving the Army he returned to the Lansing area and worked in area dairies until deciding to attend Michigan State College in 1949.

He graduated from Michigan State in 1952 with a bachelor of science degree in recreation. While he was in college he worked for both the Lansing Recreation Department and the Lansing YMCA.

Roger joined the Midland Community Center in 1952 as the men's and boy's athletic director. He was named executive director of the center in 1978, after serving as assistant director and associate director of the center. He has remained director for the past 13 years.

During this time Mr. Markell has helped to build the center into a place where people go to relax, compete, make friends and have fun. He has seen the location of the building change, and the area more than double in size. It has been called a polished gem of the community, and he certainly is responsible for a large part of that gem.

Roger is married to Elizabeth June Harris, and they have seven children. He is involved with the community in many other ways, including the Midland Rotary Club, as former chairman of the Adult Education Advisory Council and as a senior warden at the St. John's Episcopal Church.

Roger Markell will be retiring on April 30, 1992. Mr. Speaker, I know that you will join

with me in commending this outstanding individual for the service he has provided to the community for the past 39 years. He will be sorely missed.

**C.B. SMITH, SR., PHILANTHROPIST  
AND FRIEND**

**HON. J.J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. PICKLE. Mr. Speaker, at the beginning of World War II, the president of General Motors appointed young C.B. Smith to the War Production Board where he served with great distinction.

After the war, he became directly involved with General Motors and began an outstanding career as president of the Texas Automobile Leaders Association.

But his outstanding achievement may well be termed in the gifts he gave to his alma mater, the University of Texas. He was a devoted friend of Walter Prescott Webb, committed a good portion of his life to honoring the memory of this outstanding individual where he established a chair of Walter Prescott Webb. His gifts to the University of Texas will be remembered forever.

It was my privilege to count him as one of my early friends whose steadfast loyalty and support lasted all these years. He was a hard driving, successful businessman, but a benefactor of the arts and humanities whose contributions will last forever.

Mr. Speaker, I include a reprint of the life of this good man for the CONGRESSIONAL RECORD.

**BUSINESSMAN, DONOR C.B. SMITH, 88, DIES**

C.B. Smith Sr., business leader and philanthropist, died Tuesday. He was 88.

Born in West Texas in 1903, Smith came to Austin to attend the University of Texas as a junior after two years at Arlington Junior College, a branch of Texas A&M. At UT, Smith earned bachelor's and master's degrees in history and political science.

The medal-winning track and field athlete spent two years coaching at Houston Junior College (now the University of Houston) before beginning a long and profitable business career in the automotive industry.

In 1941, he was named by the president of General Motors to the War Production Board in Washington, D.C. His performance there won him the Distinguished Service Award.

He later served as president of the Texas Automobile Dealers' Association and was Dealer Advisory Council chairman.

Smith, was chairman of the Austin Chamber of Commerce and president of the Austin Area Economic Development Foundation. He was a co-founder of the Headliners Club, served on the vestry of Episcopal Church of the Good Shepherd, and served on the boards of Brackenridge Hospital, St. Stephen's School, St. Andrew's School and MBank.

Smith, a lifelong friend of Walter Prescott Webb, donated the Walter Prescott Webb papers to the Texas State Archives and sponsored the Walter Prescott Webb Lecture Series at the University of Texas at Arlington.

At UT-Austin, Smith contributed to both academic and athletic programs. As co-founder to UT's Track and Field Club, he sponsored the writing and publishing of the

first in-depth history of track and field in America, and he funded a similar publication on UT baseball. He was co-founder and first president of the Longhorn Hall of Honor.

Smith founded Texas Books for Texas Libraries, was a founder of the Chancellor's Council and chaired and participated in numerous other organizations benefiting the university.

To commemorate Webb, Smith established the Walter Prescott Webb Chair in History and Ideas at UT, which now is endowed at \$1 million.

Smith is survived by his son, D.B. Smith, Jr., of Friday Harbor, Wash.; two daughters, Doris Smith Jones of Flower Mound and Johanna Louetta Smith of Austin; and seven grandchildren and 13 great-grandchildren.

Services will be Saturday at 2 p.m. at the Episcopal Church of the Good Shepherd, 2206 Exposition Blvd., with burial at Austin Memorial Park. Weed-Corley Funeral Home is handling arrangements.

**TRIBUTE TO THE INTEGRITY OF  
ERIC APPLE**

**HON. JAMES A. TRAFICANT, JR.**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. TRAFICANT. Mr. Speaker, today I rise to honor Eric Apple, a very commendable young person from my 17th District of Ohio. The hard work and dedication Eric has put into researching American history, especially U.S. Presidents, has brought him to the attention of First Lady Barbara Bush.

Indeed, it was a surprise when Eric's parents, Les and Bonnie Apple, received a phone call last month from a member of Barbara Bush's staff, who personally invited Eric's family to meet with the First Lady in Washington. The invitation came as a reply to a photograph Eric sent to Mrs. Bush of a display devoted to her efforts that he created for the Girard Free Library.

Eric, who is a graduate of Liberty High School, admires Barbara Bush for her caring, motherly demeanor and her extensive work with literacy and disabled students. His parents and grandmother, Sally Chudakoff, have also been staunch admirers of the First Lady.

I rise today, Mr. Speaker, to commend Eric Apple on this well-deserved recognition by the White House. May he continue to be rewarded for all of his future intellectual pursuits.

**TRIBUTE TO SUSAN HAGER'S  
ELECTION AS THE 1992 PRESIDENT OF NATIONAL SMALL  
BUSINESS UNITED**

**HON. ANDY IRELAND**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. IRELAND. Mr. Speaker, I want to take this opportunity today to congratulate Susan Hager, cofounder and president of Hager Sharp Inc., on being elected the 1992 president of National Small Business United. I also want to commend outgoing NSBU president, George Abbott of Omaha, NE, for his fine

work on behalf of small businesses nationwide during the past year.

I am especially pleased to see Susan taking the helm of NSBU because of my experience in dealing with her, as well as with John Paul Galles and all of the very capable staff of National Small Business United. Susan's skills and experience in running a successful business here in Washington, DC, coupled with her dedication to the cause of small business, make her the perfect spokesperson for NSBU's strong advocacy role in important small business issues.

In addition to having served for many years on the NSBU board of trustees, Susan Hager is a founding member and past national president of the National Association of Women Business Owners. She has served as chair of the Treasury Department's Small Business Advisory Council, and is a former member of the Small Business Administration's National Advisory Council.

A veteran defender of small business issues and concerns, Susan was a delegate to the White House Conference on Small Business in both 1980 and 1986. Through her public relations firm, Susan also played a big role in assuring that the Small Business Administration, targeted for elimination in 1986, today maintains its critical role as the voice of small business within the executive branch.

At a time when such watershed issues as health care availability, access to credit, growth and job creation all hinge on small business' ability to generate the economic steam that will power our Nation into the 21st century, it is a great pleasure for me to know that Susan Hager will be speaking out this year on behalf of NSBU's 60,000 small business owners and its network of regional small business organizations.

**CONGRESSMAN KILDEE HONORS  
LLOYD BURLEY**

**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the House of Representatives to join me in paying tribute to Lloyd Burley who has served for 25 years as a dedicated public servant of the people of Marathon Township. Lloyd is retiring from the Marathon Township Board due to his lengthy battle with cancer. His peers and those he served so well will surely feel the loss of this truly inspiring individual.

In addition to his accomplishments as a community leader, Lloyd has also distinguished himself in agricultural pursuits. In 1977, he was honored for his outstanding farming achievements by being named Lapeer County's Dairyman of the Year. He is past president of the Lapeer County DHIA, former chairman of the Marathon Township Agricultural Stabilization and Conservation Service Community Committee, and has served on the soil conservation district board, the Farm Bureau's Dairy and Livestock Board, and with the 4-H Program.

Lloyd is one of those fine people you meet in life who is honest, unselfish, fair, and en-

dowed with common sense. A testament to these qualities is the manner in which Lloyd has distinguished himself in every task he has undertaken. Everyone who has been touched by this extraordinary individual knows the loss the Marathon Township Board will soon experience. While he will be missed, those familiar with Lloyd know that he will continue to inspire, enhance, and contribute to all the lives he touches.

Mr. Speaker, it is indeed an honor and a pleasure for me to rise before the House of Representatives to pay tribute to Lloyd Burley. He has served tirelessly for his community for over two decades. I urge my colleagues to join me in commending Lloyd on the occasion of his retirement. His selflessness has touched the lives of countless people and continues to serve as a beacon of bright hope for our entire community.

A SPECIAL TRIBUTE TO THE  
HEBREW ACADEMY

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. STOKES. Mr. Speaker, I am pleased to rise today in recognition of the 49th anniversary of the Hebrew Academy of Cleveland. In honor of this momentous occasion, a celebration banquet will be held on Sunday, March 1, 1992, at the Sheraton City Centre in Cleveland. At that time, Hebrew Academy president Louis Feig and others will highlight the achievements of this great organization. I am proud to pay tribute to the Hebrew Academy and I would like to share with my colleagues some historical information on the academy.

It was during the turmoil of World War II in 1943 that Telsche Yeshiva and leaders of the Jewish Community Federation banned together to open the Hebrew Academy, the first Jewish day school to operate in the Cleveland area. The founders of the academy recognized the need for a center designed to nurture the development of leaders in the Jewish community.

Over the years, the academy has helped children become teachers, rabbis, doctors, lawyers, and leaders. The facility is fully chartered by the Ohio Department of Education and serves children between the ages of 3 and 18. Currently, Rabbi N.W. Dessler serves as educational director for the academy.

Through the financial support of the Jewish Community Federation, more than 4,000 young men and women have been able to graduate from the academy. These individuals have, through their day school experiences, developed into pillars of society and positive role models. In addition, many have been able to journey to Israel and share their knowledge and skills. Their achievements are a strong reflection of the success of the Hebrew Academy.

During the 1991 school year alone, the academy is serving more than 750 students. Just recently, President Feig and his staff extended their arms to more than 120 Soviet children who recently arrived in the Cleveland area. The willingness to reach out to those in

need beyond our borders is further evidence of the academy's unselfish commitment and its continued following of Telsche Yeshiva's teachings.

Mr. Speaker, the Hebrew Academy is recognized for the phrase "A people survives so long as it transmits its heritage from one generation to the next." The day school teaches its students about the Jewish religion, reminds them of their past, and prepares them for the future.

The academy has much to celebrate as we glance back over the years. I invite my colleagues to join me today in this special salute to the Hebrew Academy.

THE 74TH ANNIVERSARY OF  
ESTONIAN INDEPENDENCE

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. BONIOR. Mr. Speaker, I'd like to join millions of freedom loving people around the world in celebrating the 74th anniversary of Estonian independence. On February 24, 1918, Estonia proclaimed independence which it enjoyed until Hitler and Stalin agreed to the treacherous Molotov-Ribbentrop Pact. Soviet troops soon occupied and forcibly annexed Estonia. From 1940 on, Estonia suffered terribly under Soviet imposed Communist rule.

I am proud that the United States never recognized the Soviet annexation of Estonia and the Baltic States. Our patient and principled stand helped lead to the demise of communism and freedom for the Baltic States.

Over the past few years, we have witnessed the triumph of freedom in Eastern Europe. We can all rejoice that Estonia and the Baltic States were finally able to restore their independence following the failed August coup.

Today, Estonia faces tremendous challenges to complete the transition to a free and independent state. The ratification of a new constitution promises to usher in further democratic changes. In addition, the upcoming elections for the national assembly promise to help stabilize the internal political situation.

I'd like to express solidarity with the Estonian people who have sacrificed so much for the cause of freedom.

THE TRIBUTE TO YOUNG AMERICA  
PROGRAM

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. PORTER. Mr. Speaker, I want to take this opportunity to draw the attention of the Members of this body to an important program that is an excellent example of the type of innovative cooperation between the business and education communities that is necessary to our Nation's future strength.

Mr. Speaker, the future of America rests with our young people. To succeed, America's youth must be provided with the tools to make

a difference, and our most valuable tool is education.

Our cities and towns, as well as the Federal Government, have long been responsible for providing education and training for our children. As we look to the future, however, the business sector can and must provide additional educational opportunities. That is why I am so impressed by one such successful business-education partnership—the Tribute to Young America Program, sponsored by Discover Card Services, Inc., which is located in my congressional district.

The Tribute to Young America Program offers America's youth a variety of programs that provide both the resources and the skills necessary to allow high school students to continue their education. The cornerstone of this effort is the Tribute Award Scholarship Program for high school juniors. Developed in conjunction with the American Association of School Administrators, the Tribute Awards recognize students' academic achievement, leadership qualities, dedication to the community, and unique endeavors and experiences. The scholarships total \$750,000 with individual awards of up to \$22,500.

State Tribute Award winners will be announced in mid-April of this year, with the national winners being honored at a ceremony here in Washington, DC, on June 17. I urge all Members to recognize and pay tribute to the nearly 5,000 students vying for Tribute Award scholarships. All of these young people should be commended for their ambition and will to succeed. I look forward to the opportunity to honor the national winners in June, and send our Nation's future leaders forward to a successful and rewarding educational experience beyond high school.

Mr. Speaker, the Tribute to Young America Program exemplifies the commitment by corporate America to our educational system and our children, setting a fine example for how business and education can work together for the common good of America's youth. I ask my colleagues to join me in honoring this program, and the scholars it helps produce.

SHARON MCGEE, DADE SUPER  
TEACHER

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, every school district has those teachers who stand out. Ms. Sharon McGee is clearly one of these exceptional educators. She presently devotes herself to the Emerson Elementary School in Miami where she teaches gifted children who need special help. The Miami Herald recently recognized her as one Dade County's super teachers in an article by staff writer, Jon O'Neill. That article follows:

In Sharon McGee's class at Emerson Elementary nothing is taken for granted.

McGee, 42, teaches gifted students who need special help. Some students have behavior problems and others have attention disorders. Although the class is small—only 10 kids—it can be trying.

But the rewards are great, said McGee, a teacher for 13 years: "These are the neatest

kids. When you see them starting to open and make progress, when they start realizing they can be successful, it's the greatest feeling."

The special gifted classes at Emerson, 8001 SW 36th St., are the only ones in Dade and include 20 kids who come from as far away as Perrine and Hialeah. McGee designed the program, which started three years ago, and teaches students in first through fourth grades.

"She's wonderful," principal Carol DeLaurier said. "She gives 150 percent all the time and if you need her for something, she's there."

McGee uses "anything that works" to reach her special group of kids. All are intelligent, but most have problems with their confidence and self-esteem.

"I've had students who wouldn't even put their names on a paper," McGee said. "So my first goal is to show them they can be successful. You have to prove that to them and then build on it."

McGee uses a point system to reward her students for turning in quality work. She also uses a lot of literature and creative writing, something she calls "bibliotherapy." The classes publish a weekly newsletter.

Recently in a school science fair, kids from the special gifted classes took two first-place awards and one second place.

"Once I've had them for a while, I start demanding more from them," McGee said. "And when they feel good about themselves, they give me more."

The kids know that McGee pushes them. But they enjoy being with her.

"She makes us work constantly," said Kenny Armes, 8, a third-grader. "But she's a great teacher. It's fun to learn with her."

Fourth-grader Ernie Menendez, 9, said he gets tired of all the work sometimes, but he appreciates what McGee is doing and he knows it will pay off.

"She always takes time to explain things to us," Ernie said. "And I know I have to do this to earn my points, and to get a good education."

Born in Boston, McGee came to Miami when she was 5. She graduated from Carol City High, got a degree in elementary education from Florida International University, then followed it up with a master's in learning disabilities. McGee is now pursuing a doctorate in exceptional education.

McGee says she always wanted to be a teacher, but fought it for a while.

"I was active in the feminist movement and I didn't want a traditional female job," she said. "But I was cutting off my nose to spite my face. I decided I wanted to try and make a difference."

After three years as a legal secretary, McGee started teaching in Key West in 1979. Since then, she has taught at Dearborn, Gulliver, Opa-locka and Royal Green elementaries. She came to Emerson three years ago.

"I love this place," McGee said. "I believe in this program and I believe these kids can be successful."

Mr. Speaker, I commend Ms. McGee for her passionate commitment to teaching children who require special attention. It is apparent that her patience and perseverance make a difference in the lives of the children she teaches. I commend the leadership of Principal Dr. Carol DeLaurier and Assistant Principal Mrs. Olga Miyar who help make Emerson Elementary School a place where teachers like Ms. McGee and her gifted students can thrive.

### GREEN THUMB PROGRAM IS A WELCOME RELIEF

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MURPHY. Mr. Speaker, recently I met with representatives of Pennsylvania Green Thumb Program. This valuable program operates as one of the primary national contractors for the Senior Community Employment Program, which is funded by the U.S. Department of Labor. During the last year this program provided 945 part-time jobs for senior citizens throughout the Commonwealth of Pennsylvania, 129 within my own congressional district.

These days, as the rhetoric of political campaigns swirl throughout the airwaves, we hear many promises made to our older citizens. Unfortunately, as a longtime observer of politics, I know that many of these promises will be forgotten after election day. For this reason, the Green Thumb Program is such a welcome relief. Their promises and commitments made to older Americans have remained strong and sound since the inception of the program. The history of Green Thumb is one of unswerving dedication to putting older Americans to work.

America will surely make a grave error when or if it stops relying on its senior citizens. They have built and battled throughout their long lives for many important achievements which too many younger people now take for granted. We should be grateful as a nation for their sacrifice. They are one of our great repositories of knowledge, and their insight on local and world events should always be regarded as an important resource.

People are not meant to be cast aside when they reach a certain age. In other cultures, seniors are revered as teachers. They are objects of respect and admiration. The Green Thumb Program operates on this premise here at home, and its good sense is commendable. I know when I go back to Pennsylvania, I frequently receive informed advice and enlightening comments from my older constituents. I have come to greatly respect their views.

As America strives to reshape its role and vision in a rapidly changing world, I believe some of our older citizens may hold the keys to success. I know when you put a senior citizen to work, they bring a calm sense of experience to the job. Their knowledge inspires their fellow workers, and I am sure that everyone's work improves. I hope that the future will hold continued success for the Green Thumb Program, and I look forward to the day when every senior citizen is respected and revered in the workplace.

TRIBUTE TO DOUGLAS MCFARLANE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize an out-

standing individual from the community of Mt. Pleasant, MI, who has been named Citizen of the Year by the Mt. Pleasant Area Chamber of Commerce.

Mr. Douglas McFarlane is a native and life long resident of Mt. Pleasant. The youngest in a family of four, Doug graduated from Mt. Pleasant High School. He received his teaching certificate, masters, and specialist degrees from Central Michigan University [CMU]. While attending college, he was a member of the student senate.

Doug McFarlane served his country in the U.S. Army with distinction and has been committed to the Mt. Pleasant community for two decades in many different ways. Doug has worked diligently in a number of leadership roles with the Mt. Pleasant Area Chamber of Commerce and the Isabella County United Way. He has served the city of Mt. Pleasant in many capacities. From 1981 to 1983 and from 1987 until now he has served on the Mt. Pleasant City Commission. In 1982 and 1989, he was vice-mayor and in 1983 and 1990 he was elected mayor.

Doug has also been greatly involved with his alma mater, Central Michigan University. He has served on the board of directors of the First Nighters, the Presidents Club, and as a chairman of the Community Campaign. He is currently a member of the alumni board and is active in planning activities for the CMU centennial.

Doug is married to Penny McFarlane. They have two children—Janna and Garren.

Mr. Speaker, Doug McFarlane is truly a remarkable and giving leader. I know you will join with me in commending and congratulating Doug on receiving the 1992 Mt. Pleasant Area Chamber of Commerce Citizen of the Year Award in recognition of his long time commitment and dedication to the people of his community.

### A CONGRESSIONAL SALUTE TO CAPT. JOSEPH C. DE LADURANTEY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. ANDERSON. Mr. Speaker, on Thursday, February 27, 1992, the Los Angeles Police Department will be honoring the retirement of Capt. Joseph De Ladurantey. It is with great pride and pleasure that I rise today to pay tribute to a dedicated citizen who has served the Los Angeles Police Department and community with distinction.

Joe's long and illustrious career began 27 years ago. By February 1979, he had become commanding officer of the Wilshire Patrol division and by March 1989, Joe was captain of police for the Los Angeles Police Department. There are many highlights associated with Captain De Ladurantey's career. He developed a Community Coordinating Council to resolve community problems in a city owned housing complex. He was the founder of the Westside Major Crime Violators Task Force, which is a multijurisdictional unit formed for the purpose of compiling information from many areas so as to launch a coordinated at-

tack against crime in the greater Los Angeles area. Joe developed a Korean language and cultural awareness course for police officers in cooperation with the Los Angeles Unified School District. He also developed a Community Orientation Program, in conjunction with the National Conference of Christians and Jews, for officers newly assigned to the Los Angeles area. He was involved in the implementation of the human resources development committee and a board member of the peer counseling coordinating committee. Joe established an extremely successful community based citizen patrol in the Beverly/Fairfax district as a supplement to the Neighborhood Watch Program. In addition, Captain De Ladurantey has been a robbery-homicide watch commander, whose responsibilities included citywide coordination of all rape investigations, homicide sex crimes, and audit responsibility for all homicide investigations. He served as the assistant program director for a federally funded multimillion dollar computerized emergency command control communications system involving computer aided dispatching and the 911 emergency assistance network.

In conjunction with his daily responsibilities, Captain De Ladurantey, with coauthor Daniel Sullivan, has published "Homicide Investigation Standards" and "Criminal Investigation Standards." With coauthor Robert Wadman, he has published Public Productivity Review, "Overcoming Limitations to Police Productivity Measurement: The Omaha Experience." Furthermore, his articles have appeared in the Police Chief and the Journal of Police Science and Administration. Joe has also developed concept papers for the President's National Advisory Commission on Criminal Justice Standards and Goals Task Force.

Captain De Ladurantey's professional affiliations include the International Association of Chiefs of Police, the California Police Chiefs Association, the Southern California Association of Public Administrators, and the Los Angeles County Peace Officers Association. He is also associated with the California Association of Criminal Justice Educators, the University of Southern California Trojan Alumni Association, and the Command Officers Association.

Joe's involvement with his community is not limited to the scope of his employment. He is a board member of the Romona Gardens Coordinating Council. He serves on the board of directors for Camp Fire, the Los Angeles Area Council, Gabriellino District. He is a board member on the San Pedro Reclamation Committee, Gang Alternatives Program, and the Blind Children's Center of Los Angeles. Joe is a board member and program chairperson for the Boys & Girls Club of Wilmington and the president of the Boys & Girls Club of Harbor City. He is president and general manager of the Los Angeles Police Department Centurions and president of the East Los Angeles College Quarterback Club.

Now a new challenge will be met. In December 1991, Joseph De Ladurantey became chief of police in Torrance, CA. No one doubts that he will succeed. On this most deserving occasion my wife, Lee, joins me in extending our thanks to Capt. Joseph C. De Ladurantey for his numerous contributions to the greater

Los Angeles community. The Los Angeles Police Department is losing an extremely valuable commanding officer and personality. We wish, Joe, his wife, Terri, and their daughters, Theresa, Jennifer, Christina, and Monica, all the best in the years to come.

TRIBUTE TO CHANEY HIGH SCHOOL CLASS OF 1942 ON THEIR 50TH CLASS REUNION

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. TRAFICANT. Mr. Speaker, I rise today, Mr. Speaker, to pay tribute to the Chaney High School class of 1942 from my 17th District of Ohio on their 50th class reunion which will be celebrated on October 3, 1992.

When the members of this class left the protected nest of high school, they found themselves in the middle of World War II. Upon graduation many enlisted or were drafted into the Armed Forces and encountered the harsh reality of war. One graduate from this class, Marine Edward H. Weekly, is now buried in Arlington National Cemetery.

All the graduates used their experiences at Chaney High School to enhance their lives by becoming doctors, nurses, lawyers, teachers, principals, college professors, business professionals, and homemakers.

Again, Mr. Speaker, I rise to congratulate the Chaney High School class of 1942 on their 50th class reunion. They remain excellent examples to citizens who also wish to lead fulfilling lives by remaining loyal to a sense of civic responsibility.

KNESSETH ISRAEL CONGREGATION CELEBRATES CENTENNIAL

HON. BEN ERDREICH

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. ERDREICH. Mr. Speaker, I would like to congratulate and recognize more than a century's worth of outstanding service to a community. On February 23, 1992, the Knesseth Israel Congregation, of Birmingham, AL, celebrated its 100th anniversary.

