

## EXTENSIONS OF REMARKS

NATIONAL HEALTH SAFETY NET  
INFRASTRUCTURE ACT OF 1992

## HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. STARK. Mr. Speaker, today I am introducing the National Health Safety Net Infrastructure Act of 1992. This bill will provide assistance to those urban and rural hospitals that serve as our Nation's health safety net. It represents an urgently needed investment in the capital infrastructure of the most important hospitals in the country.

The bill creates a health safety net infrastructure trust fund from which public and non-profit safety net hospitals could receive loan guarantees, interest rate subsidies, and, in extraordinary circumstances, direct grants. The trust fund would be financed through a modest tax on health insurance premiums.

These safety net hospitals are often the only source of care for many citizens in their areas. They bear the burden of providing care to the Nation's 35 million uninsured. In fact, if these hospitals did not exist, the crisis in the Nation's health financing system would be far more serious.

These hospitals also provide extraordinarily high volumes of outpatient and primary care—serving as the family doctor as well as the emergency room for both insured and uninsured low-income patients.

These hospitals provide essential, specialized health services to all residents of their communities, including emergency and trauma care, burn centers, high-risk pregnancy services, and neonatal intensive care. These hospitals will continue to play an essential role in our Nation's health system for many years to come, even as we work to fill in the gaps through a national health financing reform plan.

Unfortunately these hospitals face a capital infrastructure crisis, and this crisis is getting worse with every passing month. The buildings and equipment on which these hospitals rely to provide high-quality medical care have been allowed to deteriorate seriously, putting in jeopardy the delivery of quality health services to major portions of our population.

We have paid much attention in recent months to crumbling bridges and deteriorating highways, both high priorities for increased governmental attention, but we have ignored the physical infrastructure of the Nation's health safety net. Just as we need to invest in assuring safe roads and bridges, we also need to invest resources in assuring that our health care safety net does not fall apart.

Many safety net hospitals have been the victims of chronic underinvestment. For example, the average age of the physical plant of urban, public hospitals is nearly 26 years, as compared to a national average of only 7 years for private hospitals.

The average capital expenditure for urban public hospitals is \$12,600 per bed, as compared to a national average expenditure per bed of \$23,500.

In New York City, public hospital capital spending per hospital bed is 59 percent of the industry average. In Louisiana, public hospital capital spending per bed is less than 15 percent of private hospital spending. In California, private hospitals spend five times as large a portion of their budgets on capital expenditures as do public hospitals. The examples of underfinanced public and nonprofit safety net hospitals go on and on.

It really doesn't matter which city or rural community you visit. It is easy to find hospitals struggling under the burden of providing too much charity care in facilities which is not up to modern standards. New York, Chicago, Los Angeles, New Orleans, or my own city of Oakland, all have public hospitals which desperately require capital investment if they are to continue acting as the provider of last resort in their communities.

The problem is that the health care system in these communities cannot exist without these facilities. The people they serve will not be served by other hospitals. For many of these hospitals, occupancy rates often exceed capacity, forcing some to add beds to holding areas and to hallways to accommodate the numbers of patients seeking care. You can imagine the experience of an ill patient whose bed ends up in the hall because there is no other space.

A recent national survey of these safety net hospitals indicated that lack of available hospital beds is resulting in emergency department overcrowding. In 1 month, 50 percent of the hospitals in the most severely affected areas, New York, Los Angeles, and Detroit, were forced to restrict emergency department access over 25 percent of the time.

The aging physical plants of public hospitals are not designed to meet the needs of today's patients. These facilities are frequently the only primary and preventive care providers in many communities. The existing hospital plants often reflect a historic emphasis on inpatient, acute care services. Lack of capital investment precludes the development of facilities that emphasize today's trend toward outpatient and ambulatory care. Construction of new community-based primary and preventive care clinics, ambulatory surgery centers, and other outpatient services, is essential to the future delivery of efficient and high-quality care in these hospitals.

The need for investment in our safety net hospitals is high. Rebuilding to the standard of excellence we all support will not be cheap.

Individual public hospital replacement and renovation projects often exceed \$250 million. A few projects approach or exceed \$1 billion. In fact, needed safety net hospital projects in Atlanta, Boston, Los Angeles, Chicago, New Orleans, and New York represent the single

largest public works projects ever undertaken in those cities.

Although the return on investment will be high for the health care system, these projects will pay dividends far beyond health care. The effects on the local economy and employment will be magnified by large multiplier effects, initially within the local construction industry, as well as the hospital-related service economy of the community. The operating budgets of these revitalized institutions will have a continuing and long-term positive impact on the local economy.

It is not the responsibility of the Federal Government to undertake the needed infrastructure improvements alone, nor do we have the funds to do so. Nevertheless, the time has come to enter into a partnership with State and local governments, and with the safety net providers themselves, to invest in these critical facilities.

Safety net hospitals require such a partnership because they often face special barriers in obtaining and repaying needed capital financing. The high proportion of services provided to low-income patients often leads to operating margins too low to support debt service or to pay directly for needed capital projects.

Traditional methods of financing are no longer available to these hospitals. While many of these hospitals were originally built with grants or loans under the Hill-Burton program, these funds have not been available for many years. Because of recession, and the even greater weakness of many local economies, local governments are not able to fund new capital projects or issue general obligation bonds to finance the construction of new or renovated health care facilities.

Public and private hospitals can directly issue their own revenue bonds, but serious obstacles may preclude safety net hospitals from doing so. Even where revenue bonds are legally feasible, the bond rating may be too low—and the interest rate thus too high—because the bond market often views the local appropriations on which many public hospitals rely as too uncertain to be included in annual revenue calculations. For much the same reasons most of these hospitals have difficulty qualifying for bond insurance or mortgage insurance under the FHA Program.

The bill I am introducing today will establish an important new program to provide carefully targeted, highly leveraged resources to those safety net hospitals that are in the greatest need of assistance. The new health safety net infrastructure trust fund created by this bill