This congregation has been a center of Jewish life in Birmingham through the years and remains so today. Its allegiance to traditional Jewish beliefs and practices have ensured its survival and has preserved a 3,500-year-old history of tradition.

One of the many highlights of Knesseth Israel was the presence of the late Philip Birnbaum. Mr. Birnbaum came to Birmingham as a young man from Poland to teach and study. After his years in Birmingham, Mr. Birnbaum went on to author numerous books on Jewish thought. Many of his students, young men training for their bar mitzvahs, remain touched by his teaching and mourned at his passing 3 years ago.

Mr. Speaker, many of the members of this congregation are key business and civic lead-

ers in the Birmingham community. Rarely does a congregation of 500 bring this kind of leadership together. The Knesseth Israel Congregation is to be commended for its outstanding guidance and the service it has provided to Birmingham throughout the years.

BRADDOCK HIGH STUDENTS COMPILE INTERNATIONAL COOKBOOK

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, the members of the G. Holmes Braddock High School Future Homemakers of America group are compiling a cookbook of international recipes. When the books are completed, the group plans to sell them and send the proceeds to UNICEF to fight childhood hunger worldwide. The Miami Herald recently brought attention to this exciting project in an article by staff writer, Jon O'Neill. That article follows:

For a group of students at G. Holmes Braddock High School, the way to cultural understanding passes through the stomach.

That is why some members of the school's Future Homemakers of America are assembling a multicultural cookbook, featuring recipes submitted by students, staff and parents. So far, they have contributions for delicacies from Trinidad, Cuba, China, Spain, Russia and Canada.

"We got a lot of things, but we need even more," said Susan Yaskin, a teacher and sponsor of the club.

Once printed and bound, the book will be sold and the proceeds donated to UNICEF, a worldwide organization dedicated to feeding hungry children.

"We're trying to bring a positive focus to the differences between us," Yaskin said. "It's just another way of bringing people together."

The cookbook is one of 10 projects the homemakers' club is involved in under the theme Join Hands for World Peace. Two others involve making quilts for Jackson Memorial Hospital and producing a series of skits on prejudice that the students will present at area elementary schools.

The cookbook, however, may be the most time-consuming, with most of the kids putting in hours after school.

Yaskin and some of the students are also looking for a sponsor to help defray the cost of producing the book cover.

They want to use the same logo featured on the T-shirts that club members wear. The design has kids from all over holding hands around a globe with a peace sign inside it.

Adys Bustillo, 17, came up with the design, and Jessi Alvarado, 17, drew it.

"We wanted something with kids because they are the future," Adys said. "I was sitting around one day when it came to me."

The idea for the book came up one day when Yaskin was talking about UNICEF. The kids didn't know what it was, so they made some calls to find out. The cookbook grew from there.

Forms asking for recipes were distributed throughout Braddock, at 3601 SW 147th Ave. The results have surprised some of the kids.

"There are some weird foods out there," Adys said. "Like peanut butter soup."

"We know we're not going to change people by giving them recipes," said Lisette

Lopez, 18, another student working on the project. "But this is one way people can learn to appreciate other cultures."

Lopez and Susan Vega, 17, are also working on the skits for elementary school students.

"There are so many different kinds of people here," Susan said. "With the play, we want to show little kids that prejudice is wrong."

Jessi said he thinks the cookbook and the plays are excellent ideas.

"We have to start right now," he said. "People fight because of differences, but we are all just human beings."

The project has also been a lesson for the students.

"By coming up with ideas for the skits, I've learned a lot about racism," Lissette said. "Sometimes, I can't believe things like that are still happening today."

I commend Susan Yaskin, a teacher and advisor of the Future Homemakers of America group, for uniting Braddock students around this project. I also want to recognize Principal Louise Harms for her leadership in making Braddock High a place where innovative projects are nurtured, such as an international cookbook to fight world hunger. I wish them much success with this endeavor.

#### THE 10TH ANNIVERSARY OF THE ILLINOIS VIETNAM VETERANS LEADERSHIP PROGRAM

##### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. LIPINSKI. Mr. Speaker, I rise today to pay tribute to the Illinois Vietnam Veterans Leadership Program [IVVLP] and the many Vietnam veterans it has served.

The IVVLP was founded 10 years ago as a comprehensive veterans employment service. Since its creation, the organization has assisted hundreds of veterans in Chicago and throughout Illinois to find gainful employment. The IVVLP's contributions are visible throughout the community.

Through the IVVLP's work, the Chicago Vietnam Memorial Fountain in Herald Square was constructed and dedicated by business leaders and officials of the City of Chicago. In addition, the Vietnam Veterans Act was passed by the Illinois State legislature to fund seven community-based statewide veterans organizations which have placed over 27,000 veterans.

The IVVLP is also concerned with education. Through the development and publication of "A Look Inside the War," the IVVLP seeks to present junior high and high school students with a broader view of the Vietnam conflict than that of a textbook. This supplemental reading guide conveys the experiences of those who fought in Vietnam to school children throughout Illinois.

Finally, the IVVLP has developed a pro bono legal service for veterans which has contributed over \$125,000 of free legal services. In doing so, the IVVLP has assisted those in need with cases ranging from child custody to home foreclosures.

I believe the Illinois Vietnam Veterans Leadership Program is a model for groups through-

out the Nation to emulate. Mr. Speaker, I urge my colleagues to join me in commending the IVVLP on its 10th anniversary and to join me in recognizing its work in veterans' employment services, education, and public service. I look forward to celebrating many more anniversaries of this fine organization in the years to come.

#### TRIBUTE TO RABBI ALVAN KAUNFER

##### HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MACHTLEY. Mr. Speaker, I rise today to honor a leader in the Jewish community of Rhode Island. Rabbi Alvan Kaunfer is the founder of the Alpern Schechter Day School, a Jewish religious day school located in Providence. Rabbi Kaunfer served as director of the school since its inception in 1978 until 1991.

The Alpern Schechter Day School was founded by parents who wanted to combine high quality secular education with Jewish religious education. The school began with a single kindergarten class. Year by year the school added a grade until reaching nine full grades, kindergarten through eighth grade.

In the early years of the school, Rabbi Kaunfer served as the school director, while also serving the Temple Emanu-El as assistant rabbi. He is presently the pulpit rabbi at Emanu-El.

Rabbi Kaunfer has served the community of Providence well. He is both liked and respected. We honor Rabbi Kaunfer for his the Providence community, especially for the children of Alpern Schechter Day School. I wish him continued success in all his future endeavors.

#### LOAN GUARANTEES FOR ISRAEL

##### HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. SCHUMER. Mr. Speaker, I was shocked to open this morning's papers and see the irony to today's news: The President won't support loan guarantees for Israel, but he did support them for Iraq.

The Los Angeles Times has reported that in 1984 and 1987, then-Vice President Bush was instrumental in securing \$700 million in loan guarantees for Iraq from the Export-Import Bank. In 1989, President Bush ordered an expansion of political and economic ties to Iraq, calling it a key friendly state. The Agriculture Department subsequently approved \$1 billion in loan guarantees, and the White House blocked a Commerce Department hold on technology exports to Iraq.

This is how the White House deals with a dangerous dictator seeking loans to build his military capability. But when our longstanding ally, Israel, comes to the United States for loan guarantees to settle Jewish refugees

from Russia, the administration gives Israel the cold shoulder. We see Secretary Baker coming before the Congress and cleverly manipulating the facts, pretending that the loan guarantee package would cost American taxpayers \$10 billion, when it is Israel that will repay those loans. It seems that the administration is no longer concerned about the humanitarian imperatives that once guided American foreign policy when we worked to free Soviet Jews.

I am dismayed that the guiding light of morality has been extinguished in our foreign policy. The Bush administration's foreign policy is based on cold political calculations, or as we have seen too many times, most exceptionally in Iraq's case, on political miscalculations.

#### MODIFYING THE TREATMENT OF CERTAIN HIGHER EDUCATION LOANS FROM QUALIFIED EMPLOYERS

##### HON. FRANK J. GUARINI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. GUARINI. Mr. Speaker, today I am introducing legislation which will make it easier for working Americans to pay the high cost of college tuition. Over the past decade, tuition costs have risen dramatically and higher education is now out of reach for many Americans. As tuition costs have escalated, direct student assistance has been reduced. Americans are caught in a squeeze, and we need to do something about it.

The legislation that I am introducing today will encourage Americans to save for education, and, more importantly, allow them to use their savings at a time when it is needed the most.

The average American family has three major expenses to plan for—home purchase, education for their children, and retirement. Since the 1970's, family incomes have remained virtually stagnant. One recent study has found that less than 18 percent of a family's income is left for clothing, recreation, and savings. Under these circumstances, it is very difficult, if not impossible, for most families to save enough money for all these purposes.

Under current law, an individual can receive a long-term loan from their employer-provided plan for a home purchase. However, an individual can borrow from a qualified employer retirement savings plan to pay for college tuition without incurring substantial penalties only beginning at age 59½. Moreover, such loans must be repaid to the plan at high interest rates within a relatively short period, just 5 years.

By the time most Americans qualify to borrow from their plans, their children are past college age. And even if they still have a need to borrow for tuition, the repayment terms are so strict that the costs can be prohibitive.

My legislation makes several key changes to permit working Americans to gain access to their savings in order to pay for higher education of their children. First, an individual may withdraw funds from an employer plan at any age without incurring a penalty if the proceeds

will be used to pay tuition and fees for higher education. Second, the 5-year repayment period is expanded to 15 years. This will make repayment to the plan more affordable. Finally, the employee will no longer have to repay the plan at high market rates of interest, but need only pay a reasonable rate of interest, which is defined to be not less than 1/2 of the prime rate.

If individuals know that they can use funds in employer plans for higher education when it is needed, they will be encouraged to save more, thus increasing the ultimate amount that is available for retirement purposes. Consolidating savings for the primary purpose of retirement income while making funds available for other purposes along the way cannot help but encourage additional savings. Also, because these loans will be repaid, this policy also will not reduce the amount that will be available for retirement purposes. With more money available for education, the Government will be better able to target its resources to those Americans most in need.

This legislation benefits all income levels who participate in employer-sponsored plans, recognizes the difficulty many families face in trying to save for several major lifetime expenses, and at the same time encourages long-term savings through convenient methods such as the payroll deduction. It can make an important contribution to the effort to enable Americans to save for college expenses.

#### THE FINANCIAL FRAUD DETECTION AND DISCLOSURE ACT

**HON. RON WYDEN**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. WYDEN. Mr. Speaker, today, in an effort to bring accountants back to the first line of defense against cooked books and other ripoffs in publicly traded companies, I am introducing the Financial Fraud Detection and Disclosure Act. Telecommunications and Finance Subcommittee Chairman EDWARD MARKEY, and Energy and Commerce Chairman JOHN DINGELL are joining me as original cosponsors.

This legislation will require auditors to look more actively for fraud and to report to regulators any fraud that is not promptly corrected by management. When this bill becomes law, auditors and executives will be put on notice that companies may pay for auditors but they do not own them. And investors and taxpayers will be more comfortable that the financial statements they rely upon to depict a company's financial condition will reflect reality, not funhouse mirrors.

During the 1980's, many economists and policymakers decried the financial greed and excess that turned American industry into the plaything of high-flying financiers. As the decade ended, it became obvious that outright fraud was as responsible as short-sighted mismanagement for the various financial disasters that robbed taxpayers and investors of hundreds of billions of dollars.

It is hard to legislate against greed. But taxpayers and investors have a right to expect

that corporate management to whom they entrust their savings will not steal from them. And they have a right to expect that the guards they rely upon to alert them to outright fraud—the public accountants who audit corporate financial statements—will be at their posts and ready to blow the whistle on larcenous executives.

The savings and loan industry was the most serious financial meltdown of the 1980's and the most damning commentary on auditor performance. According to the Resolution Trust Corporation, 40 percent of the savings and loan failures were attributed to fraud, but time after time auditors either did not know what was going on or did not tell anybody. Rogue elephants were stampeding through the auditors' offices, but they saw nothing.

For example, 28 of 30 savings and loans that went bankrupt in California in 1985 and 1986 received clean audits just before they went under. A General Accounting Office report on 11 failed thrifts found that accountants had certified a net worth of \$44 million but at the time they failed they were \$1.5 billion in the hole. Vernon Savings & Loan received a clean audit even though 90 percent of its loans were later found to be bad. And auditing breakdowns at Charles Keating's Lincoln Savings & Loan so outraged Judge Stanley Sporkin that he singled out the accountants in a blistering opinion in which he asked, "Where were these professionals when these clearly improper transactions were being consummated? Why didn't any of them speak up or disassociate themselves from the transactions?"

Where were the accountants and why didn't they speak up? Those are the two key questions behind many audit failures that my legislation seeks to correct.

Accountants often don't see anything because the auditing standards they write do not require them to look sufficiently hard for fraud. My legislation would change that by requiring auditors to perform specific new procedures, using methods prescribed by the Securities and Exchange Commission, to help identify material illegal acts and related party transactions, and to evaluate whether there is substantial doubt about a company's ability to continue as a going concern.

In the past, auditors who have detected fraud have often not spoken up because they believed they had a privileged relationship with their client that came before their responsibility to the public. However, the Supreme Court, in the 1984 case *United States versus Arthur Young*, dismantled that misguided notion, ruling that "by certifying the public reports that collectively depict a corporation's financial status, the independent auditor assumes a public responsibility transcending any employment relationship with the client."

In other words, auditors are supposed to inform the public when they see companies committing fraud. Unfortunately, 8 years later, the auditing profession still has not caught up with the Supreme Court. It is still possible for an auditor to know about fraud and fulfill his professional responsibilities without actually coming right out and telling regulators or the public about it.

My legislation would correct that problem as well, by requiring auditors who detect fraud to

report it to top management and, if management does not correct the fraud promptly, to report it to regulators. This legislation merely codifies the public responsibility principle articulated in the 1984 Supreme Court ruling, which the accounting profession, moving with geologic speed, has not yet complied with satisfactorily.

Mr. Speaker, this legislation will not impose new regulatory burdens on public companies, which is why the Financial Executives Institute, an organization of top corporate financial officers, recently informed me that it has no objections to the bill. But it will significantly help protect investors and taxpayers, which is why the SEC, the State securities regulators, and the GAO have all historically supported this legislation.

The corporate financial officers and the regulators understand that the capitalist system depends upon the efficient flow of funds from investors to companies. They know that investors depend upon financial statements to make judgments about where to invest, and that if those statements are not reliable, the resulting uncertainty will raise the cost of capital for all companies. Honest, well-run companies benefit from tough, independent scrutiny of their books; dishonest companies would prefer to cover up their shortcomings.

The Financial Fraud Detection and Disclosure Act will change the psychology in the corporate suites of would-be dishonest companies. It will put managers on notice that if they commit fraud, it is more likely to be discovered by auditors, and if the auditors do detect fraud, they cannot be coerced into silence. Restoring the historical independence of the accounting profession and toughening up their procedures will put well-armed auditors back where they belong, on the front lines protecting the public against financial fraud.

I thank Chairman MARKEY and Chairman DINGELL for joining me as original cosponsors and urge my colleagues to support the bill.

**GLORIA RODRIGUEZ, DADE SUPER  
TEACHER**

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, every school district has those teachers who stand out. Ms. Gloria Rodriguez is clearly one of these exceptional educators. She presently devotes herself to the G. Holmes Braddock High School where she teaches typing, business management, and office skills. The Miami Herald recently recognized her as one of Dade County's super teachers in an article by staff writer, Jon O'Neill. That article follows:

Gloria Rodriguez tries to teach her students things that many adults don't know—like basic skills to survive in the job market jungle.

Rodriguez, 39, teaches typing, business management and office skills at G. Holmes Braddock High School. She also runs the business work experience program, which has 28 students employed in offices around Dade.

"My goal is to get them prepared," Rodriguez said. "I want them to be true pro-

professionals in every way. I want to influence their lives."

Her students say she does just that.

"She's not like a normal teacher," said Mercy Nunez, 16. "She's more like a friend. I can always talk to her after class when I have a problem. She's really great. Plus, I want to be an accountant, so this class is helping me a lot."

Bernadette Caldwell, 17, said Rodriguez is giving her an edge in the competition for jobs.

"She makes us understand things," Caldwell said. "She's not boring because she really gets involved with us and makes it fun."

Monday, Rodriguez led the class through a review for a mid-term exam. The subject was the "Do's and Don'ts of Job Interviews."

"I'm trying to show them what employers look for," Rodriguez said. "We try to produce kids who will have happy lives and who won't be a burden to society."

For Rodriguez, it's a mission. She likes to quote Cuban patriot Jose Marti.

"Youth is the hope of the world," she says. "I believe that."

Rodriguez also supervises part of the work experience program, which places students in offices. Once each nine weeks, she visits the kids and interviews each employer. For her work in the classroom and out, Rodriguez was nominated as Teacher of the Year in the business education department.

"She really is exemplary," said Louise Harms, principal of the school at 3601 SW 147th Ave. "She's one of the reasons our business department is number one."

Although business and job-hunting skills are fairly serious subjects, Rodriguez tries to keep the class light. Recently, she made Mercy teach a class while she became a student.

"She was like the worst student," Mercy said. "She kept interrupting me while I was trying to teach."

"I want them to enjoy coming to class," Rodriguez said.

Like most good teachers, Rodriguez has never wanted to do anything else. Born in Havana, Cuba, she came to Miami in 1961. After graduating from Hialeah High School, she attended Miami-Dade Community College. When she finished, she became a secretary because "in 1970, there were no teaching jobs available," she said.

After working for five years, she got a bachelor's degree in vocational education from Florida International University and is now working on her master's at Barry University.

She started teaching in 1986 at Robert E. Lee Junior High. She spent three years at Southridge High and came to Braddock when it opened in 1990.

"I'm so glad to be doing this," she said. "I'll never quit."

Mr. Speaker, I commend Ms. Rodriguez for her commitment to preparing high school students for the real world. I am sure that the many students involved with the business work experience program she administers are being well prepared. I commend the leadership of principal Louise Harms for making Braddock High a place where students can get a head start on life with hands-on experience.

H.R. 355

### HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. LEHMAN of California. Mr. Speaker, I am pleased to rise in support of the passage of H.R. 355, the Reclamation States Emergency Drought Relief Act of 1991. California is now suffering from a sixth year of drought, and no part of the State has been left untouched. Agriculturally based communities, urban areas, fish and wildlife, and the environment have experienced unprecedented losses. Estimated at well over \$1 billion for 1991, the financial losses during 1992 could make last year's estimate seem minuscule.

It is my hope that the Reclamation States Emergency Drought Relief Act of 1991 will relieve some of the existing stresses on California, by providing much needed emergency loans to water users for drought mitigation measures, funds to drill for supplementary water resources, flexibility to use federally constructed facilities to store and convey water within valleys and from one part of the State to another, and various measures to reduce impacts on the environment. When I introduced the bill in 1991, California was entering its fifth drought year and times then were bad. Since then, things have only gotten worse. Nearly 5,000 farms in the Central Valley have just been told that they will get no Federal water deliveries in 1992 with which to water their crops. Already struggling from an onerous 1991, these farmers and their communities have stretched dwindling resources to the limit. The limits are manifest in the form of high unemployment, bankruptcies, and tight credit. These people are most in need of relief and, while the measures embodied in this bill are modest, they will help.

It is with a heavy heart that I look to the sky and hope that more precipitation will fall in the mountains in the northern and eastern parts of California because I know that anything short of more real rain and snow will provide only Band-Aid solutions to existing problems. Citizens in the part of the State that I represent are hurting, as they are in other parts of the State, and they are clamoring for help. I hope that in the coming months the Federal Government will do all it can within existing authority to provide these individuals with additional assistance, whatever form that assistance may take and, if further legislation is warranted, that Congress address it as emergency legislation. This bill is a good start and I am glad I am here today to witness its passage. I ask that, for the people of California and other Western States suffering from drought, the President sign this bill as expeditiously as possible.

### TRIBUTE TO MR. MARVIN DEWITT

### HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to Mr. Marvin DeWitt, of Zeeland,

Mi. Marvin DeWitt is a highly regarded Michigan industrial leader, known not only for his extraordinary business sense and success, but also for using his talents and resources to enrich the lives of others.

At the helm of Bil-Mar Foods, the multi-million-dollar poultry company that he co-founded with his brother, Marvin DeWitt introduced people around the globe to Michigan's outstanding poultry products. In the process, he provided employment and a better quality of life for thousands of west Michigan workers.

Though the products of the company that Marvin DeWitt founded are enjoyed worldwide, Marvin did not stop with promoting and selling his products on a global scale. He also promoted self-reliance among the world's poorer farmers. Mr. DeWitt initiated a program in Nigeria to share his company's expertise in raising poultry, and sponsored a water project that allowed villagers to put these new techniques into practice.

Rest assured that Mr. DeWitt's concern for the less fortunate of other nations did not preclude him from helping people in his own community. He gave his personal attention to the residents of Ottawa County by serving on the Ottawa County Board of Supervisors and the Ottawa County Road Commission. In addition, he gave to us his leadership and wisdom by serving on the Zeeland School Board, and as a trustee at his alma mater, Northwestern College, in Iowa.

The latest display of goodwill and foresight by this custodian of west Michigan is Mr. DeWitt's extraordinary gift to Grand Valley State University. Mr. DeWitt made possible the magnificent new Cook-DeWitt Center at the university. For many, many years to come, this splendid concert hall will allow fine art students to perfect their talents, and provide a venue in which the community can appreciate them.

Every community should be as lucky as we are in Ottawa County to have a person like Marvin DeWitt. I am proud to pay tribute to Marvin here today, and bring to the attention of my colleagues in Congress his great energy, ingenuity, and accomplishments.

### NATIONAL ENGINEERS WEEK

### HON. ROBERT A. ROE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. ROE. Mr. Speaker, today I am introducing a resolution designating February 14, 1993 through February 20, 1993 as National Engineers Week as a tribute to the 1.5 million men and women in the engineering profession who have been in the forefront of the building of our Nation.

Engineers play an absolutely vital role in every community in this Nation. On a daily basis, engineers turn ideas and concepts into the reality that is the bricks, concrete and structures—the roads, bridges, buildings, parks, athletic facilities and many others—that are America.

The successful work and enterprises of engineers is absolutely vital and fundamental to maintaining our Nation's ability to remain tech-

nologically competitive in the global economy and to improving the quality of life of every American.

National Engineers Week is more than a celebration of the varied and outstanding achievements of the engineering community. It is also a drive to prepare our Nation for the future.

During National Engineers Week, which was first celebrated by the engineering community in 1951, engineers throughout the Nation participate in a multitude of activities to increase public awareness of the profession's many contributions. Through expositions, demonstrations, exhibits, fairs, and especially, visits to schools and classrooms, the engineering community devotes the full week to making the youth of America aware of the value, excitement and importance of an engineering career.

The engineering community has been celebrating National Engineers Week for more than 40 years. The week's activities are supported by more than 50 engineering societies, numerous major corporations and by many government agencies.

It is long past time for Congress to pay tribute to the Nation's 1.5 million engineers, to join in the celebration of their achievements and to provide support for the educational efforts that will produce a better America for the future.

I urge my colleagues to join with me in paying tribute to the Nation's engineering community by supporting the designation of National Engineers Week.

**AVIATOR VERNON MEGEE—FROM PRIVATE TO FOUR STAR GENERAL—DIES AT 91**

**HON. J.J. PICKLE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. PICKLE. Mr. Speaker, when the history of the development of warfare of the 20th century is written by those historians who come after us, that chapter devoted to the evolution of aeronautical warfare must address the development of the importance of close air support of ground troops for the success of any military operation.

One man is credited with directing the fulfillment of that concept. Recently, that man, Vernon E. Megee, was buried in Arlington Cemetery among his fellow patriots.

The product of a mid-America one-room schoolhouse, Vernon enlisted in the Marine Corps in 1919 to earn enough money to finish his education at Oklahoma A&M. Forty years later, he retired with four stars, the only man in the Marine Corps to go from private to four-star general.

My friendship with Vernon Megee began during his retirement years in Austin from 1960 to 1989. General Megee was the ranking military officer in the area and participated in many official events, as well as being an active member of the Downtown Rotary and the Austin Country Club.

I was privileged to know this outstanding American and am proud to offer his obituary for all to read:

General Vernon E. Megee, USMC (Retired), died January 14, 1992, in Albuquerque, New Mexico, at the age of 91. General Megee, as the Colonel in command of the Landing Force Air Support Control Unit One at Iwo Jima, told his pilots to "Go in and scrape your bellies on the beach" in support of the ground troops. At the battle for Okinawa, both Marine and Army units utilized close air support under Colonel Megee's command to help "dig the enemy out of caves" as the ground units advanced. For his outstanding performances at Iwo Jima and Okinawa, General Megee was awarded the Legion of Merit with Combat "V" and the Bronze Star with Combat "V".

In 1956, General Megee became the first Marine Aviator to hold the post of Assistant Commandant/Chief of Staff of the U.S. Marine Corps. Previously, in 1950, General Megee served as the Director of Intelligence for the Joint Chiefs of Staff. He then took command of the First Marine Air Wing in Korea. His last assignment was as Commanding General, Fleet Marine Force, Pacific, where two-thirds of the combat forces of the Marine Corps were under his command. He retired from the Corps in 1959, having risen from private to four stars after more than forty years of service.

General Megee also saw foreign service in Haiti, Nicaragua, China and Peru. His other decorations included the Navy-Marine Corps medal (Nicaragua), the Cruz de Aviacion (Peru), the Military Order Taikuk with Silver Star (Korea) and the Distinguished Service Medal.

A native of Oklahoma, General Megee received a Bachelor of Science degree from Oklahoma State University and a Masters of Arts from the University of Texas.

After retirement from active duty, much of General Megee's time was spent in volunteer service to the Marine Military Academy in Harlingen, Texas, where he served as the first Superintendent and as President of the Board of Trustees. On November 11, 1988, General Megee was elevated to the position of Emeritus Chairman of the Board, the first trustee of the school to be so honored.

General Megee is survived by his daughter and son-in-law, LaVerne M. and Alfred T. Broad of Albuquerque, NM, a granddaughter, Kathleen L. Broad, also of Albuquerque, and a grandson, Tyson Megee Broad of Portland, Oregon. Two sisters, Opal Jones of Fresno, California and Walsa Meier of Broken Arrow, Oklahoma also survive General Megee. His wife, Nell, preceded him in death in July, 1989.

**A SPECIAL SALUTE TO GEORGE FRASER**

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. STOKES. Mr. Speaker, the Black Professionals Association charitable foundation will host its twelfth annual scholarship and awards gala on Saturday, February 29, 1992. The gala will be held at the Stouffer Tower City Plaza Hotel in Cleveland.

The Black Professionals Association [BPA] is composed of more than 100 black professionals throughout the Cleveland area. Over the years, BPA has chosen February, which is officially celebrated as Black History Month, to recognize African-Americans who are positive

role models and have achieved significant success in their chosen fields. Last year, I had the honor of being selected as the 1991 black professional of the year by this distinguished organization.

Today, I am proud to rise to salute the 1992 black professional of the year, George C. Fraser. I would like to share with my colleagues and the Nation some of the achievements of this year's award recipient.

Mr. Speaker, George Fraser is an outstanding businessman who is the founder and president of SuccessSource, Inc. Prior to the inception of SuccessSource, Mr. Fraser was employed by the Ford Motor Co. in its Minority Dealer Development Program. In addition, he was employed by United Way Services of Cleveland and Procter & Gamble in Cleveland and Cincinnati, OH.

It was during this time, Mr. Fraser recognized the need for an informational resource which would encompass the enormous breadth and diversity of African-American excellence. His idea led to the development of the innovative SuccessGuide, a comprehensive directory of African-American businesses, professionals and organizations.

The SuccessGuide has proven to be a valuable asset to the African-American community. More importantly, by tapping into this arena, George Fraser has succeeded in overcoming the corporate barriers which in the past impacted African-Americans' ability to start and build businesses.

As president of this highly successful venture, Mr. Fraser was able to make the transition from employee to employer in only 5 years. This is a testament to this individual's persistence, his entrepreneurial skills and his determination to succeed.

Mr. Speaker, not only is George Fraser a successful businessman, but he is also a community leader. He gives his time and advice to benefit community organizations. Mr. Fraser is an active board member of the Greater Cleveland Growth Association, John Carroll University and the Cleveland NAACP. The Black Professionals Association is just one of the many organizations to recognize Mr. Fraser's exceptional talents. Recently, he was selected as the role model of the year by the Teen Father Program; national volunteer of the year by the United Negro College Fund [UNCF]; and Cleveland business advocate of the year by the city of Cleveland.

Mr. Speaker, I am pleased to congratulate George Fraser for his achievements. He is well deserving of the honor accorded him as the 1992 black professional of the year. I join the community and his many friends and colleagues in saluting him on this momentous occasion, and I wish him much continued success.

**TAX FAIRNESS IN THE 1980'S**

**HON. JOHN EDWARD PORTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. PORTER. Mr. Speaker, as debate within the Congress returns to the issue of tax fairness, I commend to my colleagues the follow-

ing article which appeared in the Wall Street Journal on January 28, 1992. I think the author makes a convincing argument against the claim that the rich were the only ones who improved their standing during the 1980's.

[From the Wall Street Journal, Jan. 28, 1992]

#### THE "FORTUNE FIFTH" FALLACY

(By Richard B. McKenzie)

According to numerous pundits, the shift in the income distribution during the 1980s was seismic, with the rich getting richer and the rest, poorer. And Harvard University Prof. Robert Reich, among a chorus of academics, professes that only the "most fortunate fifth" of Americans—those with "princely incomes" (or households with more than \$55,205 in annual earnings in 1990)—improved their economic station during the past two decades. He argues that justice and economy demand that the growing hardship of the lower four-fifths of income earners be relieved with whooping tax increases on the rich.

Myriad versions of these claims have often been fortified with citations of official data on real median family income and on shares of income going to each of the five quintiles of households. Real median family income, adjusted for inflation using the standard consumer price index (CPI), and set relative to the 1970 level, did trend downward from 1970 to the late 1980s.

#### A DEFECTIVE MEASURE

Fortunately, the reality of the changing income distribution is far more complicated than the modern prophets of gloom would have us believe. As rarely conceded, the real median family income began to rebound after 1982. Moreover, this measure of the real median is defective in three key ways: (1) the method for computing the CPI was changed in 1983, the effect of which was to obscure the growth in real incomes; (2) the average family size fell by 17% between 1970 and 1986; and (3) fringe benefits and other wage supplements, which are not counted as family income, expanded from 12% of total wages and salaries in 1970 to 20% in 1986.

Researchers at the Congressional Budget Office have determined that when the real median income is recomputed with a consistent consumer price index (the so-called CPI-X) and adjusted for the economies associated with smaller families, the real median family income trends upward, rising by 20% between 1970 and 1986. When real median income is further adjusted to account, in a rough way, for the growth in nonwage income, the rise during this period may be more than 28%.

While such revised data seriously undercut the critics' empirical props, they have a ready-made comeback: The median rose only because the rising economic tide "lifted the yachts, but neither the tugboats nor the rowboats."

Critics do have some of the facts on the changing income distribution right. The share of total income going to the quintile of households with the lowest incomes did fall from 4.1% in 1970 to 3.9% in 1990 (after reaching 4.2% in 1980), and the share of income received by the middle three quintiles fell from 52.7% in 1970 to 49.5% in 1990. At the same time, the quintile of households with the highest incomes rose relatively rapidly during the 1970s and 1980s, with their share of income rising from 43.3% in 1970 to 46.6% in 1990.

The data do offer the surface appearance of a "most fortunate fifth." But appearances are deceiving. Income Bureau data reveal

that the real mean incomes (adjusted only for inflation by the CPI-X) of every quintile of households trended upward during the 1970s and 1980s. These data alone indicate that it is grossly misleading to suggest that changes in the income distribution were "seismic" or that the poor as a group got poorer, or that only the "most fortunate fifth" gained over the past decade or two.

Critics of the changing income distribution delight in comparing current real household income of quintiles with the 1970s peak achieved in 1973, prior to the first oil-supply shock that helped throttle income growth for the rest of the decade. They stress that the real income of the lowest two quintiles fell between 1973 and the late 1980s, rarely noting the flaw in the price index or the need to make other adjustments for decreasing household size and increasing nonwage benefits. In addition, the relatively strong growth in real household income in the middle and late 1980s is never mentioned, mainly because such an acknowledgement undercuts the simplistic claim that the downward trend was all Ronald Reagan's fault.

The average incomes of the lowest two quintiles of households rose a modest 4.7% and 4%, respectively, between 1973 and 1989 (just before the current recession) using the CPI-X as the deflator. And that's without even making other adjustments. However, between 1983 and 1989 the average income of the lowest quintile rose 11.1%, while the average income of the second quintile rose 10.1%. The average income of the middle quintile expanded by 10.7% and the fourth quintile by 11.65 in the 1983-89 period.

Granted, the average real income of the top quintile rose by much more, 18.8%, but it is naive to assume that the top quintile is an exclusive club. It in fact comprises changing collections of households with changing collections of household members operating on continually changing conditions. A student in the early 1980s, for example, had jumped several quintiles by the end of the decade simply by taking his first job or by marrying someone with an income. The very limited research done on the subject suggests that a sizable share—surely a third and possibly half—of the households in the top quintile at the end of the 1980s were in a lower quintile in earlier years.

Moreover, the nature of the quintiles of households ensures that the top quintile often grows more rapidly than the lower ones. People in the top quintile who increase their productivity and hours of work, marry (or stay married), and decide to have a non-working family member go to work (and 83% of the households in the top quintile have two or more income earners, far higher than the lower quintiles) automatically raise their quintile's mean household income. These people cannot move to a higher category.

People in any of the lower quintiles who do the same can easily move up one or more quintiles, increasing their own welfare but, in the process, reducing the mean income of their former quintile.

#### TRICKLING IN ALL DIRECTIONS

Overall, the critics have been right in stressing that the rich have gotten richer, but they are way off base to suggest that the rich were always rich during the 1980s, or that they have become richer at the expense of the rest of the population, or that their riches were ill-gotten or undeserved. It is far more accurate to say that in the 1980s many rich and not-so-rich Americans got richer faster than other Americans. Some Americans in all quintiles fell behind. Both ends of

the income distribution were contributing to the economic improvement of the other. Income growth was trickling in all directions, not just down or up the income distribution.

Clearly, the country has experienced a host of economic problems over the past two decades, of which decreasing real wages for some groups is one of the more important. While the available data do not permit an exact determination of how many Americans lost economic ground during the past two decades, it is clear that critics have grossly exaggerated the economic hardship visited on the vast majority of Americans. Furthermore, the critics don't seem to realize that many of the observed changes in real wages have been instructive. They have caused many people to learn from their experience and to take corrective action—without directives from Washington.

(Mr. McKenzie is a professor of management at the University of California, Irvine. His study, "The Fortunate-Fifth Fallacy," is soon to be released by the Center for the Study of American Business at Washington University in St. Louis.)

WITHIN 3 YEARS, AMERICA WILL BE SPENDING MORE ON HEALTH CARE THAN IT SPENDS ON ALL FOOD AND BEVERAGES

#### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. STARK. Mr. Speaker, page 313 of the 1992 Economic Report of the President contains a table which dramatically shows how the outrageous inflation in health care costs has become the pacman of the American economy, gobbling up a larger and larger share of the GNP and eliminating our ability to spend our resources in other areas.

Looking at the table, it becomes clear that without serious cost containment and budgeting—which the President's proposals don't provide—Americans will soon be spending more on health care than they spend on all the food and beverages consumed at home and in restaurants.

The table on page 313, which uses 1987 value dollars, shows that in 1959 we spent \$301.9 billion on all foods and beverages and \$95 billion on medical care.

At the end of 1991—using 1987 dollars—foods, and beverages consumed \$513.5 billion of the Nation's personal consumption and medical care \$446.5. Over 30 years, health has moved from being one third the size of food to nearly equaling it. The trend line is such that medical care is likely to exceed food at 2:14 p.m., April 19, 1995, give or take a few months.

I may joke about being able to predict the minute when health will exceed food as a cost to consumers, but it is no joke that it is about to happen. I'll bet anyone who wants to, a bottle of aspirin and a box of band-aids that I am within a month of predicting the date—unless we can pass national cost containment proposals between now and 1995.

If we had achieved great advances in public health over this period, one might say it was money well spent. The problem is, we haven't seen much improvement and lag other nations

in many key health indicators. Other economies have not seen our type of health inflation taking over large parts of their economies, and as a result those foreign nations have become more competitive and productive in trade, are able to devote more resources to education, social infrastructure and other important services.

It is time, Mr. Speaker, for some really tough cost containment.

STATEMENT OF WYDEN/BABBITT  
ARTICLE ON NAFTA

HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. SKAGGS. Mr. Speaker, I'm not sure how many of my colleagues have had the chance to read the excellent article in the Los Angeles Times on the North American Free Trade Agreement which was written by our colleague from Oregon, Congressman RON WYDEN, and the former Governor of Arizona, Bruce Babbitt, who is president of the League of Conservation Voters.

Congressman WYDEN and Governor Babbitt make a compelling case that any free trade agreement must include specific provisions to protect the environment. I commend their article to you.

Mr. Speaker, at this point I'd like to include a copy of the commentary in the RECORD.

[From the Los Angeles Times, Feb. 11, 1992]  
PERSPECTIVE ON FREE TRADE—WHO'S AFRAID  
OF MEXICAN TRADE?

(By Bruce Babbitt and Ron Wyden)

The outline of a North American free-trade agreement that could be consummated this year is at hand. Negotiators from the United States, Mexico and Canada are about to exchange their first drafts. But growing support for protectionism may spook the President from pushing the agreement in an election year.

It need not be such a gamble. It's still possible to write an agreement that would promote job growth and improve the environment more satisfactorily than the quick fixes proposed so far in Washington.

Exports have driven our economic growth in recent years, and without stronger links to the global economy, we will find it difficult to compete with regional trading blocs in Asia and Europe—regardless of tax cuts or Japanese trade concessions.

A successful North American free-trade agreement would immediately expand U.S. access to Mexico, a rapidly growing market. The unilateral reforms that Mexico has undertaken since joining the General Agreement on Tariffs and Trade in 1986 have triggered an investment boom and energized Mexican entrepreneurs. They now have the money to buy American heavy equipment, such as trucks, tractors and earth movers, high-technology products, environmental cleanup services and products, finished paper products and agricultural products, including wheat, fruit, nuts and potatoes.

In addition, a free-trade agreement would enable all North American companies to develop the kind of regional links that help make German and Japanese competitors so formidable. The old model of huge, integrated, monolithic companies launching ex-

ports from a single national base no longer reflects reality. Most production now comes from what Harvard Prof. Robert Reich calls a "web" of trade and investment flows, in which products and services are created out of flexible, ever-shifting combinations of joint ventures, target-specific alliances and specialized service providers.

European and Asian companies have already spun such webs in their regions. North American companies should have similar opportunities.

But to be successful, a North American free-trade "web" must include explicit provisions to protect the environment and public health. Without such rules, free-trade pressures would induce companies to cut short-term costs by skirting laws intended to protect health and the environment. And without such protections, long-term economic growth could not be sustained, because business can't operate with a work force suffering the effects of air and water pollution.

This question of negotiating environmental protections has polarized political debate on the free-trade agreement. From the outset, the Bush Administration has seemed to favor an approach that pushes Mexico hard for concessions on intellectual property and investment rules, but backs off when it comes to clean water, clean air and safe food.

There has been serious opposition in some quarters to almost any treaty that would expose the U.S. economy to additional competition, even though refusing free trade with Mexico would sacrifice economic growth and leave major existing environmental problems to fester untreated.

The key votes in Congress, however, seem to be held by a group that falls in neither camp. These pro-trade Democrats and pro-environment Republicans suggest another path: Negotiate a job-creating trade agreement but include the cleanup of pollution along the U.S.-Mexico border and require that new investment in Mexico pay up front for basic environmental protection infrastructure.

This swing group of policy-makers wants an environmental protection program built around strong rules, adequate resources and tough enforcement.

Serious environmental protection would require rules to ensure high standards on both sides of the border, with the costs based on the "polluter pays" principle.

Serious environmental protection would provide for a binational bond program to raise the \$5 billion to \$9 billion needed to clean up existing pollution along the border and a small levy on new investment to be set aside for future environmental protection.

Serious environmental protection would include a mandatory enforcement program, based on a binational enforcement agency that would be supported by a provision to allow citizens of either country access to the other's legal systems.

The current thinking of the Administration, unfortunately, is that free trade and environmental protection are not related and should not be linked. It has asked for less money to protect the border environment than Mexico plans to spend, even though the U.S. economy is 25 times larger than Mexico's. It maintains that free trade will provide resources for environmental protection, but will not say when such resources might be available nor commit to actually spending them on the environment.

In fact, the Administration's central position is that it will be enough to rely on voluntary agreements with Mexico and vol-

untary compliance by the very businesses that created the environmental problems in the first place. It has said only that it will conduct additional regulatory enforcement "as appropriate"—whatever that means.

A North American free-trade agreement built around the principles we advocate would bring this country more jobs and a cleaner environment. Unlike the short-term tax breaks and subsidy programs being bandied about in Washington, it would help generate prosperity—even after the election.

CONTINUED NEED FOR  
COMPETITIVE PROTOTYPING

HON. ANDY IRELAND

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. IRELAND. Mr. Speaker, I rise to introduce legislation to reinstate the requirement for competitive prototypes in major acquisition programs of the Department of Defense [DOD]. The requirement for competitive prototyping was contained in a law—10 U.S.C. 2365—that expired on September 30, 1991.

Mr. Speaker, competition is the American way. If properly conducted, competition yields products with superior quality at lower prices. The benefits of competition have been proven over and over again in our society. Competition is the foundation of American economic behavior. In a nutshell, that is the reason I am proposing this legislation.

Under the proposed legislation, DOD would be required to use a competitive prototype program strategy in the development of major weapons systems and their subsystems. The Secretary of Defense, however, would have the authority to waive the requirement in special circumstances specified in the legislation—provided the Secretary makes written notification to Congress, explaining why such a strategy is not practicable.

Mr. Speaker, I would like to place a copy of my bill and the underlying legislation that would be reinstated—10 U.S.C. 2365—in the RECORD.

DOD has used competitive prototyping to great advantage in the past. The F-16 fighter program is a prime example. That program produced two excellent machines—the Air Force F-16 and the Navy F/A-18, both of which did a yeoman's work in the recent air war against Iraq.

Unfortunately, DOD has not always used competitive prototyping—with predictable results. The A-12 provides ample proof of what happens when the military ignores the clearcut advantages of competition.

As many of you will remember, Secretary of Defense Cheney had to terminate the Navy's A-12 stealth bomber on January 7, 1991. He terminated the program for default, because of unacceptable slippage in the program's schedule, massive cost overruns, and widespread management deficiencies. The contractor is now suing the Federal Government. Before it's all over, billions of dollars will have been spent, and we will have absolutely nothing to show for it.

The termination of the A-12 program was a devastating blow to naval aviation. The Navy

needs a replacement for the aging A-6 bomber, there is no question about that.

But what does the Navy do in the wake of the A-12 disaster?

The Navy launches the AX program—successor to the A-12—with a paper competition planned for the concept exploration and definition phase. This phase is now underway, and will be followed by the selection of only one contractor for the crucial demonstration and validation [DemVal] phase scheduled to begin next year. There would be no competitive prototypes. This is another recipe for disaster.

The Navy has rejected the idea of competitive prototypes for the AX. Competitive prototyping is too expensive, in the Navy's view. The Navy wants to establish a comfortable team relationship with a favored contractor, and then give that company plenty of money and time to do the job.

Since when is competition too expensive? Admittedly, competition probably costs more up front, but over the life of the program, competition will save big bucks.

Now, who is it in the Navy who rejects competition? Capt. Jeffrey Cook is the AX program manager. He is the genius behind the AX acquisition strategy. Well, Captain Cook was the chief engineer on the A-12 program, and engineering is where the A-12 came unglued. And his boss, Navy Acquisition Executive Cann seems enthralled with Captain Cook's genius. He describes the AX plan as "a classical approach to a new start."

Mr. Speaker, recent experience tells me that the Navy's acquisition strategy for major aviation programs needs closer scrutiny. Mr. Cann and Captain Cook were part of the management structure that led us down the road to the A-12 disaster. Should we now follow their lead on the AX? Should those two be entrusted with the future of naval aviation? Or should we rely on the time-honored benefits of competition to solve the problem at hand?

I am not alone in questioning the wisdom of the AX acquisition strategy. Others have questioned it as well.

The Defense Acquisition Board [DAB] met to review the AX program plan on June 28, 1991. On July 3, 1991, Under Secretary of Defense for Acquisition Yockey authorized the Navy to proceed with the initial concept exploration and definition phase but directed the Navy to develop a revised acquisition strategy. At the time, the Navy's plan did not comply with DOD regulation 5000.2, part 5, section D, and 10 U.S.C. 2365. Both mandate competitive prototyping.

Under Secretary Yockey subsequently indicated that a final decision on whether to proceed with AX into DemVal with one or two contractors has been deferred until the Milestone I DAB review, which is scheduled to take place during the second quarter of fiscal year 1993.

Mr. Speaker, the Navy's apparent determination to head right back down the A-12 road to disaster with the AX tells me that the law requiring competitive prototyping must be reinstated.

Competitive prototyping makes eminently good sense. It also happens to be fully consistent with the DOD's new acquisition strategy that places heavier emphasis on R&D and stresses prototypes over production. Secretary

Cheney described the new acquisition strategy during testimony before the House Armed Services Committee on February 6, 1992. He said: "More work will be done with prototypes to demonstrate capabilities, to prove out concepts, and technologies." That's exactly what is needed. That is exactly what my legislation would do.

I urge all my colleagues to support this bill.

H.R. 4303

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

**SECTION 1. REINSTATEMENT OF REQUIREMENT FOR USE OF COMPETITIVE PROTOTYPE PROGRAM STRATEGY IN DEVELOPMENT OF MAJOR WEAPONS SYSTEM.**

(a) IN GENERAL.—Subsection (e) of section 2365 of title 10, United States Code, is repealed.

(b) EFFECTIVE DATE.—Section 2365 of title 10, United States Code, as amended by subsection (a), shall apply to major weapons systems that enter the advanced development stage after the date of the enactment of this Act.

§2365. Competitive prototype strategy requirement; major defense acquisition programs.

(a) COMPETITIVE PROTOTYPE STRATEGY REQUIREMENT.—Except as provided in subsection (c), the Secretary of Defense shall require the use of a competitive prototype program strategy in the development of a major weapons system (or a subsystem of such system).

(b) QUALIFYING STRATEGIES.—An acquisition strategy qualifies as a competitive prototype strategy if it—

(1) requires that contracts be entered into with not less than two contractors, using the same combat performance requirements, for the competitive design and manufacture of a prototype system or subsystem for developmental test and evaluation;

(2) requires that all systems or subsystems developed under contracts described in paragraph (1) be tested in a comparative side-by-side test that is designed to—

(A) reproduce combat conditions to the extent practicable; and

(B) determine which system or subsystem is most effective under such condition; and

(3) requires that each contractor that develops a prototype system or subsystem, before the testing described in subparagraph (B) is begun, submit—

(A) cost estimates for full-scale engineering development and the basis for such estimates; and

(B) production estimates, whenever practicable.

(c) EXCEPTION.—Subsection (a) shall not apply to the development of a major weapons system (or subsystem of such system) after—

(1) the Secretary submits to Congress—

(A) written notification that use of a competitive prototype program strategy is not practicable with respect to such system or subsystem; and

(B) a report that fully explains why use of such a strategy is not practicable, including cost estimates (and the bases for such estimates) comparing the total program cost of the competitive prototype strategy with the total program cost of the alternative acquisition strategy; and

(2) 30 days elapse after the Secretary submits the notification and report required by paragraph (1).

(d) DEFINITIONS.—In this section:

(1) The term "major weapons system" means a major weapons system that is acquired under a program that is a major defense acquisition program.

(2) The term "major defense acquisition program" means a Department of Defense acquisition program that—

(A) is not a highly sensitive classified program (as determined by the Secretary of Defense); and

(B) that is estimated by the Secretary of Defense to require an eventual total expenditure for research, development, test, and evaluation of more than \$200,000,000 (based on fiscal year 1980 constant dollars).

(3) The term "subsystem of such system" means a collection of components (such as the propulsion system, avionics, or weapon controls) for which the prime contractors, major subcontractors or government entities have responsibility for system integration.

(e) TERMINATION.—This section shall cease to be effective on September 30, 1991.

**RUSSIANS NEED OUR CAPITALIST EXPERTISE AND OUR MONEY**

**HON. JOHN D. DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. DINGELL. Mr. Speaker, I would like to commend to the attention of my colleagues the thought provoking article written by Mr. Robert A. Hefner III, which appeared in the Dallas Morning News on Sunday, January 5, 1992.

While this Chamber must continue to focus very carefully upon our Nation's economic concerns, I believe that Mr. Hefner raises an important security concern. We must not miss this historic opportunity to take full advantage of America's investment in the cold war. This is our moment—our chance to help transform the new republics of the former Soviet Union into political and economic allies, so that our Nation might never again have to divert so much of our precious domestic resources toward preparation for war.

[From the Dallas Morning News, Jan. 5, 1992]

**RUSSIANS NEED OUR CAPITALIST EXPERTISE AND OUR MONEY**

(By Robert Hefner)

Almost singlehandedly over the last half-decade, Mikhail Gorbachev has pried open a historically unprecedented window of opportunity for global peace in the 21st century. No one can predict how long this window of opportunity may remain open. Indeed, many of Boris Yeltsin's reformers fear that the long cold Russian winter may slam it shut.

Thus President Bush may hold in his hands history's single most opportune moment to achieve a level of peace never before known by humankind. Yet, at this critical time, the Bush administration's ability to act seems to be frozen in confusion, "changing of the guard," internal controversy and presidential campaign positioning.

President Bush must act immediately and boldly during this time when Mr. Yeltsin and his cabinet have the momentum of widespread grass-roots public support to put in place all the systems of a free-enterprise democracy, fulfilling the ideals America has fought for throughout most of the 20th century. Boris Yeltsin has clearly indicated his willingness to cooperate, and, without doubt,

the United States could lead the G-7 countries in an effort to fully support him and his new commonwealth.

Mr. Yeltsin is now the most influential person in the former Soviet Union. He has widespread political support from a vast cross section of the Russian people—old and young, rural and urban, new and old guard. And, even more important, Mr. Yeltsin has in his cabinet some of Russia's best and brightest people, including a group of young economists headed by Yegor Gaydar and Peter Aven, who passionately believe in democracy, human rights, private property and a market economy (as did another group of young men in Philadelphia in 1776).

Mr. Gaydar is Russia's deputy premier for economics in the Russian Council of Ministers, responsible for the economic transition; Mr. Aven is the new first deputy minister of foreign affairs. They have spent the past 10 years (often at great personal risk) studying Western markets, private property and banking. They want a floating hard currency by June.

That is precisely where U.S. policy must be targeted. Nothing could jumpstart Russia's economy as fast as an exchangeable currency that has the full confidence of the world financial market. U.S. aid should not fund projects or be doled out to help a crumbling bureaucracy.

U.S. aid should be in the form of guarantees or credits to the new central bank of Russia (and those of its new commonwealth countries), specifically organized to establish full market confidence in the new Russian currency. A totally convertible currency pegged to the U.S. dollar would immediately open spigots to an enormous inflow of private foreign capital as well as begin settling the chaotic political waters.

But this U.S. aid package must be given only in return for guarantees of market reform, private property, free elections, human rights and a bilateral agreement for the destruction of strategic nuclear weapons. Mr. Yeltsin and his cabinet want exactly what America wants, and the Bush administration must act immediately to seize this opportunity. The long Russian winter has started, and no one can predict next year's circumstances.

Additionally, the U.S. should openly and publicly support the goals of the Gaydar group with positive official statements and recognition. The popular momentum at this moment supports change. Our foreign policy must focus on the need to help facilitate these reforms of free elections, private property, free markets and convertible currency so that when the backlash comes (and indeed it will, I fear sooner rather than later), these essential systems will be in place, and, as history has taught us, they will withstand assault.

The United States has spent most of this century fighting two world wars and the Cold War for these ideals at great cost in both human life and money. The Cold War alone has cost about \$8 trillion (twice our current national debt), and we must not now lose sight of what we have fought so hard for and fail to act decisively while the opportunity is here. This time we must finish the job and "go all the way to Baghdad." Even with our huge deficits, we must not lose our resolve to finish the job.

The founding of a handful of new freemarket democracies with enormous opportunity to become important trading partners and allies in the Marshall tradition is surely worth another \$75 billion or even \$150 billion of credits to the new Russian and other commonwealth central banks.

Under the conditions set forth above, this could certainly be funded out of our defense budget. Without such bold action now to support these reforms and reformers, the window of opportunity will slam shut, and the former Soviet empire will drop into chaos, civil war and totalitarian states at a long-term cost to America many times more than these proposed peace guarantees. On the other hand, with such action, these new democracies will become global neighbors and provide an American-oriented growth market, which over the long term will pay us many economic dividends.

#### RECOGNITION OF THE CONSTITUTIONAL RIGHTS OF ETHNIC ALBANIANS IN MACEDONIA IS ESSENTIAL

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. LANTOS. Mr. Speaker, as we have witnessed the establishment of independent republics in the territory that was formerly Yugoslavia, there are rising concerns about the protection of the civil and human rights of all ethnic nationalities and in particular the rights of ethnic Albanians.

The latest area of grave concern, Mr. Speaker, is with ethnic Albanians in the Republic of Macedonia. In a recent referendum, the people of Macedonia voted that their Republic should become independent. The Republic of Macedonia, however, includes a significant Albanian population. The last census of Yugoslavia, which was taken a decade ago, indicates that 20 to 25 percent of Macedonia's population are Albanian. That number is well above that ratio today, and it may well exceed 40 percent of the population.

Unfortunately, the newly proclaimed Constitution of the Republic of Macedonia, which recently went into effect, does not provide guarantees of minority rights for the Albanians and other ethnic minorities in Macedonia. There are disturbing patterns emerging, Mr. Speaker, that raise questions about how this Albanian population is being treated. There are two instances that I would like to bring to the attention of my colleagues.

The first involves collusion between government officials in the Republic of Macedonia and the Republic of Serbia. As you know, the Serbian Government has consistently followed a policy of suppressing the Albanian majority in the autonomous Province of Kosovo. Just a few days ago, two leaders of the Albanian community in Macedonia were invited to the United States to meet with members of the Congress and others in our country to present their case. In order to fly to the United States, they had to receive appropriate visas from our closest U.S. Embassy, which is in Belgrade, capitol of the Republic of Serbia. When they arrived in Serbia, they were arrested by Serbian police and prevented from getting to the American Embassy to receive their travel documents. The following day when they attempted to board the flight to the United States, they were forcefully removed from the plane.

Mr. Speaker, this collusion between the Government of Macedonia and Serbia is a se-

rious violation of human rights. These Albanian leaders were denied the right of free movement and travel, freedom of speech to present their case, and they were subject to police harassment and intimidation. I urge my colleagues to join me in condemning this action by Serbian police officials and the collusion of officials of the Macedonian Republic.

The second instance of concern relates to the educational opportunities provided for Albanians in Macedonia. In the Macedonian capital of Skopje last year there were some 8,000 students who completed the eighth grade. Of those students, 3,800 were Macedonians and 3,200 were Albanians. For the 3,800 Macedonians, there were some 30 schools with instruction in the Macedonian language where they could continue their education. For the 3,200 Albanians, there was 1 school with 3 classes with instruction in the Albanian language—a total of 120 places for 3,200 students!

It was incidents like these two that I have described, Mr. Speaker, that led Albanians in Macedonia to organize and conduct a referendum of ethnic Albanians in Macedonia on January 11-12 of this year. The question on the ballot was whether Albanians should be given political-territorial autonomy within the Macedonian Republic. The vote was overwhelming in favor.

The Assembly for Political-Territorial Autonomy of Ethnic Albanians in Macedonia wrote to the Council of Ministers of the European Community raising the issue of the treatment of Albanians in Macedonia and requesting recognition and acceptance of their justified claim for political and territorial autonomy.

Mr. Speaker, I ask that this letter be placed in the RECORD and I urge my colleagues to read it. It raises serious questions that must be considered before the status of the Republic of Macedonia can be recognized.

THE ASSEMBLY FOR POLITICAL-TERRITORIAL AUTONOMY OF ETHNIC ALBANIANS IN MACEDONIA,

Gostivar, Macedonia, February 12, 1992.

THE COUNCIL OF MINISTERS OF THE EUROPEAN COMMUNITY.

DEAR SIR: The Assembly for Political-territorial Autonomy of Ethnic Albanians in Macedonia highly appreciates the efforts made by the Commission of Arbitration for the solution to the crisis in the area of the former Yugoslavia, particularly their engagement for the protection of human rights through the right for self-determination. We read with a special interest the part of the Commission's report that deals with Macedonia's recognition by the EC and its member states. We have noticed, with regret, in this report, that the Commission has not taken into consideration the indisputable natural, historical and current facts of life and activity of about 40% of the total population of Macedonia—the ethnic Albanians, who declared themselves for the political-territorial autonomy of the territory inhabited by them in the Referendum held on Jan. 11 and 12, 1992.

What follows is only a short list of indisputable facts that were underestimated or ignored in the Commission's report:

- (1) ethnic Albanians in Macedonia live on their lands as an autochthonous people;
- (2) ethnic Albanians in Macedonia comprise a compact entity in the territory where they live;

(3) ethnic Albanians are a national entity distinguished by their own customs, characteristics, language;

(4) ethnic Albanians constitute the majority of the population of the region inhabited by them;

(5) the sovereign and nation-building status of ethnic Albanians guaranteed by article 1 of the 1974 Constitution of the Socialist Republic of Macedonia is degraded in the current Constitution to national minority states;

(6) there is no mechanism such as consensus for instance, for the protection of human and collective rights of ethnic Albanians and other nationalities;

(7) the collective and individual human rights and freedom of Macedonians are not limited according to the current Constitution whereas for non-Macedonians there are many limitations.

All these facts also were underestimated and ignored in the current Constitution adopted on Nov. 17, 1991.

On the occasion we express our convictions that ethnic Albanians in Macedonia are not against the independence of Macedonia and her recognition by the EC and its member states, on condition that their political-territorial autonomy is recognized as a step towards finding the right and just solution to the Albanian question, in accordance with Final Helsinki Act of 1975 and the Paris Chart for a new Europe in 1990, which documents recognize the right for self-determination to all peoples.

In the Referendum for Political-Territorial Autonomy of Ethnic Albanians in Macedonia held in Jan. 11 and 12, 1992 in 17 municipalities (out of 34 in total in Macedonia) took part 360,928 voters out of 383,539 voters in total out of which 99.90% voted FOR the Political-Territorial Autonomy of the Ethnic Albanians in Macedonia.

On the basis of the above-mentioned facts we would like to let you know that without the solution to the ethnic Albanian question in Macedonia, that is, without the federalization of Macedonia, this region will remain unstable and volatile and will continuously threaten peace both in the area of the former Yugoslavia and the Balkans in general. Therefore we ask you to reconsider the statements in the report on Yugoslavia by the Commission of Arbitration concerning the international recognition of Macedonia.

Before making the decision on the recognition of Macedonia, the EC should take into consideration the following facts: that ethnic Albanians did not vote for the current Constitution of Macedonia; that the population census in Macedonia is partially carried out and consequently the national structure of Macedonia is not known; and that ethnic Albanians declared themselves for political-territorial autonomy.

For these reasons the EC, before making the decision for the recognition of Macedonia, should make efforts for the realization of a new total population census of Macedonia, under the supervision of the international institutions, because Macedonians are not a majority population in Macedonia in comparison with all the others who live in it. The EC should engage in making changes in the current Constitution, and respect the political will of the ethnic Albanian people in Macedonia.

### RILEY TELLS STORY TO ILLUSTRATE LIKELY RTC ABUSE

#### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. CLAY. Mr. Speaker, one of the most serious financial debacles in the history of our Nation—the collapse of our savings and loans industry—continues to plague the integrity of our national economic agenda. Reports of inefficiencies on the part of the Resolution Trust Corporation, which Congress established to address the savings and loan crisis cannot be ignored. I would like to take this opportunity to share a press report from the Arkansas Democrat-Gazette which details some of the difficulties which one businessman encountered in his efforts to negotiate with the Resolution Trust Corporation.

[From the Arkansas Democrat-Gazette, Jan. 27, 1992]

#### RILEY TELLS STORY TO ILLUSTRATE LIKELY RTC ABUSE

A Little Rock businessman, Pat M. Riley, tells a personal story about how the Resolution Trust Corp. may be mishandling assets of failed savings and loans.

The RTC is the federal agency charged with selling off the assets of failed savings and loans to recover as much money as possible.

Many business executives and financial industry officials have complained about the way the RTC is operating. Responding to their complaints, Rep. Beryl Anthony, Jr., D-Ark., said Friday he will convene hearings in Arkansas in March to discuss problems with the RTC.

There may be others like Riley who come forward.

He owed \$500,000 on a \$6 million loan from the failed Savers Federal Savings and Loan of Little Rock. Last July Riley, offering to pay it off for \$350,000, proposed a discount for the early payoff. The RTC refused his offer.

The RTC offered to sell the loan to him for \$490,500, but he refused.

The RTC finally sold the loan for \$385,000 to a Virginia-based partnership, which included one of the RTC's top national independent contractors, officials said.

BRW Real Estate Operating Co. Ltd. of Alexandria, Va., paid \$80.5 million for a bundle of Savers loans, including Riley's.

The price for the package of loans was 77 percent of its total appraised value, officials said.

In 1983, Riley took out the loan from Savers Federal Savings & Loan to build Woodland Heights Apartments, a Little Rock retirement center.

The RTC took over Savers Federal, changed the name to Savers Savings Association in 1989 and began selling off the institution's assets.

Among the assets for sale was Riley's loan, which carried a 13 percent interest rate and a payoff amount of \$500,000.

While banks and other major investors have bought real estate and loans from the RTC for big discounts, the offer to Riley to buy his loan for \$490,500 was only a 0.019 percent discount.

The RTC then listed his loan for sale for \$474,000 but nobody bought it.

Last fall, Riley's loan was then included in a package of real estate and mortgages from the Savers portfolio. And in December, BRW

Real Estate bought it in the Savers loan package.

RTC spokeswoman Jane Jankowski said the mortgages in the bulk sale were "bad" and non-performing loans.

But Riley has always been current in repaying the loan and Savers never had a problem with the loan, according to Riley's records and Savers officials who asked not to be identified.

"I've performed. I've never missed a payment. I haven't been rewarded for that though," Riley said.

"When I sought to negotiate with the RTC, they said they just had no mechanism to deal with anybody that was performing," Riley said.

"They had policies and procedures to make payoffs at discounted rates to those whose loans were in trouble. Those of us who were performing were simply left to make a full payment," he said.

He said RTC officials also told him they needed to put some "good" loans into the bulk offerings to sell off the asset packages.

RTC officials said his wasn't the only good loan being sold off at a discount to large investors.

"I borrowed the money and I fully expected to pay it in full," Riley said. "Nonetheless, when they are trying to give it to out-of-state people at 30 percent discounts, it seems only appropriate they offer me some reasonable discount to pay for it myself."

"To put this in proper perspective, it is not only myself who is paying in full but it is the United States taxpayer including you and I who are being penalized. Had the RTC simply held it, they would have received their money in full," he said.

BRW is a partnership of the J.E. Robert Co., the Blackstone Group and Goldman Sachs.

J.E. Robert Co. is a Virginia-based management firm that was the RTC's second largest independent contractor. J.E. Robert performs appraisal, accounting and management work for the federal government.

The company has earned more than \$80 million for its work, according to American Banker, a banking industry newspaper.

J.E. Robert also manages more than \$10 billion in assets for the RTC but was not involved in the Savers portfolio it bought, officials said.

J.E. Robert has teamed up with the New York-based Blackstone Group to buy up RTC property across the Southwest.

### FINANCIAL FRAUD DETECTION AND DISCLOSURE ACT OF 1992

#### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MARKEY. Mr. Speaker, I am pleased to join with my colleague from Oregon, Mr. WYDEN, and Chairman DINGELL of the full Energy and Commerce Committee in introducing today the Financial Fraud Detection and Disclosure Act of 1992. This legislation seeks to place additional responsibility on independent public accountants who certify the financial health of public institutions and make those accountants more accountable to those they serve—the investing public.

This legislation is the natural product of the subcommittee's commitment to clean up after the financial excesses of the 1980's. The pub-

lic was consistently overlooked in that decade of greed, but it is the public that is now being forced to foot the bill for the consequences of the corporate misdeeds that helped shape the decade. Just last year, the public was asked to assume the costs of an additional \$25 billion for the S&L bailout, as well as a \$70 billion line of credit for the bank insurance fund. Mr. Speaker, the taxpayer has had enough. In keeping with our successful passage of the Insider Trading and Securities Fraud Enforcement Act of 1988; the Market Reform Act, and the International Securities Enforcement Cooperation Act of 1990, this legislation focuses on the need for greater preventive measures to curtail the deceptive actions of financial criminals before the consequences of such actions are played out at taxpayers expense.

Congress, in the years following the Great Depression, mandated that public companies have their financial statements scrutinized by independent auditors. While congressional intent was to provide for an independent and objective review of a company's finances, the mechanism to ensure such objectivity was imperfect; Congress did not provide any official guidelines outlining how companies should conduct their audits. This resulted, first, in companies hiring their own private watchdog, and, second, in auditors that feared biting the hand that fed them. The legislation being introduced today will seek to rectify this apparent conflict-of-interest by mandating specific guidelines and regulations to be followed by all independent auditors.

This legislation should not be viewed as Congress pointing its disapproving finger at independent accountants. Indeed accountants, too, can fall victim to the elaborate financial schemes of fraudulent corporate managers. However, there currently is no general requirement that the audit be designed to provide reasonable assurance of detecting fraud—a shortcoming which may have contributed to the issuance of clean bills of health for some financially wrecked institutions by several large accounting firms. One must wonder how 28 of the 30 S&L's that failed in California in 1985 and 1986 could have received clean audits a year before they went under, and how one of the big six accounting firms, Price Waterhouse, could have been so successfully duped by BCCI. Accordingly, this legislation will mandate specific requirements to ensure that public auditors conduct a thorough, independent audit and look for material misstatements during the course of an audit.

The legislation we are introducing today is the culmination of more than 20 hearings on the accounting profession conducted since 1984 by the Oversight and Investigations Subcommittee chaired by Chairman DINGELL. It also contains key provisions from a House-passed amendment to the 1990 Comprehensive Crime Control Act, as well as language adopted by the House, but later dropped from title IV of H.R. 6, the Financial Institutions Safety and Consumer Choice Act of 1991, in which auditors are required to expand their search for fraudulent activities of clients and directly report any such findings, under appropriate circumstances, to the SEC.

These new rules will provide regulators with an early warning bell to prevent the problems of the 1980's from overflowing into the 1990's.

This legislation, however, is just one step in many that must be undertaken so that we can begin to alter the way in which our financial system is monitored and monetary interests of the investing public are protected. I look forward to moving this legislation swiftly through the Subcommittee on Telecommunications and Finance and urge its support by the House.

**BILL ROBERTS: U.S. ATTORNEY AND JUSTICE DEPARTMENT CHAIRMAN OF THE ATTORNEY GENERAL'S ADVISORY COMMITTEE OF U.S. ATTORNEYS**

**HON. ROBERT H. MICHEL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MICHEL. Mr. Speaker, I would like to bring to the attention of our colleagues the great job Bill Roberts is doing in his newly appointed position as chairman of the Justice Department Advisory Committee of U.S. Attorneys while still working as a U.S. attorney.

Mr. Roberts splits his time between home and his duties in Washington. He is the U.S. attorney of Springfield, IL and the chairman of the Attorney General's Advisory Committee of U.S. Attorneys. Mr. Roberts speaks on behalf of 93 U.S. attorneys nationwide in meetings with Attorney General William Barr, and his voice is heard on subjects ranging from budgets to gang busts.

At this point I wish to insert in the RECORD an article by Bob Estill, "Roberts Finds Time to Split Town for Washington Duties," which further details of Mr. Roberts' plans, accomplishments, and devotion.

**ROBERTS FINDS TIME TO SPLIT TOWN FOR WASHINGTON DUTIES**

(By Bob Estill)

WASHINGTON.—U.S. Attorney Bill Roberts of Springfield lives what he calls a "schizophrenic existence."

But it's his time, not his personality, that's split.

Since the top federal prosecutor in the Central Illinois district became chairman of the attorney general's Advisory Committee of U.S. Attorneys in January, he has divided his time between Springfield and Washington, D.C.

In Washington, he is the voice of the 93 U.S. attorneys nationwide in daily meetings with Attorney General William Barr. He counsels the head of the Justice Department on subjects from budgets to busts of gangs, drug dealers and other armed felons.

"I'm the U.S. attorney for a couple of days, and I'm on the staff of the attorney general for a couple of days," Roberts said. "Trying to keep in sync with both worlds is something with which I've not completely come to terms yet. But I'm getting there."

The Springfield Republican was appointed to the 15-member committee in 1989 by Barr's predecessor, Dick Thornburgh, and elected by the panel members last year to serve a one-year term as chairman.

"It's a determinate sentence," Roberts said with a laugh.

The first Illinois prosecutor to serve as committee chairman, the 49-year-old Roodhouse native is among seven Prairie

State prosecutors who have served on the panel. Predecessors include former Gov. James Thompson, appointed when the committee was created in 1973, and Sam Skinner, now White House chief of staff.

This year, Roberts expects to average three to four days a week in his fifth floor office in Washington, just a few doors down from Barr's suit. The proximity is more than geographic. Roberts is part of a coterie of eight to 10 top managers who meet with Barr every morning.

"What I bring \*\*\* is a perspective beyond the (Washington) Beltway, which I believe Attorney General Barr finds valuable," Roberts said. "Somebody on his staff remarked to me that 'you are the only one in the room who can really tell us if it will play in Peoria.'"

Roberts, formerly Sangamon County state's attorney, serves as a bridge between two worlds in the Justice Department.

He said he understands the perspective of officials here who feel the Justice Department "must speak with one voice."

But he also recognizes that the 93 U.S. attorneys, all presidential appointees, have "far more trial experience and certainly more experience in their particular locations than somebody in Washington."

As an experienced prosecutor, Roberts also is aware of how the job has expanded since the 1970s, when "bank robberies were the big cases." Now, Roberts said, prosecutors are reaching out to local communities in cooperative efforts to rid the streets of drug dealers and armed criminals.

One new project the advisory panel helped shape is "Weed and Seed," which Roberts calls a "marriage of law enforcement and social services." It is being tested in Trenton N.J., Philadelphia, Kansas City, Mo., and Omaha, Neb.

"Weeding" begins when the Justice Department, working in concert with local law enforcement, elected officials and community groups, targets areas for crackdowns by federal, state and local law enforcement agencies.

"It's a whole community effort \*\*\* to take out the bad guys, the crack dealer on the corner, the dope house in the middle of the block, that are festering and infecting the neighborhood," Roberts said.

"Seeds" then will be planted for neighborhood improvement, Roberts said, in a myriad of ways from sprucing up the appearance with street cleaning or refurbishing of parks and playgrounds to providing assistance on home loans and organizing neighborhood watch programs.

The advisory panel strongly recommended, and the attorney general agreed, that the experiment be taken "one step at a time" instead of having every community in the country competing for a limited pool of funds, Robert said. This year, 16 cities, including Chicago, vie for a share of \$10 million for the program.

"Triggerlock," aimed at armed and violent criminals, is another program that "rose up from the field," evolving from a summit meeting last year of prosecutors, police chiefs, sheriffs and other law enforcement officials, Roberts said.

Under "Triggerlock," federal prosecutors work with state and local officials to prosecute armed criminals under federal laws that may be tougher than state or local laws. For example, a drug dealer caught with a gun in his possession would be tried not only on the drug charge, but for a federal weapons felony carrying a mandatory sentence of five years in prison or up to life imprisonment for repeat offenders, Roberts said.

The advisory panel also works closely with Barr on the less glamorous aspects of Justice Department duties, including the budgets for the U.S. attorneys.

"We're in their pitching for our share of the pie," Roberts said of his fellow prosecutors. "When they have economic resources to distribute, we've done pretty well."

Roberts said his wife, Carole, has been a good soldier about his career taking him away from home so often.

"I'm comfortable doing what I'm doing," Roberts said. "And in summary, I look forward to the time when I can live in one community again."

#### CELEBRATING THE FOUNDING OF ROTARY INTERNATIONAL

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. SOLOMON. Mr. Speaker, Rotary celebrated its founding on February 23. On February 28, Rajendra K. Saboo, president of Rotary International, will lead other Rotarians in commemorating that event at U.N. headquarters.

I'm paying tribute to all that is good about Rotary it is my privilege to place in today's RECORD Mr. Saboo's inspiring message, and I would urge all Members to read it.

[From the Rotarian, Feb. 1992]

WHO HAS SEEN THE FACE OF PEACE?

(By Rajendra K. Saboo)

I remember my four-year-old grandson saying to his sister, "Let us now make peace, and play." To children, peace is so simple, sincere, and pure.

Yet when the world's great leaders invoke the rhetoric of peace, they explain its complexities. To them, peace is something difficult to achieve.

How do we explain this difference?

Like the child, peace also "grew up," developing a multi-faceted personality, presenting a different face to different people from different angles. It cannot be seen in a single glance, or captured in a single word or phrase.

No wonder that peace is represented by a dove—a bird in the wild. The dove is elusive. If you try to chase it, the bird flies quickly away until it disappears into the sky. But place a few grains of seed corn in your open hand, and the dove will come to you of its own accord.

Peace, too, will come to you . . . if with sincerity, you hold out the seeds that nourish it and help it to grow. Offer up the seeds of goodness and service then peace will descend upon you.

I know a Rotarian whose greatest moment in Rotary came when, after 10 days of serving in an eye-operation camp, he was adjusting new spectacles on the eyes of a 65-year old patient, one of the many who had undergone surgery. Suddenly, the patient's voice came loud and clear, "I can see, I can now see after 25 years." He was dancing with excitement. As happiness blossomed within the patient, peace flowered within the Rotarian who had served.

Such service must be the first step to peace, because peace grows within the heart. Peace thrives with service and understanding, according dignity to our fellow men. Peace is nourished by truth and principles,

and it is strengthened when we overcome our differences to work together, finding common ground for a noble cause. How true are the words of Ralph Waldo Emerson: "Nothing can bring you peace but yourself."

Like you, I love myself, my family, my city, my country, but I will have to progressively look beyond them to find the true face of peace. Let each Rotarian be a crusader for peace, seeking it in his or her own way, but always through service, the basis for any worthy enterprise.

Peace begins with you—by reaching out to your neighbor, by opening your heart, by bridging the differences between people and communities.

For a world at peace is not a dream, nor a wishful fantasy. Working this year in tandem with the United Nations and its agencies, I have seen the flowering of peace in our joint initiatives for the health and welfare of others. Now, to culminate this week spent commemorating the birth of Rotary on 23 February—today known as World Understanding and Peace Day—I will again return to UN headquarters. And there, along with other Rotarians on 28 February, we will celebrate our partnership and our dream. Within your own clubs as well, find time to celebrate our special relationship and our special quest for peace.

In closing, I leave you with a reflection from Mahatma Gandhi, spoken shortly after his quest for India's independence took him to Britain.

"I am not conscious of a single experience throughout my three-month stay in England and Europe that made me feel that East and West is West. On the contrary, I am convinced more than ever that human nature is the same, no matter under what clime it flourishes, and that if you approached people with trust and affection, you would have tenfold trust and thousandfold affection returned to you."

The Mahatma realized that service is not merely the essence, but the likeness of peace. This is a vision we can share, based on trust and affection.

"Look Beyond Yourself" to see the true face of peace.

#### INFORMATION SERVICES

HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. SMITH of Florida. Mr. Speaker, in recent months, a number of articles have been published seeking to frame the debate regarding the entry of the regional telephone companies into the information services business.

I hope that my colleagues will find interesting the attached comments by Mr. Allen Neuharth. I also believe that Congress must not inhabit the ability of all Americans to enjoy the added options offered by potential information services providers.

[From the Adweek, Oct. 28, 1991]

ALLEN NEUHARTH

Now head of the Freedom Forum, Allen Neuharth fought the newspaper wars for years as chief of Gannett Co.

Q. In light of recent court rulings, are newspapers justified in trying to bar the regional Bell phone companies from information services fields?

A. Not in my view. Newspaper publishers are simply seeking special protection, which

under our free-market system no single individual should have. If newspaper publishers accept the Baby Bells as conveyors of information and figure out how to be co-entrepreneurs with them, they'd be much better off.

Q. Will Baby Bells' information services cut into newspaper profits?

A. I don't think so, because the basic commodity of a newspaper is that it's printed with ink on paper that people can hold, and that will still be the way a very, very large segment of the population will want to get their news.

Q. So why are newspaper publishers making such a ruckus?

A. Publishers like to scream bloody murder. They are traditionalists who don't want their turf invaded. They did it with radio and did it with cable. They still don't recognize that the First Amendment applies to broadcasting, too. It's no more likely that the Baby Bells will have a monopoly on information services than newspapers will have a monopoly over news.

#### BIOGRAPHY OF CHIEF JOSEPH BRANT

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. FALEOMAVAEGA. Mr. Speaker, through Public Law 102-188 (S.J. Res. 217, H.J. Res. 342), Congress and the President designated 1992 as the Year of the American Indian. This law pays tribute to the people who first inhabited the land now known as the continental United States. Although only symbolic, this gesture is important because it shows there is sympathy in the eyes of a majority of both Houses of the Congress for those Indian issues which we as a Congress have been struggling with for over 200 years. In support of the Year of the American Indian, and as part of my on-going series this year, I am providing for the consideration of my colleagues a short biography of Joseph Brant, a warrior chief of the Mohawk Tribe. This biography was taken from a U.S. Department of the Interior publication entitled "Famous Indians, A Collection of Short Biographies."

JOSEPH BRANT (MOHAWK)

During the American Revolution and the years just preceding it, the most powerful Indian friend British settlers had was Joseph Brant (born "Thayendanegea"), a warrior chief of the Mohawk tribe. His lifetime devotion to the English cause started in 1755 when, only 13 years old, he fought under Sir William Johnson in the Battle of Lake George.

Johnson, who became British superintendent of Iroquois tribes in what is now upstate New York, was to play a most significant part in the young Indian's life. He had made friends with the Mohawks, learned their language, and married Molly Brant, young Joseph's sister. Sir William took Brant under his wing, had him educated at a mission school (which later became famous as Dartmouth College), and made him his assistant. In addition to these duties, Brant, who had joined the Anglican Church, worked at revising the Mohawk prayer book and translated parts of the Bible into the Mohawk language.

By 1775 Brant had become a prominent leader, not only of his own tribe, but of the

five others which made up the powerful Iroquois League of Indian Nations. As the Revolution began, he accompanied Guy Johnson, Sir William's nephew, on a trip to England, acting as Johnson's secretary. The Mohawk chief was presented at court, had tea with Boswell, and sat to have his portrait painted by the celebrated and fashionable English artists, Romney.

Brant returned to America completely dedicated to the British side in the Revolution. Although the Iroquois League had declared itself neutral, Brant determined to bring it over to the English. British success in driving Washington out of New York in 1776, and the influence of his sister Molly (now widow of Sir William), helped him persuade the Senecas, Cayugas, and Onondagas to join his Mohawks. Members of the two other League tribes, Oneidas and Tuscaroras, chose the American side or were neutral.

Commissioned as a British officer, Brant led strong bands of combined Tories and Iroquois warriors in border raids and battles up and down the Mohawk Valley, acquiring a reputation for both savage ferocity and fighting skill. He surrendered only in the fall of 1781, when Washington sent General Sullivan and his men into the field, overwhelming English and Indian forces at the Battle of Johnstown, and ending war along the Mohawk.

In 1783, the Revolution at an end, Brant, still commissioned by the British and retained on half pay, was rewarded with a grant of English land along the Grand River in Ontario, where he settled with his Mohawk followers. Other Indians from the Six Nations joined them, and the area became known as the Six Nations Reserve. Brant ruled it in peace until his death in 1807, when his youngest son, John, became chief of the Mohawk tribe.

He is buried near a small church which he had built on the Grand River near Brantford, Ontario. A marker reads: "This tomb is erected to the memory of Thayendanegea, or Captain Joseph Brant, principal chief and warrior of the Six Nations Indians, by his fellow subjects, admirers of his fidelity and attachment to the British Crown."

#### GLOOM OF SOME AMERICANS SEEMS ROOTED IN UNREALITY

#### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. BEREUTER. Mr. Speaker, this week the House is scheduled to debate tax policy and economic incentive legislation. Before the tax bill is taken up on the House floor, this Member urges his colleagues to consider the following editorial from the February 24, 1992, edition of the Omaha World-Herald.

[From Omaha World-Herald, Feb. 24, 1992]  
GLOOM OF SOME AMERICANS SEEMS ROOTED IN UNREALITY

Some people are hard to figure out. They endure the tough times with pluck and courage. Then, when the pressure is off, they go to pieces.

They came through the Cold War in good shape. They handled the Arab oil embargo of the 1970s. The big recession of the early 1980s didn't faze them. But now the Soviet Union has collapsed. The Cold War is over. The United States is experiencing a recession that is relatively mild by recent standards.

And some people look ahead and see only darkness.

Such people came to mind in connection with a recent survey by Money magazine. The survey examined Americans' attitudes about the economy. The results suggested a level of gloom that, considering the circumstances, was surprising.

One of every five survey participants said the country is entering a depression. More than half said they were sure the inflation rate and the unemployment rate would rise this year.

When people say such things, it is an indication that they have lost faith in the economy. An editor of the magazine said the survey indicated that "there's something deeply disturbing going on out there."

Admittedly, a recession brings pain to those who can't find the right job, or any job. They deserve the sympathy and understanding of their fellow Americans. But the general lack of confidence indicated in the survey was something different. It suggests a crisis in spirit that is largely unwarranted by the outlook. A number of private and government economists predict an upturn by the middle of the year.

Personal income registered a healthy increase in December. Exports set a record in 1991. Stock prices have remained near record levels. Housing prices and financing costs have been unusually affordable.

Alan Greenspan, the chairman of the Federal Reserve System, has said that the outlook is so favorable that a government effort to jumpstart the economy could do more harm than good.

As to inflation, the people who predicted an increase might be right. But only because inflation has been so low that economists believe it will inevitably trend upward. Consumer prices rose about 3.1 percent last year. Economists are predicting an inflation rate of about 3.5 percent this year.

However, the increase in prices last month was so small that if it continued all year, the total inflation for 1992 would be less than 1 percent. Certainly any fear of runaway inflation can't logically have been rooted in recent experience. More likely it is rooted in the evening network news, where the message is often that the American economy is sick and getting sicker.

Or it's rooted in the rhetoric of Democratic politicians, where the message is that most families have been slipping financially since Jimmy Carter—or was it Lyndon Johnson?—left the White House.

Such thinking is dangerous when it spreads to the general public. It leads to pessimism, fear and loss of spirit. None of which America needs to be burdened with as it enters what should be one of its most exciting periods.

#### IN HONOR OF NEIL YESU

#### HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. NEAL of Massachusetts. Mr. Speaker, a little over 30 years ago, President Kennedy stated: "Our progress as a Nation can be no swifter than our progress in education." It is obvious that Mr. Neil Yesu followed these words in all that he did for Springfield Central High School as its first principal and in general, what he has done to improve the level of education in western Massachusetts.

Mr. Yesu graduated from American International College in Springfield in 1960 with a bachelor of arts in humanities. He knew he wanted to teach, so from 1960 to 1961 he worked at Branford High School in Branford, CT, as an English teacher as well as a baseball coach and student government adviser. By becoming involved in these extracurricular activities, especially in his first year at a new job, it showed that Mr. Yesu was not going to be just a teacher to his students. He would instead, be the kind of person who the students could come to when they needed help, for he cared not only about what they learned, but also what they were involved in to make them well-rounded people.

He went to Westfield State College where he received his masters in education in 1964. During his stay at Westfield State, Mr. Yesu took on the position of an English and speech teacher at Van Sickle Junior High School in Springfield, MA. This would be the first of five different positions he would hold in the Springfield public school system. He stayed at Van Sickle until 1967 when he became an English teacher, as well as the cross-country coach, at Classical High School. On top of that, he found time to teach English at Western New England College. He kept both of these jobs until 1972, when he was offered the position of assistant principal of Classical High School. This appointment showed that now, the parents, administration, and faculty, as well as the students, knew what an asset Mr. Yesu was to the education of the students. In 1979, his contributions were even more appreciated when he was appointed to the position of principal. He stayed at Classical until the school was closed in 1984 because a new school, Springfield Central High School, was built to replace Classical and Springfield Technical High School.

For some time it was questionable who was going to take on the responsibility of being the new principal with a student body from two such diverse schools. After a nationwide search, the board decided they had looked too far. The man they needed was right under their nose. In the fall of 1984, Mr. Yesu became the first principal of Springfield Central High School.

"I had the responsibility to meld two established schools with divergent goals, philosophies, student bodies, and staffs into a new entity. This opportunity for making history, establishing traditions, and reshaping the perspective of a secondary education was successfully accomplished." When Mr. Yesu said this, some listeners might have felt he was patting his own back a bit too much, but when you compare the position of Central High School with other urban schools, he was by far being very modest. Eighty to eighty-five percent of the students at Central go on to a 2- or 4-year college and the dropout rate average has been only 3 percent. Compare that to 72 percent of the students nationally that go on to college and 27.4 percent of the students nationwide who drop out of urban high schools and you can see just how much Mr. Yesu contributed to the students, staff, and administration.

Having been a teacher myself, I know how hard it is to motivate students. Mr. Yesu's belief that everyone can achieve high personal

goals was passed on to his students, faculty, and staff. The standards in education Mr. Yesu has set and the commitment he has shown should make the Springfield community proud. I speak for all of Springfield when I say I hope your years of retirement are as fulfilling as your 32 years in education.

#### EARTH DAY 1992 RESOLUTION

### HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. ROYBAL. Mr. Speaker, I am introducing an Earth Day 1992 resolution today. I invite all Members of the House to join as cosponsors.

Since 1970, Earth day has become a time for Americans to show their concern for the environment and their dedication to the future of the Earth. It has become a rallying point for a variety of individuals, groups, businesses, organizations and communities who share an abiding interest in bringing environmental concerns to the forefront of national debate. A celebration of past achievements, this day also represents a renewal of the commitment to continue the struggle for a cleaner, safer and better world for our children and their children's children.

Earth Day 1992 offers an excellent chance to increase the awareness of all citizens to the many threats to our fragile ecosystems and educate them on the many ways to help heal our troubled planet. Efforts on the part of involved individuals, activists, grade school, high school and college students and faculties, businesses, organizations and local communities will serve to encourage easy, day-to-day changes aimed at conserving our precious resources and preventing further degradation of nature. Concern is not enough to change harmful habits and practices. It must be supported by personal actions and a commitment by society to create a world where people understand and respect the essential relationship between themselves and nature.

Environmental problems including climate change, ozone depletion, loss of forests, wetlands and wildlife habitats, acid rain, air and water pollution, hazardous and solid waste disposal require strong action on the part of Congress as well as support from the executive and judicial branches of the Government. Responsible, reasonable and balanced measures such as the elimination of the manufacture and use of chlorofluorocarbons, increased recycling, improved energy efficiency and the promotion of conservation incentives. A lasting commitment to sustainable development will help prevent the reckless depletion of irreplaceable resources.

I encourage all Americans to join together in a nationwide demonstration of concern for the environment and the future of our planet. From school children to senior citizens, we must all act on behalf of the environment for meaningful change.

#### THE NATIONAL MARINE SANCTUARIES REAUTHORIZATION AND IMPROVEMENT ACT OF 1992

### HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. HERTEL. Mr. Speaker, in this 20th anniversary enactment of the National Marine Protection, Research, and Sanctuaries Act of 1972, we are called upon to reauthorize title III of the act, which authorizes the Secretary of Commerce to designate national marine sanctuaries. The primary mission of the National Marine Sanctuary Program is to preserve and restore areas of ocean, coastal, and Great Lakes waters for their unique qualities.

As we take on this task, we just look at what history has taught us through the current site selection, evaluation, and designation process. In the 1970's, the first two designations were made for the U.S.S. Monitor National Marine Sanctuary and Key Largo National Marine Sanctuary. Four more national marine sanctuaries varying in location, scope, and size were designated by 1981. For the greater part of the 1980's, like many other Federal environmental programs, the National Marine Sanctuary Program received a low priority. So meager was the administration's support at that time that the purpose and policies of the act were threatened because such limited resources were made available to carry them out.

With fervent congressional interest, the National Marine Sanctuaries Program has exhibited a revival in the late 1980's and early 1990's. While the Florida Keys National Marine Sanctuary and the Flower Garden Banks National Marine Sanctuary have both received final designation through a long and tedious consideration process, even involving congressional intervention, several other areas are under active candidacy for designation.

At this point, we are called upon to reexamine and rebuild on the purposes and policies of title III of the National Marine Protection, Research, and Sanctuaries Act. As we begin to reauthorize and improve the act, we must be cautious in our approach, yet adamant about our mission. We must not seek to achieve far-reaching goals, beyond the scope of the act, with controversial overtones that could inhibit our chances of enacting sound legislative improvements this year.

We must ensure that fragile and diverse ocean, coastal, and Great Lakes resources in threatened areas receive the benefit of a solid program for selection, evaluation, and designation as a national marine sanctuary. We must emphasize that it is the role of the National Oceanic and Atmospheric Administration to promote continuing sound conservation, preservation, and management practices in sanctuary areas and that these objectives serve as the cornerstones of the National Marine Sanctuary Program.

The 1990's offer challenge and opportunity. This is a time for examining our progress in the first 20 years of the National Marine Sanctuary Program, for reaffirming our goals and objectives, and for expanding on our experience. For example, there is much to be

learned from long-term research, monitoring, and education in sanctuary areas, yet as management plans are currently implemented, few incorporate the full range of benefits that could accrue if these were made a part of overall resource protection plans.

Another area that deserves attention relates to the use of money recovered in damage actions. If civil penalties, forfeiture proceeds, and damages for violations of prohibited activities were collected in one account to be made available for restoring sanctuary resources and dedicated to program goals, there would be an accomplishment. Given adequate enforcement tools, the National Ocean and Atmospheric Administration could effectively manage the sustainable use of sanctuary resources.

Along with questions about the adequacy of the purposes and policies of the act in protecting marine and coastal areas for future generations arise notions about the geographic distribution of sanctuaries, their appropriate size, and the overall number that should be designated. While much of the current designation process has been frustrated with delay, those sanctuaries that have made it through the approval process demonstrate that the program is a noble one. Streamlining the process means requiring and demanding greater cooperation between Federal and State agencies, private and public organizations, as well as giving the National Oceanic and Atmospheric Administration the support it needs to do its job. To acknowledge that the National Marine Sanctuary Program has been underfunded does nothing to solve its problems if we are unwilling to make a major and realistic commitment to increase program funding. Without such an increase, management of existing sanctuaries would be ineffective at best, and new site selections could be virtually halted.

Improved program implementation is not something that I believe the Congress should try to micromanage for the National Oceanic and Atmospheric Administration. However, I do believe that by stipulating careful purposes and policies, and with adequate funding, the agency should be able to proceed with designations of a variety of meritorious sanctuaries proposed and do a good job of managing them. The National Oceanic and Atmospheric Administration must make and enforce some strict determinations about what activities are consistent with resource conservation and enhancement.

As the National Marine Sanctuary Program grows and develops, there are guides, such as the National Park Service, to aid us in recognizing its potential. Again, it is the commitment of financial resources that determines the program's effectiveness. Granting authority to the National Oceanic and Atmospheric Administration to receive and solicit donations, to acquire property and facilities, such as visitor's centers and docks, will contribute to its well-being. In addition, a foundation could make it possible for the program to expand outreach, educational, and other related projects yet unaccomplished.

Mr. Speaker, while I have discussed only a few of the issues that require examination during the next few months, I am offering for introduction a bill called the National Marine

Sanctuaries Reauthorization and Improvement Act of 1992. This bill represents a balance of the comments and suggestions of witnesses who testified on November 7, 1991, at a joint hearing I chaired of the Subcommittee on Oceanography, Great Lakes and the Outer Continental Shelf, with Chairman GERRY STUDDS of the Subcommittee on Fisheries and Wildlife Conservation and the Environment.

By introducing this bill today, I am seeking to provide a vehicle for our reauthorization that takes present improvements in the current National Marine Sanctuary Program. Over the past few months, I have sought and received the benefit of the insight of a variety of interested parties who work with the National Marine Sanctuary Program, and it is through their suggestions that this legislation is possible. Again on March 11, 1992, the Subcommittee on Oceanography, Great Lakes and the Outer Continental Shelf will conduct a joint hearing with the Subcommittee on Fisheries and Wildlife Conservation and the Environment on reauthorization of title III of the National Marine Protection, Research, and Sanctuaries Act. At that time, I hope more progress on this reauthorization legislation can be accomplished.

Before closing, I would like to thank some who provided me with extraordinary assistance in preparing this legislation: members of the Marine Sanctuaries review panel, especially Jack Sobel of the Center for Marine Conservation, John Humke of the Nature Conservancy, and Frank Potter of the International Network for Environmental Policy; Andy Palmer, Dawn Martin, and Fred Felleman of the American Oceans Campaign; David Slade of the Coastal States Organization; Gary Magnuson of the Center for Marine Conservation; Steve Hughes of the Congressional Research Service; G. Carleton Ray and M.G. McCormick-Ray of the University of Virginia; William DuBose of the National Ocean Industries Association; Lee Weddig of the National Fisheries Institute; and those at the National Oceanic and Atmospheric Administration who have worked hard to develop and manage this program in the first 20 years.

Special acknowledgment should be given to Hank Savage of the Office of Legislative Counsel for his thoughtfulness and competent counsel, to Mike Quigley for his scientific expertise and insight, and to Rita Diehl for her excellent legal analysis.

At this point, Mr. Speaker, I would like to offer for introduction the National Marine Sanctuaries Reauthorization and Improvement Act of 1992, followed by a brief summary of its provisions.

SUMMARY OF H.R. 4310, THE NATIONAL MARINE SANCTUARIES ACT

TITLE I—REAUTHORIZATION AND IMPROVEMENT OF THE NATIONAL MARINE SANCTUARIES PROGRAM

*Section and description*

101. Title.—“National Marine Sanctuaries Reauthorization and Improvement Act of 1992.”

102. Findings, Purposes, and Policies.—Includes “cultural” qualities and “international significance” among findings for recognition of a marine sanctuary. Adds to the purposes and policies of the program maintaining the natural variety of living resources and ensuring that sites are representative of all biogeographic regions.

Identifies marine environment areas of special national significance due to their natural resource, human-use, and cultural resource values and provides authority for coordinated management of these areas, long-term monitoring and research, and inter-agency cooperation.

103. Definitions.—Amends definition of “damages” to include long-term monitoring of injured marine resources within a national marine sanctuary. Amends “response costs” definition to include enforcement, legal, and other costs as authorized by the Secretary.

104. Sanctuary Designation Standards.—Emphasizes finding that state and federal authorities should be supplemented to ensure coordinated conservation and management. Includes natural diversity and functional diversity among the area’s natural resource and ecological qualities. Requires consultation with other federal agencies in drafting a resource assessment section of the environmental impact statement regarding past, present or proposed discharge or disposal of materials within the boundaries of or affecting an area designated a marine sanctuary.

105. Procedures for Designation and Implementation.—Allows “documents” and summaries of designation to be submitted to Congress, in lieu of a prospectus. Requires federal agency comments regarding a proposed designation to the Secretary of Commerce within 45 days of notice, unless the Secretary for “good cause” grants an extension. Requires consultation with fishery management authorities in drafting regulations. Amends determinations of access and valid rights by allowing the Secretary to certify that leases, permits, licenses or rights acquired after the designation are consistent with the purposes and policies of the Act. Requires an annual report to Congress summarizing various itemized features of program administration.

106. International Cooperation.—Promotes international consultation and cooperation.

107. Prohibited Activities.—Makes it unlawful to destroy, cause the loss of, or injure any sanctuary resource; or to refuse enforcement and inspection authorized by the Act.

108. Civil Penalties.—Creates “in rem” liability, the penalty constitutes maritime lien on vessel in violation. Establishes a fund for civil penalties and forfeiture proceeds, including interest.

109. Research, Monitoring and Education.—Establishes programs of research, monitoring, and education in accord with the purposes and policies of the National Marine Sanctuaries Act, including coordination with other government and private entities and the National Estuarine Research Reserve System.

110. Cooperative Agreements and Donations.—Allows for cooperative agreements with public and private persons and organizations. Gives the Secretary authority to solicit donations for program use and to acquire such land, facilities, and other property as may be necessary and appropriate to carry out the purposes and policies of the Act.

111. Destruction or Loss of, or Injury to, Sanctuary Resources.—Clarifies defenses where destruction, loss of, or injury to, sanctuary resources was authorized by a valid license or permit. Includes interest on amounts recoverable and provides calculation of interest. Permits the Secretary to authorize response actions, and eliminates the cap on the use of recovered amounts to fi-

nance future response costs and damage assessments.

112. Authorization of Appropriations.—For General Administration, \$500,000 for fiscal year 1993; \$5,200,000 for fiscal year 1994; \$5,410,000 for fiscal year 1995; \$5,620,000 for fiscal year 1996; \$5,850,000 for fiscal year 1997; and \$6,084,000 for fiscal year 1998. For Management of Sanctuaries, \$20,000,000 for fiscal year 1993; \$20,040,000 for fiscal year 1994; \$20,840,000 for fiscal year 1995; \$21,670,000 for fiscal year 1996; \$22,540,000 for fiscal year 1997; and \$23,442,000 for fiscal year 1998. For Site Review and Analysis, \$3,000,000 for fiscal year 1993; \$3,120,000 for fiscal year 1994; \$3,240,000 for fiscal year 1995; \$3,370,000 for fiscal year 1996; \$3,510,000 for fiscal year 1997, and \$3,650,000 for fiscal year 1998.

113. Advisory Councils.—Gives the Secretary authority to establish Advisory Councils comprised of groups or persons interested in the protection of sanctuary resources and multiple use management of marine sanctuaries.

114. Management of Cultural and Historic Resources Located in National Marine Sanctuaries.—Authorizes protection of resources of cultural or historical significance, located in a national marine sanctuary. This includes abandoned shipwrecks, the title to which is asserted by the federal government for shipwrecks outside of state waters.

115. Short Title.—Renames Title III of the National Marine Protection, Research and Sanctuaries Act of 1972, the “National Marine Sanctuaries Act.”

TITLE II—COASTAL AND OCEAN SANCTUARY FOUNDATION

201. Title.—“Coastal and Ocean Sanctuary Foundation.”

202. Definitions.—Board of Directors, Secretary of Commerce, Under Secretary of Commerce for Oceans and Atmosphere, Foundation.

203. Establishment of Foundation.—Charitable, non-profit organization.

204. Functions of Foundation.—Raise funds for support of foundation including conservation, research, restoration, education, and management activities. Funds may be matched by not more than 50 percent through a grant.

205. Board of Directors.—Ten Members with related background, rotating appointments. No compensated federal employees may serve on foundation.

206. Rights and Duties of Foundation.—Standard formation powers, seal, and perpetuation.

207. Administrative Services and Support.—Office space and personnel.

208. Audits and Reports.—Audit of accounts similar to private corporation. Annual report to Congress.

209. Relief with Respect to Certain Acts and Failures of Foundation.—U.S. Attorney General may petition for equitable relief upon failure to perform duties.

210. Release of U.S. from Liability.—United States is not liable for acts of foundation. Full faith and credit shall not extend to the foundation.

211. Authorization of Appropriations.—Not more than \$1,000,000 shall be available for each of the fiscal years 1993, 1994, 1995, 1996, 1997, and 1998.

212. Use of Interest on Funds.—Interest on foundation funds may be used for projects and programs approved by the Board.

QUESTIONS OF NATIONAL  
CHARACTER

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. TRAXLER. Mr. Speaker, I rise today to bring to the attention of my colleagues a recent column written by Mr. Haynes Johnson of the Washington Post. Mr. Johnson, an especially insightful and perceptive columnist for many years, has departed on a 1-year sabbatical to do a book on American values—personal, political, and economic. I believe his February 7 column accurately depicts the current plight of the American economy and American society itself. I hope my colleagues will take the time to read "Questions of National Character" carefully and take its warnings to heart.

QUESTIONS OF NATIONAL CHARACTER

(By Haynes Johnson)

The Japanese, of all people, should know better. It's not only bad form to insult good allies and partners. It's also stupid to attack them when they are down and feeling most vulnerable.

Yet that's what Japanese leaders have done twice in the last two weeks, repeating a cycle in which high-ranking officials there have publicly disparaged America and Americans.

The latest insults began when Yoshio Sakurachi, speaker of the lower house of the parliament, castigated American workers as "lazy" and illiterate. Prime Minister Kiichi Miyazawa further inflamed American passions by charging that America "may lack a work ethic" and suggesting that some Americans have forgotten how "to live by the sweat of their brow." He also blamed part of U.S. economic woes on the numbers of college graduates who flocked to Wall Street during the 1980s rather than choosing careers "producing things of value."

Six years ago, then-Prime Minister Yasuhiro Nakasone boasted that Japan was far ahead of the United States as a well-educated and "intelligent society." He attributed part of America's problems to its racial, ethnic makeup, saying: "In America, there are quite a few black people, Puerto Ricans and Mexicans."

His implicit slur was expressed more explicitly four years later by then-Justice Minister Seiroku Kajiyama, who compared prostitutes in Japan to black Americans who move into white neighborhoods and "ruin the atmosphere."

In the best of times, such comments would infuriate Americans and heighten anti-Japanese feelings. In today's troubled America, they strike with special force amid growing fears about this nation's economic future and long-term prospects.

The Japanese are not alone in expressing a belief that America is in decline. Many Europeans, among others, make the same points, albeit more diplomatically: Poor old America, used to be great, can't get its act together, sad to see how it's slipping.

Americans need no gibes from U.S. competitors to remind them of their internal problems. Here at home, evidence accumulates that increasing numbers share such pessimistic views. Not only is consumer confidence at an all-time low. Confidence in the political and economic system also is being seriously shaken. Americans know theirs is a

system under stress, in the midst of fundamental testing. They also know that problems will linger long after this recession ends. Not since the Great Depression has an economic slump cut so wide a swath, affecting everyone from top executives to the shrinking middle class to declining blue-collar workers and rising numbers of those in poverty.

For the rest of this decade, national life will be dominated by cities and states bankrupt, critical public services slashed, health-care clinics closing, hospitals in distress, benefits out or eliminated, violent crime increasing, infrastructure crumbling, basic manufacturing and corporate white-collar jobs permanently lost. These problems and increasing evidence of public cynicism about all institutions and leaders make it likely that divisions among winners and losers will increase, exacerbating tension among races, regions, ethnic groups and economic classes.

These conditions raise questions about whether something fundamental has gone wrong and, if so, what are the causes and possible solutions. Have American values changed? Has the belief in America's uniqueness, in its representation of something far greater than its many disparate parts, changed? Does common national purpose exist, and where are the leaders who will articulate it? If such leaders emerge, will people follow them? Is there no more American Dream?

In a way, the Japanese taunts could prove helpful if they stir Americans to the kind of concerted action that Japanese treachery sparked 50 years and two months ago today. Concern about precisely that response led Japan's greatest admiral, Isoroku Yamamoto, to tell exultant officers after the successful attack on Pearl Harbor: "I fear we have only awakened a sleeping giant, and his reaction will be terrible."

But America's problems are not with outside forces. In 1992, it faces a test from within—of its economic and political will. Does it still have the national character to respond and to win?

LET GOD BLESS AMERICA AGAIN

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. LEWIS of California. Mr. Speaker, I would like to raise to your attention today a poem written by a young 70-year-old lady, Mary Ann Watson Alexander, of Redlands, CA. Ms. Alexander asked that her poem about the challenges America faces be shared with others in Congress.

LET GOD BLESS AMERICA AGAIN

(By Mary Ann Watson Alexander Class of 1940—BHS)

From America the home of the free and the brave  
To wickedness and violence we've become a slave.

All this, and more, on the TV we view.  
I'll tell you what we ought to do;  
Put a hold on exploration of outer space,  
And concentrate on helping the human race.  
An ongoing plan is to put people on Mars for 4 years.

Such waste of money, at this time drives me to tears.

Our world is going down the drain;  
It really is a rotten shame.

If we were to analyze our government's budget  
And mention a few things, they'd probably fudge it.  
We'd find there is millions for testing such things  
As pickles and bee's wax and likely hummingbird wings.  
Why not revamp the budget and come up with a plan  
That could use those monies to help our fellow man?  
We have people in New York City living in sewers by masses,  
And people in Los Angeles living under Freeway overpasses.  
Our parks have been taken over by out-of-workers,  
While being criticized by wealthy smirkers.  
The Communists threatened, way back when,  
The destruction of America was their plan.  
They would work on our youth  
By distorting the truth,  
By destroying the home, the church and the school;  
Working from the inside out is their rule.  
We've closed our eyes and our minds to intelligent men  
Who have tried to tell us the Communists are not our friends.  
If we continue to trust them and fall into their trap,  
Eventually our country will fall into their lap.  
Things will never go back to what they used to be,  
The Land of the brave and the home of the free,  
When man worked from sun to sun  
And a woman's work was never done.  
Now we have unions who regulate hours  
And women libbers who demonstrate their powers.  
The parents, of necessity, are out of the home,  
While children are left on the streets to roam.  
In place of love and hugs and kisses  
They have their own latch key and empty dishes.  
Why go home when there's no one there,  
No one to listen, no one to care?  
Our country is in such a sad state  
That mothers must work to put food on the plate;  
While government officials give themselves raises,  
And expect us ordinary people to give them praises.  
They need more money for entertaining  
As well as two or three home maintaining.  
They know nothing of sacrificing for themselves  
While welfare and aid for the elderly are put on the shelf.  
We are generous with our money all over they world  
As into oblivion our beloved country's being hurled.  
Our only hope is for all to pray  
"God bless America in the good old way."  
I hope they'll wake up before it's too late.  
Our youth have turned to pot, speed and alcohol;  
When spaced out, they think they're having a ball,  
But a day or so later when they come to,  
They find there is really not much they can do;  
So they repeat the self-destructive action,  
Indulging in sex, freely, is a faction.  
Our beautiful girls have turned to the street  
Hoping there will be love in someone they meet.

They become prostitutes, to be raped and degraded  
 By men who hate women because they were hated.  
 Prophylactics are being handed out at random,  
 More or less saying, "sex is OK if you use a condom."  
 They don't tell that these things can break, But when you get AIDS, it's forever too late. What's wrong with just saying NO?  
 Sex is only a part of real love, don't you know.  
 Look back at the history of the Roman empire;  
 To conquer their world they did aspire. Their gross sin and wickedness caused them to fall.  
 History may repeat itself if on God we don't call.  
 Wake up America for God's sake; Wake up before it's irreversibly too late. I'm, not a religious fanatic, but when I size up our nation,  
 My simple intelligence says God's our only salvation.  
 His Word is what our country was founded upon.  
 The home and safety and high morals are already gone.  
 We've allowed atheists and communists freedom of speech.  
 What have they done to accomplish world peace?  
 Not a cotton pickin' thing—of peace there's a dearth.  
 There's heartache and poverty all over this earth.  
 Don't fool yourself, communism is not dead. In many countries it still raises it's ugly head.  
 Right south of the border, it's plain to see, Communism is as live as it can be. So much is happening in the world as a whole,  
 Which only goes to prove God is still in control.  
 So decide now what will be our fate. Turn to God and say, "Thou art great." Let Him help us while there is still time To purge America from sin and crime. The land we love, the home of the free Is about to be destroyed by "One World" economy.  
 My heart aches for my fellow man. Washington, don't let us fall in the communist's plan.  
 God have mercy on your soul  
 If you don't turn to Him and get us out of this hole.  
 God Bless America is a prayer. Join me in it if you really care.  
 God bless America—land that I love;  
 Stand beside her and guide her through the night with a light from above,  
 From the mountains, to the prairie, to the oceans white with foam,  
 God bless America, my home sweet home. (I repeat)  
 God bless America, my home sweet home!!!

**KNIGHT OF THE GAEL HONORS  
 JOAN AND LARRY TUNTLAND**

**HON. JAMES H. BILBRAY**

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. BILBRAY. Mr. Speaker, I rise today and ask my colleagues to join me in honoring two outstanding citizens of southern Nevada, Joan

and Larry Tuntland. On the evening of March 18, 1992, these two individuals will be honored for their outstanding contribution to the community by Bishop Gorman High School in Las Vegas, NV, on the occasion of the 10th annual "Knight of the Gael."

Although Larry Tuntland's responsibilities have recently carried him to northern Nevada, his long association with southern Nevada and statewide business and civic associations has left an indelible mark on the city of Las Vegas. Throughout his rise to area president of First Interstate Bank in northern Nevada, Larry has also found time to become a member of the board of trustees for the Economic Development Authority of western Nevada; a trustee for the University of Nevada, Reno Foundation; a member of the board of directors of the Nevada Area Council of Boy Scouts; and chairman of the Nevada Community Redevelopment Corp.

His civic involvements have led him to become president of the Boulder Dam Area Council of Boy Scouts and a member of the advisory board for the Boys and Girls Clubs of Las Vegas. He has also served as a member of the president's council for UNLV.

While spending most of her time raising the two Tuntland children, Dan, 21, and Ray, 26, Joan Tuntland has also enjoyed her involvement with Little Flower and Saint Anne's schools along with Bishop Gorman and Bishop Manogu schools. In addition she has become an integral part of her husband's civic involvements.

Joan and Larry Tuntland are an example of the community and family spirit that is essential in today's fast-paced world. While managing professional and family success, they have managed to become integral parts of the Las Vegas community. I am indeed honored to salute their achievements today and ask my fellow Members to join me in congratulating Joan and Larry Tuntland.

**MAKING CONGRESS MORE FAMILY  
 FRIENDLY**

**HON. LAMAR S. SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. SMITH of Texas. Mr. Speaker, last week, Congresswoman PAT SCHROEDER and I circulated a questionnaire to determine how the congressional schedule could be made more family friendly.

The survey asks members how they would like to change the schedule to better accommodate their families.

The purpose of the survey is not to increase congressional recess time, but to shift priorities on behalf of families.

The current schedule discriminates against members with school-aged children because not enough consideration is given to having congressional recesses coincide with school vacations.

American families benefit by the presence of representatives in Congress who have young children.

These members face many of the same challenges and decisions as other parents across the Nation.

And American families are better served by having individuals in Congress who share their concerns and perspectives.

The deadline for the survey is this Friday, February 28.

Please help make Congress more family friendly by completing the survey and returning it to my office.

**TRIBUTE TO RAY J. MADDEN**

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. VISCLOSKY. Mr. Speaker, I rise today, February 25, 1992 on what would be the 100th birthday of the late Ray J. Madden who passed away at 95 years of age on September 28, 1987, in Washington, DC. I offer my remarks as a special tribute to a dedicated public servant who served the people of north-west Indiana for 34 years in the U.S. Congress, from January 1943 to January 1977—longer than any other Member of Congress from Indiana.

Ray Madden was an extraordinary individual whose life was marked with great achievements and contributions to the Nation and the district he served. During his 95 years, Chairman Madden worked hard to positively influence the lives of others. This is reflected by his 60 years of public service ranging from his position as municipal judge in Omaha, NE, to city comptroller of Gary, IN. In addition, Mr. Madden served his country during World War I as an enlisted Navy serviceman. In Congress, he rose to become chairman of the powerful House Committee on Rules.

Chairman Madden came to Congress in 1942 with the objective that he would bring assistance to working Americans. A friend of organized labor and a proponent for equality, his first goal when he arrived in Washington was to see that postal employees were given appropriate raises, citing the lack of a compensation increase for 21 years. He was ultimately successful.

Another area of interest was his commitment to the immigrant community. Chairman Madden worked hard to see that standards were provided to ease the transition the area's relatively new immigrant population. In a 1981 interview sponsored by the former Members of Congress Association, oral history project, Chairman Madden stated that his commitment in Congress was to those he represented, "the working people and ethnics," and his service reflected his desire to help them.

At the national level, Chairman Madden took an active interest in supporting legislation on a wide variety of topics. He supported the establishment of the School Lunch Program, authorization of Federal funding for cancer research, assistance for displaced persons, legislation to extend the Reciprocal Trade Act and a variety of bills to protect the rights of workers. Known as a liberal Democrat, Madden utilized his seat on the prestigious House Rules Committee to see that the Truman administration's Fair Deal legislation was moved through committee for full consideration by the House. In a U.S. News and World Report article, Ray

Madden was cited as one of the three committee members on whom the administration could depend.

In 1951, Chairman Madden received national attention for his work in investigating the Katyn forest massacre. The subject surrounded the killing of some 15,000 Polish army officers and intellectuals during the winter of 1939-40 just after Poland had been divided between the German and Russian occupying forces. In 1943, the Germans disclosed the massacre blaming the Russians. Madden introduced a bill in 1951 which created a special committee to oversee an investigation. The measure passed and Madden was named chairman of the special group. He embarked on a trip to Europe where he held meetings and heard testimony from some 400 persons. Based on this factfinding mission, Madden and his committee determined that the time of the massacre was not later than 1940 when Soviet forces occupied the territory. He recommended that this report be forwarded to the United Nations General Assembly for possible action by the International Court of Justice. As the leader of this investigation, Congressman Madden received accolades for his hard work and efforts to see that the investigation was carried out promptly. He was also recognized in 1952 as having performed a very real service to the Nation in this regard.

As the record reflects, Chairman Madden's contributions were numerous and his energy and enthusiasm to participate in developing national policy was unending.

Still, he found time to travel frequently to and from northwest Indiana where he participated in meetings and local events. "There were many rubber chicken dinners," Madden stated in a 1981 interview, which reflected the level of participation he had on the local level. He was concerned about health-care services for the thousands of veterans in the First District and testified before the House Veterans' Affairs Committee on the need for a health care facility in northwest Indiana, specifically Lake County which had the highest concentration of veterans. The environment was also a concern and in 1943, Madden introduced a bill to control pollution discharged into Lake Michigan.

As a political leader in the area, Madden worked to see that local Federal projects were secured for his district. In the early 1970's Mr. Madden worked to incorporate infrastructure improvement projects for northwest Indiana. In 1973, Chairman Madden was responsible for the development of the Urban High Density Program, which designed road transportation improvement projects for areas with high-density traffic patterns. The result created the Cline Avenue project in East Chicago, IN, which initially provided greater access to the area steelmills, the communities of East Chicago and Gary. Equally important, this project created an array of jobs. In addition, Madden worked to see that the city of Hammond received Federal funds to initiate a rail relocation program which was targeted to resolve the problem of traffic in the downtown corridor and was a positive economic spur for the area. His efforts on behalf of the people and area are well remembered.

Ray Madden was a public leader of our time who lived through the Great Depression and

his experience was reflected in his commitment to see that such an economic dislocation would never be repeated in our Nation.

On numerous occasions, Madden spoke to students about the need to plan for the future. He wanted to plant the seeds of his vision and he reminded students that "there is today a very serious effort to engage the people of our country in future thinking." This was an ongoing theme during his visits to educational institutions and he reiterated his view in 1982 when he said it was "important for people to realize sooner or later that the average citizen must pay more attention to the Federal Government and those who represent the public's interest."

In addition to his contributions to the people he served, Mr. Madden was a figure I personally respected and admired. I can remember my first trip to Washington, DC, with my father at the age of 13. We made a visit to the chairman's office and had our pictures taken on the Capitol steps. He took me to my first committee hearing and joined my father and me for dinner later that day. This is a special memory I will carry with me forever and I imagine there are thousands of others in northwest Indiana who have similar memories.

At the chairman's funeral he was eulogized as a man who was truly a great leader and a man of his time. During the course of his professional and public life, he dedicated himself to helping people. His heart was so big that he was always there to aid someone and who very seldom thought of himself. His style in public life was marked by his dedication to service. Even after his retirement in 1977, Mr. Madden continued to be active in civic affairs. When I arrived in the Congress in 1985, he was kind enough to share his advice and insights with me.

Ray Madden was a great person, great for his public deeds; greater for his kind heart, and greatest for his attributes as a gentleman and a true representative of the people.

His contributions and efforts will not be forgotten. His legacy will be felt in northwest Indiana and the entire Nation for generations to come. Ray Madden's commitment to public service is one that few, if any, have ever matched.

Chairman Madden, I, on behalf of the people of northwest Indiana and the United States, remember you fondly on what would be your 100th birthday. We owe you our deepest gratitude for successfully dedicating your life's work toward leaving the world a better place.

#### INTRODUCTION OF LEGISLATION PROVIDING MEDICAID COVERAGE

**HON. BILL RICHARDSON**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. RICHARDSON. Mr. Speaker, I am pleased to introduce legislation today providing Medicaid coverage for all certified nurse practitioners and clinical nurse specialists for services they are legally authorized to perform, whether or not they are supervised by a physician.

As the need to provide medical care to the Nation's medically underserved populations has increased, the need to facilitate access to quality, cost effective primary care provided by nurses in advanced practice has increased. The advanced clinical training of nurse practitioners allows them to provide many of the primary care services usually performed by a physician. In fact, between 75 and 80 percent of adult primary care services and up to 90 percent of pediatric primary care services can be provided by nurse practitioners. Over 400 studies, including one by the Office of Technology Assessment concluded that nurses in advanced practice provide high quality care in a cost effective manner in both rural and inner city settings.

Unfortunately, while advanced practice nurses are willing and able to provide services in medically underserved settings, not all nurse practitioners and clinical nurse specialists are being reimbursed for their services in these areas. For example, Medicaid patients are able to access the care of pediatric and family nurse practitioners but not adult and women's health nurse practitioners in the same Medicaid setting. My legislation would enable all nurses in advanced practice, regardless of specialty to be accessed by Medicaid recipients.

Nurse practitioners and clinical nurse specialists are specially prepared to provide care to the indigent. Their educational programs emphasize the provision of care to patients who have limited resources, financial and otherwise. In a national survey conducted by the American Academy of Nurse Practitioners, over 60 percent of the patients seen by these providers had family incomes of less than \$16,000 per year.

Twenty eight States, CHAMPUS and the Federal Employees Health Benefits Program already recognize the important role of nurses in advanced practice by requiring direct reimbursement for them. The latter two entities have done so for over a decade. CHAMPUS, FEHB, and States providing direct reimbursement have likely learned that better utilization of advanced practice nurse can save money. Studies have found that nurse practitioners serving in outpatient medical clinics can reduce hospital stays for their patients by 50 percent. One study found that for 58 tasks, the average bill was \$8.13 when performed by a nurse practitioner and over \$16 when performed by a physician.

I am hopeful this legislation will help to eliminate disparities in access to care for rural and inner city Medicaid populations by providing direct reimbursement to nurse practitioners and clinical nurse specialists who have proven their ability to deliver quality care in a cost effective manner.

HONORING JAMES BERTOLINO

**HON. JOHN P. MURTHA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. MURTHA. Mr. Speaker, I'd like to take a moment to honor an individual whose contributions to the workers of the Johnstown, PA

area are unmatched. Jim Bertolino, who is retiring as president of Teamsters Local No. 110, has been a tireless advocate for the many Teamsters, and in fact for all workers, in our area.

Jim's involvement in labor issues goes back to the late 1950's. One of his earliest efforts at organizing a group of employees resulted in him losing his job. But Jim was undaunted, and continued to fight for the rights of the local workers. From 1977 to 1992, he served as president of local No. 110, which eventually represented Teamsters in 19 counties of Pennsylvania.

But for all the important work that Jim has done on behalf of the workers of our area over the past 30 years, perhaps the thing we'll remember him the most for has been his endless work for charitable causes, especially during the disastrous 1977 flood in Johnstown. Jim's efforts in serving with the civil defense, helping to set up the flood disaster office in the Teamsters hall, and hauling food and supplies for flood victims will never be forgotten by the many grateful recipients of the aid Jim was so instrumental in organizing.

On behalf of many members of our community, I'd like to extend all our best wishes to Jim Bertolino on the occasion of his retirement. He's been a tremendous asset to every working man and woman in our area, and his day-to-day efforts for them, and for all the people in western Pennsylvania, will be remembered by them with pride.

#### TRIBUTE TO THE DAILY CALIFORNIAN ON ITS 100TH BIRTHDAY

#### HON. RANDY "DUKE" CUNNINGHAM,

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. CUNNINGHAM. Mr. Speaker, the newspaper of record for east San Diego County, the Daily Californian, celebrates its 100th birthday this coming February 29th.

Under the ownership of E.N. Sullivan, the Daily Californian's ancestor, the El Cajon Valley News, was first published on March 12, 1892. In those days, San Diego County was wild, untamed country. And because El Cajon itself was home to only 600 residents—hardly enough to support even a small newspaper—the El Cajon Valley News concentrated more on news from communities like Las Pensaquitas and Encinitas, the latter a rugged day-long horseback ride away. For only \$1, residents of San Diego County could subscribe to a year's worth of the El Cajon Valley News.

The first front page of the El Cajon Valley News provides a valuable glimpse of life on the Southern California frontier. It featured a lengthy essay on diet and a full page of "Easy Lessons in Spanish."

In 1912, the Sullivan family transferred ownership of the El Cajon Valley News to C.O. Preston, who owned the paper until 1936. Thereafter the weekly paper was owned and published by Henry C. Reed and his son Carlyle until 1953, by Sy Cassidy from 1953-64, and by the Baker family from 1964-74.

On January 21, 1974, the former El Cajon Valley News was renamed the El Cajon Cali-

fornian. Upon its sale to Landmark Communications, Inc., of Norfolk, VA, the paper took its present name, the Daily Californian, and moved its El Cajon offices from 613 West Main Street to a new building at 1000 Pioneer Way.

From its humble beginnings as a country paper, the Daily Californian now employs over 200 people and is published 6 days a week. Its circulation of 23,000 now serves readers in La Mesa, Spring Valley, Alpine, Lakeside, Santee, and other parts of east San Diego County, in addition to the city of El Cajon.

Let the permanent RECORD of the Congress of the United States show that the Daily Californian has served its community and its readers with distinction for 100 years. May it continue to chronicle east San Diego County's next century with excellence.

#### EARNEST MCKEEVER: RESPONSIBLE TEXAN EVERY ELECTION

#### HON. JIM CHAPMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. CHAPMAN. Mr. Speaker, while Greeks in ancient Athens are generally held as the founders of democracy, the United States of America is viewed by the world as the symbol of democratic values in the modern era. Yet, our citizens hold the dubious distinction of having one of the worst records of participation in the democratic process of government. This is apparent when one considers the abysmally low turnout of our voters at the polls. Happily, there are certain exceptions to this unfortunate situation.

It is my distinct honor and privilege to call attention to a gentleman who, in his 83 years, has been a model that we should all strive to emulate. Mr. Earnest Richard McKeever of Sulphur Springs, TX, has never missed voting in an election. For more than half a century, he has been an involved and responsible citizen, filling his role in our representative form of government. Further, it most certainly is noteworthy from my side of the aisle that in all those years, he has voted singularly for Democratic candidates.

Mr. McKeever has stood up and has been counted. He has been a part of the process and has helped make our system work. I would suggest that if more Americans took their responsibilities of citizenship as seriously, we would all find ourselves better off. Such attitudes of involvement carry far beyond the polling place into all facets of our daily lives.

I therefore commend Earnest Richard McKeever for his unique and thoroughly outstanding record of involvement in our democratic process. I look forward to his continuing this important commitment into the next century and beyond.

#### SUPPORT FOR H.R. 4192, THE TRUTH IN BUDGETING ACT

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. LEVIN of Michigan. Mr. Speaker, I am pleased to be an original cosponsor of House Resolution 4192, the Truth in Budgeting Act. This legislation, which was developed with the able assistance of the National Committee to Preserve Social Security and Medicare, will make clear that Social Security is self-sustaining and in fact is running a sizable surplus which is being used to mask deficit spending in the general operating budget of the United States.

Three times the Congress has passed laws to take Social Security out of the budget. Nevertheless, it continues to be counted in the budget totals, thereby using Social Security surpluses to hide other Federal spending. By aggregating trust fund surpluses with general fund deficits, the Federal budget hides almost one-third of Government deficit spending.

The way that the Federal budget is structured provides incentives to cut programs financed through trust funds, even though programs currently generate more revenue than they pay out in benefits. I believe the Federal budget should be restructured so policymakers can identify the extent to which programs contribute to the budget deficit or, as in the case of Social Security and other trust funds that have surpluses, actually finance the deficit.

The truth in budgeting proposal would redefine spending so that revenues to trust funds are netted against spending from trust funds. Currently, revenues, such as interest, are netted elsewhere against spending, and tax revenue is pooled in the overall revenue totals.

Placing dedicated revenue, such as the Social Security payroll taxes, directly into the appropriate trust fund will carry out the intent of the Congress that certain revenue sources should finance specific activities.

The truth in budgeting proposal also requires that the interest payments to the trust funds should be subtracted from trust fund spending, instead of being subtracted from total interest spending. Currently, the interest paid to the trust funds is hidden so that interest spending by the Federal Government in the budget totals is only the interest paid to the public. It is time to quit hiding the amount of interest the Government must pay to finance the public debt.

Adoption of the Truth in Budgeting Act will make clear the true size of the Federal deficit. We must end the charade and gimmickry that characterizes Federal budgeting.

#### IN HONOR OF JUSTICE NAT A. AGLIANO—THE RETIREMENT OF A DEDICATED PUBLIC SERVANT

#### HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. PANETTA. Mr. Speaker, I rise today to pay tribute to Nat Anthony Agliano, the presid-

ing justice of the California Court of Appeals for the Sixth Appellate District, on his February, 1992 retirement. Nat has been an outstanding resident and public servant in California for over 45 years and I am honored to have the chance to recognize his exceptional contributions.

Nat received a bachelor of science in business administration from the University of California, Berkeley in 1954, and then went on to obtain a law degree from Hastings College of Law in 1959. From the beginning, Nat applied his training and exceptional talent to improving a multitude of aspects in the legal field. It is obvious that Nat's service to the legal system of California is truly unprecedented. He began his career as the deputy attorney general for the criminal division in Sacramento in 1960. After 3 years, Nat moved into private practice as a partner in the law firm of Panelli & Agliano in Salinas, CA. In August 1971, Nat was appointed as a judge on the Salinas Municipal Court and 8 months later, he was appointed to the Salinas Superior Court. In 1984, Nat became an associate justice on the California Court of Appeal, and, for the past 6 years, Nat has served as the presiding justice of the California Court of Appeal.

Throughout his career, Nat has extended himself in the legal field outside of his official role. He was a member of the State Judicial Council Sentencing Practices Advisory Committee for formulation of sentencing rules under the Determinate Sentencing Law of 1977. He was both the chairman and a member of the California Judges Association, Criminal Law and Procedure Committee, and a seminar panel member for the Criminal Law Institute of California. Nat was also a member of the judges association and Commission for Judicial Education and Research, a seminar leader for the family law institute, and a committee member to review probation analysis studies performed by California Adult and Youth Correctional Agency. In addition, Nat served in the U.S. Army from 1954 to 1956.

Nat Anthony Agliano has provided leadership above and beyond the call of duty. Throughout his career, he has demonstrated exemplary personal and professional dedication at home, in his work, and in his community. Nat currently resides in Salinas with his wife, Lillian, and is the father of four children.

Nat has selflessly devoted the majority of his life to the study and betterment of the legal field. Mr. Speaker, I ask my colleagues to join me now in recognition of Nat's lifetime of public service. It is with great pride and respect that I rise to salute the lifelong accomplishments and selfless dedication of Nat Anthony Agliano.

TRIBUTE TO LOUISIANA NATIONAL  
GUARD ON THE 1 YEAR ANNI-  
VERSARY OF THE LIBERATION  
OF KUWAIT

**HON. RICHARD H. BAKER**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. BAKER. Mr. Speaker, I rise today, on the 1-year anniversary of the liberation of Ku-

wait, to again thank the Louisiana National Guard for their courageous service to our country. It is with a deep sense of gratitude that I remember the Louisiana National Guard's tremendous efforts during the gulf war.

On August 2, 1990, Iraq invaded Kuwait, prompting President Bush to deploy United States Armed Forces to defend and free the region from Iraqi aggression and terror. After 40 days of air combat and 4 days of ground assault, the allied forces liberated Kuwait on February 26, 1991. Of the more than 527,000 U.S. troops sent to the gulf region, over 75,000 were National Guard members.

These brave soldiers, many of whom are my constituents, were suddenly uprooted from their jobs, friends and families to answer their Nation's call. Thousands of National Guard soldiers across this country dropped out of college, deferred marriages and missed the births of their children. Despite the prospect of months away from home and the dangers of battle, these men and women fulfilled their duty proudly and without complaint.

The National Guard played an extremely important role throughout Desert Shield and Desert Storm. In the first major wartime use of an All Volunteer Force, the U.S. military found itself depending to an unprecedented degree on the support of the National Guard. I believe these citizen soldiers met the test in the manner of true professionals. Louisiana Guard members performed outstanding service in security, transportation, fuel handling, and medical service. Their support was an integral and vital part of the U.S. victory and success in the gulf.

I want to thank the Louisiana National Guard for their service to this country. We shall not forget their sacrifices nor their bravery.

FREDD STATE TECHNICAL  
COLLEGE TRIO DAY FESTIVAL

**HON. CLAUDE HARRIS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. HARRIS. Mr. Speaker, I would like to express my support in declaring February 28, 1992, as "Fredd State Technical College TRIO Festival."

In September 1991, Fredd State Technical College, in Tuscaloosa, AL, received its first Federal funding under title IV, thereby establishing its programs as TRIO programs. For over 20 years, TRIO programs have worked toward preparing disadvantaged and first generation students for college and assisting them once enrolled.

National TRIO Day has been celebrated by administrators, counselors, faculty, and students involved in educational opportunity programs for the last 4 years. This day was established as a way to focus the Nation's attention on the needs of disadvantaged young people and adults who are working toward bettering their lives, and toward the investments that must be made if they are to be able to continue their efforts.

Fredd State Technical College's programs deserve similar attention. These programs

reach out to disadvantaged, low income and handicapped students, aiding them in their educational endeavors. The funds invested in these programs will produce large rewards as TRIO program participants succeed in their goals and enhance their opportunities for becoming productive citizens.

Celebrating February 28, 1992, as Fredd State Technical College TRIO Day Festival expresses our Nation's support for this college's worthy programs and their dedication to assisting others.

TRIBUTE TO THE LATE MOST RE-  
VEREND JOSEPH MCSHEA, D.D.,  
RETIRED BISHOP OF  
ALLENTOWN, PA

**HON. DON RITTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 25, 1992*

Mr. RITTER. Mr. Speaker, I rise today to pay tribute to the Most Reverend Joseph McShea, retired bishop of Allentown, who passed away on November 28, 1991. Bishop McShea was a compassionate pastor, a brilliant scholar, and one of the most influential members of the Catholic Church in America. Most especially, he was a great friend—not just to the members of the diocese he founded in Allentown, but to all of us who call the Lehigh Valley home.

Bishop McShea was born on February 22, 1907, in Lattimer, PA, and was one of seven children of Roger and Jeanette McShea. The family moved to Philadelphia when Joseph was 11 years old, and later settled in St. Francis de Sales Parish, where he attended West Philadelphia Catholic High School for Boys, and St. Charles Borromeo Seminary. In 1926, Joseph was selected to complete his seminary course at the Pontifical Roman Seminary and the Lateran University in Rome. While in Rome, he earned doctorate degrees in Philosophy and Theology and was ordained a priest on December 6, 1931.

Bishop McShea's scholarship and abilities were recognized by the church hierarchy almost immediately. After serving as a professor at St. Charles back in Philadelphia, he returned to Rome in 1935 to serve in the Sacred Congregation for the Oriental Church. In 1938, he was recalled to the United States to serve as secretary to the papal delegate in Washington—a post he held for more than 13 years.

He returned to St. Francis de Sales in Philadelphia as pastor in February 1952, and was consecrated a bishop in March of that year by Archbishop Amleto Cicognani, then the papal delegate to the United States and later the Vatican's cardinal secretary of state. For the next 9 years, Bishop McShea served as titular bishop of the city of Mina in Algeria, auxiliary bishop of Philadelphia, and pastor of St. Francis de Sales. He also participated in the extensive studies which resulted in the creation of the Diocese of Allentown.

On January 28, 1961, Pope John XXIII created the Diocese of Allentown and named Bishop McShea as its first bishop, saying he was one "especially suited for the task" of building the new diocese. Bishop McShea was

formally installed on April 11, 1961. Later that year, the pope named Bishop McShea a member of the Pontifical Commission for Religious for the preparatory sessions of the Second Vatican Council. As 1 of only 18 Americans elected to the commission charged with facilitating the council's work, he presented the Commission for Religious' document to the council in full session.

At the same time, Bishop McShea was overseeing an ambitious education expansion and building program, which tapped into the energy and generosity of the new diocese. More than 300 buildings were built, added onto, or renovated throughout the diocese during his time as bishop, as his \$7.5 million fund-raising goal was exceeded by more than \$4 million. Among the projects completed in this time of expansion were three new Catholic high schools, two high school renovations, and Allentown College of St. Francis de Sales, which celebrated its 25th anniversary in 1990. The president of Allentown College and my good friend, Father Dan Gambet, told me that Bishop McShea often referred to the college as the jewel in the crown of his achievements.

But the Allentown Diocese's commitment was not merely in bricks and mortar. According to a report in the Allentown Morning Call, the diocese accounted for 20 percent of the ordinations in Pennsylvania from 1961 to 1975, despite having just 7 percent of the State's Catholic population at the time.

And two national relief efforts were originated in the diocese under Bishop McShea's guidance: National Shut-In Day, an October observance aimed at encouraging visitation of those unable to leave their homes, and Operation Rice Bowl, an ecumenical program designed to raise both money and awareness for the fight against hunger in our country and around the world. Through these programs, Bishop McShea's compassion and commitment are helping others well beyond the five counties in the Diocese of Allentown.

Bishop McShea submitted his resignation as head of the Diocese of Allentown on his 75th birthday, February 22, 1982, but continued to serve as an adviser and friend to the Diocesan leadership and parishes, as well as to the community at large. He once told his priests, "Coming to Allentown was like going to heaven without the inconvenience of dying."

On December 4, 1991, I joined community leaders from the Lehigh Valley and national Catholic leaders such as Anthony Cardinal Bevilacqua, Archbishop of Philadelphia, John Cardinal Krol, retired Archbishop of Philadelphia, and the Most Reverend Thomas J. Welsh, the current Bishop of Allentown, at funeral ceremonies for Bishop McShea. We were privileged to hear a brilliant, warm, humorous, and moving message about him delivered by Bishop David B. Thompson, whose remarks celebrated the achievements and captured the essence of this remarkable man. It was indeed a fitting farewell to a good friend and faithful servant of the Church.

Mr. Speaker, Joseph McShea's life as an example of the power of a strong faith in God and a loving concern for our fellow man. While we mourn his passing, we take comfort in the knowledge that his faith and love will continue to enrich his diocese and his community for many years to come.

#### TRIBUTE TO JACQUELINE M. SPELL

### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. CARDIN. Mr. Speaker, today I rise to pay tribute to Jacqueline M. Spell, who retired as chief clerk of the Maryland House of Delegates on December 31, 1991. A reception in her honor will be given on February 27, 1992.

Mrs. Spell was the first woman to serve as chief clerk in the State of Maryland and was appointed by Speaker John Hanson Briscoe on January 10, 1979. She joined the office of Chief Clerk James P. Mause in January 1968 and 1 year later became assistant chief clerk. She became acting chief clerk for the 1972 legislative session when Mr. Mause was paralyzed in an automobile accident after the 1971 session.

Mrs. Spell operated the clerk's office as a true professional, with utmost integrity and great respect for the House of Delegates. Through her public service, legislators were better equipped to respond to the needs of their constituents.

Mrs. Spell served under four speakers: Thomas Hunter Lowe and John Hanson Briscoe, who went on to become judges; R. Clayton Mitchell, Jr., who continues as speaker today, and myself.

Prior to her entry into State service, Mrs. Spell bred, broke, and trained thoroughbred race horses, and in 1976 was appointed a member of the State board of inspection of horse riding stables.

The Maryland General Assembly will miss her greatly. She is a woman who is loved and respected. Mr. Speaker, I hope you and my colleagues join me in praising Mrs. Jacqueline M. Spell, a woman who has served the Maryland Legislature for nearly 25 years with great distinction.

#### THE CANCER REGISTRIES AMENDMENT ACT OF 1992

### HON. BERNIE SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. SANDERS. Mr. Speaker, I am delighted and honored to have just received a letter of endorsement from the Congressional Caucus for Women's Issues for my bill, the Cancer Registries Amendments Act of 1992, H.R. 4206. Together with the American Cancer Society's endorsement and the cosponsorship by 69 Members of the House of Representatives, the caucus' support demonstrates the urgent need for this important legislation in the fight against cancer.

One in three Americans today will be afflicted with cancer and one in five will die of that terrible disease. In terms of breast cancer, 180,000 women this year will be diagnosed with this disease, and it is estimated that 46,000 American women will die of breast cancer this year. Very few families in our country do not suffer the loss of one or another member as a result of cancer.

The American Cancer Society publication "Cancer Facts and Figures—1992" opens with, "Incidence—since there is no nationwide cancer registry, there is no way of knowing exactly how many new cases of cancer are diagnosed this year. The American Cancer Society estimates cancer incidence for the upcoming year using the best available data sources at the time."

We need more than estimates, especially when there is a current epidemic in breast cancer. Estimates tell us that the number of women getting breast cancer has increased 57 percent over the past 40 years. The numbers afflicted with the disease have grown 3 percent a year since 1980. In certain parts of the country, breast cancer mortality rates are much higher than in other areas. For example, the New England States, including my State of Vermont, the Mid-Atlantic States, including Maryland, and the District of Columbia appear to have the highest rates in the country. Why is that?

Clearly, if we are going to be effective in fighting cancer in general, and breast cancer specifically, we need more information—we need better than estimates. Our researchers need information that they do not have today. Amazingly, half the States in America today lack statewide registries that collect data on incidence, stage, treatment and follow-up information regarding cancer.

We need to know the age of people who are coming down with cancer. We need to know exactly where they live. We need to know the kind of work they do. We need to know their racial and ethnic backgrounds. We need to know the effectiveness of the treatments they receive. We need to know the relationship between early detection and the success of treatment. In other words, we need as much information as we can gather, so that we can put together all the data, and the clues, and the trends, and better understand the cause of this disease and how to control it.

The Cancer Registries Amendments Act of 1992 will provide \$30 million a year to the States to establish or upgrade their cancer registries systems. For those 10 States, including Vermont, who today have no cancer registry, planning grants will be provided. Furthermore, as part of this whole process, this legislation will provide funding for a comprehensive study as to why certain regions of our country lead the Nation in breast cancer mortalities.

I would like to conclude by thanking my friend and colleague, Senator LEAHY, who has introduced the Cancer Registries Amendment Act in the Senate, and for his development of another piece of legislation that I introduced in the House. The second bill declares breast cancer a public health emergency, and in so doing will certainly accelerate investigation into the cause, treatment, and prevention of breast cancer.

Mr. Speaker, I wish to enter into the RECORD a summary of the cancer registry bill and the letters of endorsement from both the American Cancer Society and the Congressional Caucus for Women's Issues.

**THE CANCER REGISTRIES AMENDMENT ACT OF 1992**

(Congressman Bernard Sanders and Senator Patrick Leahy)

(Amends the Public Health Service Act to provide for the creation of cancer registries in every State. The registries will collect demographic data for each incidence of cancer, providing a nationwide data base to allow researchers to track cancer rates and focus on prevention. The bill also calls for a study of the elevated breast cancer mortality rates in the Northeastern and Mid-Atlantic States.)

Grants to States—HHS Secretary makes grants to States for the purpose of operating registries of individuals with cancer in order to collect, for each form of cancer, data on:

- demographic information about each case of cancer,
- administrative information, including date of diagnosis and source of information,
- pathological data characterizing the cancer, including the cancer site, stage of disease (Staging Guide), incidence, type of treatment, and
- other elements the Secretary deems appropriate.

Matching Funds—a three to one match (25 percent contribution from the States). A certain percent of this money is allotted for quality control and administration. Current State cancer control prevention service dollars can count as State match.

Planning Grants—the Secretary also can make grants to States for the purpose of planning for enabling registry legislation and compliance with eligibility for registry grants.

Utility of Data—the Secretary shall issue guidelines for the collection and presentation of data for the registry, and require procedures to ensure the completeness and accuracy of reporting by the registries.

Population-based Data—the Secretary shall require that, to the extent practicable, data collected for the registry be collected on all cases of cancer occurring in populations defined by the Secretary.

Consideration of Relevant State Laws—grants will only be made if the law of the State involved facilitates the collection of data for the registry, and if the law of the State will maintain the confidentiality of information contained in the registry. Those States that do not meet eligibility requirements can apply for planning grants.

Study of Elevated Breast Cancer Mortality Rates in the Northeast and Mid-Atlantic Regions—the Secretary shall make grants available to relevant States to facilitate the collection of data to conduct a study of the elevated age-adjusted breast cancer mortality rates in: Connecticut, Delaware, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and the District of Columbia.

Authorization of Appropriations—\$30 million per year.

sues today: the rising incidence of breast cancer.

We are pleased that you have introduced this important legislation and we look forward to working with you for its passage.

Sincerely,

PATRICIA SCHROEDER,  
Co-Chair.  
OLYMPIA SNOWE,  
Co-Chair.

AMERICAN CANCER SOCIETY,  
Washington, DC, February 4, 1992.

HON. BERNARD SANDERS,  
Cannon House Office Building, U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN SANDERS: For more than 40 years, the American Cancer Society has been actively engaged in supporting the development of complete, population-based cancer incidence registries in the United States. They are valuable to our research efforts as well as assuring high quality care for the cancer patient. Although much progress has been made in many parts of the country in developing such registries, case incidence reporting is still incomplete. Much work remains to achieve acceptable standards for data uniformity and accuracy for the country as a whole. In the absence of full incidence reporting, we continue to rely largely on mortality statistics for information regarding trends in cancer occurrence.

The Cancer Registries Amendment Act of 1992 represents a significant step towards fulfilling this important cancer control goal. Through the support of State health departments and affiliated organizations in the process of developing cancer incidence registries, this legislation will provide strong encouragement for population-based cancer case reporting and move us closer to the important goal of a complete national cancer registry system. Importantly, the proposed legislation addresses the necessity for patient confidentiality without compromising the integrity of the system.

This initiative would also require a study to determine the factors contributing to elevated breast cancer mortality rates in certain States. Breast cancer is the most common form of cancer in the United States and the second leading cause of cancer death, and yet we do not know what causes this disease. The proposed study could be potentially useful in identifying factors that require further research.

The American Cancer Society commends you for your leadership in this area. By strengthening such cancer data resources throughout the United States, it will be increasingly possible to carry out productive investigations regarding the origins of particular cancers and the causes underlying their current trends and patterns in our population. The Society looks forward to working with you and your staff on this legislation. Please contact Kerrie Wilson at (202) 546-4011 if we can be of any assistance.

Sincerely,

WALTER LAWRENCE, Jr., M.D.,  
President.

**THE FAIRPLAY FOR TAXPAYERS ACT OF 1992**

**HON. JOHN J. RHODES III**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 25, 1992

Mr. RHODES. Mr. Speaker, today I rise with great pleasure to introduce important new leg-

islation designed to further the goals of fairness and evenhandedness between taxpayers and the Internal Revenue Service [IRS]. Mr. Speaker, the Fairplay for Taxpayers Act of 1992, which I am introducing today, will change for the better several sections of the Internal Revenue Code that give unfair advantages to the IRS when dealing with individual taxpayers.

As Members of Congress, each of us regularly receive letters from our constituents which, in some form or another, call to our attention some difficulty they have encountered in their dealings with the IRS. Indeed, many of these situations are legitimate instances of taxpayers trying their best to comply with the complex maze of laws that govern their payment of taxes. Too often, taxpayers have acted legally and in good faith to diligently pay their taxes in full and on time, but have later stumbled across IRS rules that seemed designed to penalize them despite their best efforts. At every turn, there are rules and laws that do not serve the best interests of the taxpayer. Rather, IRS regulations serve the organizational and bureaucratic interests of the IRS as much, if not more, than those who actually pay the taxes that keep our Nation going.

The IRS is a massive agency, with lawyers, accountants and innumerable staffers. While the IRS certainly needs its staff to collect the tax money that runs our Government, the size of the bureaucracy, with seemingly vast and unlimited resources, also intimidates the individual taxpayer. In fact, many taxpayers are likely to avoid challenging IRS rulings, accepting rulings they disagree with instead, because of the fear of the risks of doing otherwise. To some, the high cost, both in terms of time and money, of confronting one of the most notorious of Federal bureaucracies whose pockets are immense is discouraging to say the least. Hopes of actually winning a challenge to what appears to be an invincible wall of tax policy entrepreneurs must surely appear slim to those who might otherwise believe they have a legitimate claim.

Others are probably concerned with the potential ramifications of challenges, that is, the possibility of retribution by an angry IRS in the form of future audits, unusually intense scrutiny of every detail of one's future filings, and who knows what else.

To be sure, by no means do I intend to malign the IRS by saying they do actually engage in these practices. I am sure officials with the IRS would not agree that these types of practices are at all common within the Agency. However, these practices have at one time or another occurred, and such stories act to reinforce a fear of the IRS.

For these reasons, Mr. Speaker, I am introducing the Fairplay for Taxpayers Act of 1992. This bill has already been sponsored by Senators STEVE SYMMS (R-ID) and ALFONSO D'AMATO (R-NY) in the other Chamber. These Senators are not unlike Members of the House of Representatives—they too receive letters of distress from constituents of their States relating to their dealings with the IRS.

This legislation will make several important changes to the Internal Revenue Service Code.

For one thing, it will extend an evidentiary privilege to communications between a lawyer,

accountant or an enrolled agent with respect to the preparation of a tax return for a client. Currently, the IRS can seize and inspect documents relating to the preparation of a taxpayer's returns. The Freedom for Taxpayers Act will prohibit this by making such communications privileged, much as are those between an attorney and client, for example.

This bill will also equalize the rates of interest paid by the Government to the taxpayer on taxpayer overpayments and those which are paid by the taxpayer to the Government on underpayments. Currently, the Government pays a taxpayer 2 percent interest on tax overpayments. However, when a taxpayer underpays his or her taxes and must make up the difference, the interest paid is 3 percent. This may not seem like an awful lot, but it is one example of why the IRS is viewed by many as simply unfair to the taxpayer. There is simply no reason why the Government should get a higher interest rate on underpayments than the taxpayer gets on overpayments.

Mr. Speaker, the Taxpayer Fairness Act gives taxpayers 45 days, rather than the current 10, to pay taxes and penalties before liability for interest payments begin. It requires that administrative changes in tax regulations be applied prospectively rather than retrospectively, unless otherwise mandated by Congress.

The bill would also allow taxpayers to recoup a portion or all costs and expenses to the extent he or she prevails in a tax dispute. Currently, a taxpayer must prove the IRS was not just wrong in its judgment relating to the taxpayer's claim, but that it also was not "substantially justified" in reaching its conclusion in order to recover costs incurred in an administrative or court proceeding with the IRS. Without this provision, even if the taxpayer is proven correct in a proceeding, the cost of the case might be prohibitive. More than just unfair, it is also of concern because the potential of high costs might cause those taxpayers with legitimate claims simply not to file.

My bill would replace the "substantially justified" test by allowing taxpayers to recover the same percentage of costs incurred as the percentage by which he prevails in the controversy. For example, if the IRS determines that a taxpayer owes \$1,000 but it is subsequently determined that the actual debt is \$500, the taxpayer would be entitled to 50 percent of the costs incurred challenging the IRS claim.

Finally, the Fairness for Taxpayer Act would revise several IRS employee conduct practices. The bill would improve the ability of the IRS to monitor and to discourage misconduct by Service employees, improve oversight by the Congress of employee misconduct in the IRS and provide education and training for employees regarding their conduct.

Specifically, the bill requires IRS employees to report to the IRS Inspection Service all instances of misconduct. The IRS Commissioner will be required to report quarterly to the Inspector General of the Department of the Treasury concerning such instances. On an annual basis, the inspector general will submit to the Congress a detailed summary of the quarterly reports submitted during the prior year by the IRS Commissioner.

Furthermore, Mr. Speaker, the IRS Commissioner will be required to carry out an education and training program for all Service employees regarding appropriate and ethical conduct of governmental duties and responsibilities, including explanation of applicable standards of conduct.

Mr. Speaker, I think this last section regarding IRS employees should not be construed as representing the belief by Members of Congress that employees of the IRS are anything short of professional. In fact, I believe that these requirements and reports will serve to highlight to the American people the difficult job IRS employees have to do and the extent to which they are dedicated to improving service to the U.S. taxpayers.

I do not believe that these measures alone will magically solve every problem associated with IRS—U.S. taxpayer relations. Members of both the House of Representatives and the other body will continue to receive phone calls and letters asking for assistance.

Rather, I think this bill represents a solid step in the right direction, a step that needs to be taken in order to restore the faith the U.S. taxpayer should have in the IRS.

I hope all my colleagues who have, at some time, heard from their constituents regarding problems with the IRS will join me in cosponsoring this important measure. At least then we can do more than just tell our constituents we care—we can show them specific measures we intend to take to make their dealings with the IRS less costly, more fair and better suited to overcoming the burdensome complexity of U.S. tax laws.

I insert the text of this bill along with a section-by-section analysis in the RECORD immediately after my comments:

H.R. 4309

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

**SECTION 1. SHORT TITLE; AMENDMENT OF THE 1986 CODE.**

(a) **SHORT TITLE.**—This Act may be cited as the "Fairplay for Taxpayers Act of 1992".

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

**SEC. 2. COMMUNICATIONS BETWEEN TAXPAYER AND TAX RETURN PREPARER.**

(a) **IN GENERAL.**—Rule 501 of the Federal Rules of Evidence is amended by—

- (1) inserting "(a)" before "Except";
- (2) inserting after "Except as" the following: "provided in subsection (b) and as"; and
- (3) adding at the end thereof the following:

"(b) The communications between a lawyer, an accountant, or an enrolled agent with respect to the preparation of a tax return for a client and the client shall be privileged in the courts of the United States."

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply to communications after the date of the enactment of this Act.

**SEC. 3. RATE OF INTEREST TO BE SAME FOR UNDERPAYMENTS AND OVERPAYMENTS OF TAX.**

(a) **IN GENERAL.**—Subparagraph (B) of section 6621(a)(1)(B) (defining overpayment rate) is amended by striking "2 percentage points" and inserting "3 percentage points".

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) applies for purposes of determining interest allocable to periods after December 31, 1991.

**SEC. 4. FAIR ACCRUAL OF INTEREST.**

(a) **IN GENERAL.**—Paragraphs (2)(A) and (3) of section 6601(e) (relating to rules for computing interest) are each amended by striking "10 days" and inserting "45 days".

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any notice and demand given after December 31, 1991.

**SEC. 5. RELIEF FROM RETROACTIVE APPLICATION OF TREASURY DEPARTMENT REGULATIONS AND RULINGS.**

(a) **IN GENERAL.**—Subsection (b) of section 7805 (relating to rules and regulations) is amended to read as follows:

"(b) **RETROACTIVITY OF RULES AND REGULATIONS.**—

"(1) **IN GENERAL.**—Any final, temporary, or proposed regulation or ruling issued by the Secretary shall apply prospectively from the date of publication of such regulation or ruling in the Federal Register.

"(2) **CONGRESSIONAL AUTHORIZATION.**—The prospective-only treatment of paragraph (1) may be superseded by a specific legislative grant from Congress authorizing the Secretary to prescribe the effective date with respect to a statutory provision."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply with respect to any regulation published after the date of the enactment of this Act.

**SEC. 6. AWARDING OF COSTS AND CERTAIN FEES IN TAX CASES.**

(a) **REPEAL OF SUBSTANTIAL JUSTIFICATION TEST.**—

(1) **IN GENERAL.**—Section 7430(c)(4)(A) (defining prevailing party) is amended by

(A) replacing "substantially prevailed" with "prevailed to some extent" in clauses (i) and (iii);

(B) striking clause (i) and by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(2) **CONFORMING AMENDMENT.**—Section 7430(c) is amended by striking paragraph (7).

(b) **PRO RATA ALLOCATION OF COSTS.**—Section 7430(c)(4) is amended by adding at the end thereof the following new subparagraph:

"(C) **PRO RATA ALLOCATION.**—

"(i) **IN GENERAL.**—Notwithstanding subparagraph (A)(i), a party shall be treated as the prevailing party at least with respect to the applicable percentage of reasonable litigation and administrative costs.

"(ii) **APPLICABLE PERCENTAGE.**—For purposes of clause (i), the applicable percentage is the percentage determined by dividing—

"(I) the amount of any tax, interest, penalties, or additions to tax the Service initially claimed the taxpayer was required to pay with respect to the issues in the proceeding less the amount the taxpayer is required to pay, by

"(II) the amount the Internal Revenue Service initially claimed the taxpayer was so required to pay."

(c) **REVISING TEST FOR RECOVERY OF REASONABLE ADMINISTRATIVE COSTS.**—Section 7430(c)(2) (relating to reasonable, administrative costs) is amended by striking the last paragraph of the subsection and replacing it with: "Such term shall only include costs incurred during, or in preparation for, (i) the initial audit, or (ii) an appeals conference, or at any time thereafter."

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any proceeding commenced after December 31, 1991.

### SEC. 7. CIVIL DAMAGES FOR CERTAIN ACTIONS OF INTERNAL REVENUE SERVICE.

(a) SECTION TO APPLY TO CARELESS ACTIONS.—Section 7433(a) is amended by inserting "carelessly," after "recklessly".

(b) DAMAGES AVAILABLE WITH RESPECT TO DETERMINATION OF TAX.—

(1) IN GENERAL.—Section 7433(a) is amended by inserting "determination or" before "collection".

(2) CONFORMING AMENDMENTS.—

(A) The heading for section 7433 is amended by inserting "DETERMINATION OR" before "COLLECTION".

(B) The item relating to section 7433 in the table of sections for subchapter B of chapter 76 is amended by inserting "determination or" before "collection".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to actions taken by employees of the Internal Revenue Service after December 31, 1991.

### SEC. 8. INTERNAL REVENUE SERVICE EMPLOYEE CONDUCT REPORTING.

(a) FINDINGS.—The Congress hereby finds that—

(1) the Internal Revenue Service has many fine and outstanding employees who carry out their duties appropriately and admirably;

(2) ethics and integrity in government are of vital concern to the Congress and to the public;

(3) ethics and integrity are especially important with respect to the Service because its broad powers to enforce the tax laws gives its employees exceptional authority over the liberty of taxpayers;

(4) the IRS Code of Conduct manual is unclear with respect to the types of unethical behavior that must be reported;

(5) Service employees need a clear statement of the types of behavior needed to maintain a high level of integrity and ethical behavior within the Service;

(6) the system of voluntary compliance with the tax laws will only function so long as taxpayers believe they receive fair and even-handed treatment by these laws and by the Service charged with its administration;

(7) there is a great need for public awareness of and protection against even isolated cases of misconduct;

(8) despite the high quality of Service employees, some cases of employee misconduct have occurred and the problem of misconduct within the Service, especially with regard to abuses in investigations of taxpayers, has been the subject of a report by the Commissioner's Review Panel on IRS Integrity Controls;

(9) the Commissioner's Review Panel found that "little demonstrable progress is evident" with regard to ethics initiatives within the Service;

(10) there is, therefore, a great need to improve the oversight of the conduct of Service employees;

(11) the Congress has insufficient information to perform its oversight role of the Internal Revenue Service on behalf of the public; and

(12) the Inspector General of the Department of the Treasury is directly involved in investigations of certain employee actions, placing him in an oversight capacity with responsibility to Congress.

(b) PURPOSE.—It is the purpose of this subsection to improve the ability of the Service to monitor and to discourage misconduct by Service employees, to improve oversight by the Congress of employee misconduct in the Service, and to provide education and training for employees regarding their conduct.

(c) IRS EMPLOYEE REPORTING OF MISCONDUCT.—The Service shall require employ-

ees to report to the Inspection Service all instances of misconduct as defined under subsection (h)(1).

(d) SUBMISSION OF QUARTERLY REPORTS.—The Commissioner shall report quarterly to the Inspector General concerning cases reported to the Inspection Service of misconduct by Service employees. Such quarterly reports shall include detailed and specific information such as, but not limited to,

(1) the region and branch of an employee alleged to have acted inappropriately;

(2) the precise nature of alleged misconduct reported;

(3) the extent to which alleged misconduct was investigated;

(4) any determinations or dispositions of such investigated cases; and

(5) measures taken by the Service to prevent such abuses from occurring in the future.

(e) PREPARATION AND SUBMISSION OF ANNUAL SUMMARIES.—

(1) The Inspector General shall submit to the Congress an annual summary of the quarterly reports submitted during the prior year by the Commissioner as required under subsection (d), or reported directly to the Office of Inspector General. This summary report shall be submitted by March 1 of each year to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives.

(2) Each summary report shall contain the type of information required to be submitted by the Commissioner to the Inspector General pursuant to subsection (d). In addition to such information, the Inspector General shall include in the summary other information available to him which is relevant and appropriate to such a summary report.

(3) Summary reports required to be submitted pursuant to this subsection shall also include, but not be limited to—

(A) summaries of reports and complaints alleging acts of misconduct as defined in this Act;

(B) statistical summaries of the number of complaints and reports alleging acts of misconduct, of investigations of such complaints and reports, and of the dispositions of such investigations;

(C) analyses and descriptions of the types of acts of misconduct reported and the region and branch of the individual who is alleged to have acted inappropriately;

(D) analyses and explanations of decisions not to investigate alleged misconduct as well as descriptions of corrective actions taken by the Service with regard to employees who are found to have acted inappropriately; and

(E) analyses by the Inspector General regarding trends concerning integrity and ethics among IRS employees.

(4) The summaries prepared by the Inspector General shall be public documents and shall be made available in the IRS public reading room to all members of the public.

(f) PRIVACY.—Nothing in this section shall be construed to permit the publication of the names or similar identifying information of any taxpayer or of any employee of the Service. The annual summary described in subsection (e) will be drafted in such a way as to protect the privacy of taxpayers and employees of the Service while satisfying the full intent of this section. Publication of the annual summary pursuant to this section is deemed not to be contrary to the legitimate privacy interests of taxpayers and Service employees.

(g) EDUCATION AND TRAINING.—The Commissioner shall carry out an education and training program for all Service employees

regarding appropriate and ethical conduct of governmental duties and responsibilities, including explanation of applicable standards of conduct.

(h) DEFINITIONS.—For purposes of this subsection—

(1) the term "misconduct" shall include, in addition to matters which may be criminal in nature, misfeasance such as harassment of taxpayers, harassment of fellow employees, conflict of interest, preferential treatment, improper associations, computer misuse, or other instances of serious misfeasance.

(2) the terms "Service" or "IRS" refer to the Internal Revenue Service to the Department of the Treasury.

(3) the term "Commissioner" means the Commissioner of the Internal Revenue Service.

(4) the term "Inspector General" means the Inspector General of the Department of the Treasury and the term "Office of the Inspector General" means the Office of the Inspector General of the Department of the Treasury.

(5) the term "employee" includes any officer or employee of the Service.

(6) the term "Inspection Service" means the Inspector General Inspection Service of the Internal Revenue Service of the Department of the Treasury.

(i) AMENDMENTS OF THE INTERNAL REVENUE CODE.—Section 6103(f) of the Code (relating to disclosure to Committees of Congress) is amended by adding the following new subsection at the end thereof:

"(5) SUMMARY REPORTS.—Pursuant to Section 8 of the Fairplay for Taxpayers Act of 1992, annual summary reports submitted to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives shall include return information but shall not include the name or similar identifying information of any taxpayer or of any officer or employee of the Service. Such reports may be used and referred to by such Committees publicly or in open Committee session."

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for the Inspector General to carry out his duties under this Act.

### SECTION-BY-SECTION ANALYSIS OF BILL

SECTION 1. SHORT TITLE: FAIRPLAY FOR TAXPAYERS ACT OF 1991

SECTION 2. ESTABLISHING A TAX PREPARER PRIVILEGE

*Proposed Change:* The bill extends an evidentiary privilege to attorneys, accountants, and enrolled agents engaged in tax matters. These tax preparers would benefit from the same client privilege as is currently enjoyed by attorneys doing non-tax work.

#### *Current law:*

The attorney-client privilege protects certain communications from disclosure, including letters, notes, and working papers. The privilege gives the client the opportunity for the full benefit of counsel which can only be gained if the client believes he may freely and openly discuss his case with his attorney.

The privilege does not protect communications which are part of a conspiracy to commit illegal acts. Nor can a person protect documents from disclosure by giving them to his attorney.

The attorney-client privilege does not extend to purely tax matters. If a communication is exclusively tax related, then it is not protected under the privilege.

There is no privilege for other tax preparers such as accountants and enrolled agents.

*Reasons for Change:*

The purpose of the attorney-client privilege is to encourage a free and open dialogue between the parties. Such open communication is essential for the client to receive the most accurate and useful information possible. This rationale extends with equal force to communications between taxpayer and tax preparer.

Whereas the IRS can demand these communications from the taxpayer or his attorney, the taxpayer has no right to demand the working papers of the IRS agent. This is one-sided and blatantly unfair to the taxpayer.

More open and complete communication will also improve the quality of tax preparation, resulting in more accurate tax filings and easier administration of the tax laws by the IRS.

## SECTION 3. EQUALIZATION OF INTEREST RATES

*Proposed Change:* The bill equalizes the interest rate charged by the government and that demanded by the government at 3 percentage points over the base rate.

*Current Law:*

When the taxpayer owes the government back taxes or penalties, he incurs interest at the rate of 3 percentage points over a base interest rate which is related to the rate charged on Treasury bills. When the government owes the taxpayer money, it incurs interest at 2 percentage points over the base rate.

*Reasons for Change:*

It is unfair for the government to charge a higher interest rate than it is willing to pay. Unfairness such as this erodes public support for and compliance with the tax system.

## SECTION 4. FAIR ACCRUAL OF INTEREST

*Proposed Change:* The bill would establish that if the taxpayer pays the full amount of taxes, interest, and penalties owed within 45 days from the date of notice and demand, then no interest liability accrues to the taxpayer.

*Current Law:*

Interest accrues on back taxes if the amount is not paid within 10 days from the date of notice and demand. However, if the government owes the taxpayer a refund, interest accrues if not paid within 30 days from the date of overpayment. Moreover, no interest is due if the government actually cuts a check within 45 days of the date of overpayment.

*Reasons for Change:*

The current system is unfair because it requires the taxpayer to make a payment much more rapidly than the government. Moreover, many taxpayers need time to organize their financial affairs in order to make payment. If the government needs a 45 day window, the taxpayer should be afforded at least as much time as the government.

## SECTION 5. RELIEF FROM RETROACTIVE TAXATION

*Proposed Change:* All final, temporary, or proposed regulations and rulings would apply prospectively from the date of publication. This prospective-only treatment would apply in all cases unless the Congress specifically waives this requirement.

*Current Law:*

When the Congress changes the tax laws and the Treasury Department responds with new or revised regulations, those regulations apply retroactively to the date of enactment of the new law, even though the taxpayer may have been unaware of the change until the publication of the regulations, or may have been unable to comply with the new law pending the publication of the regulations.

*Reasons for Changes:*

Retroactive taxation is unfair and damaging to a system of voluntary compliance because taxpayers believe the system to be capricious.

## SECTION 6. AWARDING OF COSTS AND FEES IN TAX CASES

*Proposed Changes:*

(1) The bill replaces the "substantially justified" test for determining whether the taxpayer may recover costs and fees incurred as part of an administrative or court proceeding. Under the bill, if the taxpayer prevails to some extent in the controversy, then he may recover the same percentage of costs incurred as the percentage by which he prevails in the controversy.

Thus, for example, if the IRS initially claims \$1,000 in back taxes and if the taxpayer is finally determined to owe \$600, then the taxpayer has prevailed with respect to \$400, or 40% of the claimed amount. Under the bill, if the taxpayer incurred \$200 in costs, then the taxpayer could recover 40% of \$200, or \$80 in costs.

(2) The bill also changes the point in the process at which administrative costs incurred may be recoverable to the earlier of the initial audit or the date of the appeals conference.

*Current Law:*

(1) To recover costs incurred in an administrative or court proceeding with the IRS, the taxpayer must first show the IRS position was incorrect and then the taxpayer must show the position taken by the IRS was not "substantially justified", which may involve taking the IRS to court a second time.

(2) The costs which may be recovered are well-defined in the Code, and are divided between those which are incurred as part of litigation and those which are incurred as part of administrative action.

The Code specifies that only those administrative costs which are incurred after the earlier of (i) the date of receipt by the taxpayer of the Appeals Office decision, or (ii) the date of notice of deficiency.

*Reasons for Change:*

(1) The "not substantially justified" test is, in practice, a very high standard to meet. In a great many cases, therefore, the taxpayer is unable to recover even when the position taken by the Service was proven to be incorrect. The taxpayer is subject to additional tax whether he is right or wrong because even if the taxpayer prevails in the underlying case, the cost of establishing a defense is, in effect, another tax.

(2) Much of the costs incurred by the taxpayer in an administrative action are incurred long before a notice of deficiency or Appeals Office decision is received. Therefore, most of the costs incurred by the taxpayer may be ineligible for recovery. The purpose of the recovery statute is to hold the taxpayer harmless to the extent he prevails with respect to a contested amount. The current test for when a taxpayer may recover administrative costs prevents this result.

## SECTION 7. CIVIL DAMAGES FOR CERTAIN ACTIONS OF INTERNAL REVENUE SERVICE

*Proposed Change:* The bill expands the rights of taxpayers to sue the United States for civil damages when the IRS causes the taxpayer to suffer financial harm. First, the bill would allow the taxpayer to sue if an IRS agent was careless. Second, the bill would allow the taxpayer to sue if the mistake by the IRS occurred in the determination of tax liability as well as the collection of the tax.

*Current Law:*

Under current law, taxpayers are allowed to sue the United States in District Court for civil damages but only if an IRS employee recklessly disregards procedures or law in connection with the collection of tax.

*Reasons for Change:*

In order to recover damages, the taxpayer must show the behavior of the Service was in reckless disregard of law or procedure. This is a very high standard to meet. The standard proposed in the bill is that of carelessness, which is a much lower standard than recklessness. This lower threshold is appropriate because a taxpayer who suffers financial harm because the IRS has erred does not care whether the agent was reckless or merely careless. In either case, the taxpayer should be made whole.

All cases can be thought of as proceeding from the determination stage, where the amount of tax, penalties, and interest is determined, to the collection stage, where the IRS attempts to collect the amount of tax established in the determination stage.

The tools available to the Service for collecting tax lend themselves to great financial harm if misused. But a taxpayer can suffer, as well, if IRS personnel are careless about determining tax liability because the result may be the taxpayer must spend years and thousands of dollars trying to straighten the matter out. This is time and money taken from the taxpayer's other economic activities.

## SECTION 8. INTERNAL REVENUE SERVICE EMPLOYEE CONDUCT REPORTING

*Proposed Changes:*

1) The bill expands the definition in the IRS Rules of Conduct manual with respect to the conduct which must be reported by employees to the IRS Inspection Service. Employees would hereafter be required to report misfeasance such as harassment of taxpayers, harassment of fellow employees, conflict of interest, preferential treatment, improper associations, and computer misuse.

2) The bill requires the Commissioner of the IRS to submit detailed quarterly reports to the Inspector General of the Treasury Department concerning cases reported to the Inspection Service. These quarterly reports will include the region and branch of the employee alleged to have acted inappropriately, the precise nature of the alleged misconduct, the extent to which the misconduct was investigated, any determinations or dispositions of such investigated cases, and measures taken by the Service to prevent such abuses from occurring in the future.

3) The bill requires the Inspector General of the Department of the Treasury to submit to the Congress an annual summary of the quarterly reports submitted during the prior year by the Commissioner of the IRS. This report shall be submitted to the Finance Committee and the Committee on Ways and Means no later than March 1 of each year.

These annual reports shall include summaries of the reports received by the Commissioner as well as statistical summaries of the number of complaints and reports alleging acts of misconduct, of the investigations of such complaints and reports, and of the dispositions of such investigations, as well as analyses by the Inspector General regarding trends in integrity and ethics among IRS employees.

These reports will be written in such a way as to ensure the privacy of taxpayers and employees and officers of the IRS. No identifying information will be included in either the quarterly or the annual reports.

4) The Commissioner is instructed to carry out an education and training program for

all Service officers and employees regarding appropriate and ethical conduct of governmental duties and responsibilities, including explanation of applicable standards of conduct.

*Current Law:*

The current IRS Rules of Conduct manual states that employees are only required to report to the IRS Inspection Service misconduct by other employees that is criminal in nature or otherwise unethical. However, the distinction between what types of unethical behavior must and what need not be reported is unstated. For example, this listing does not include harassment of taxpayers or other employees.

A Review Panel on IRS Integrity Controls, appointed by the Commissioner of the Inter-

nal Revenue Service, found that "little demonstrable progress is evident" with regard to ethics initiatives within the Service.

*Reasons for Change:*

For their own protection employees at the IRS need a clear statement of correct ethical behavior. The current manual fails to provide that statement by ignoring many aspects of employee behavior which must be considered to be unethical.

The Commissioner of the IRS has limited abilities from his national office to monitor the progress of the various regions and branches in the Service in their attempt to improve the standards of integrity and ethics of Service employees. To assist the Commissioner in this important task, the bill re-

quires him or her to report on a regular basis the progress being made at the local levels.

As has been shown in other agencies, public and congressional oversight are effective guarantors of the rights of individuals against government bureaucracies. The only way to make such oversight possible is to make sufficient information available. Therefore, the bill requires the Inspector General to submit an annual report summarizing the quarterly reports received from the Commissioner to assure the public of steady progress, or to alert the public if problems are developing with regard to IRS integrity controls, and to apprise the Congress of developments within the IRS regarding ethical behavior.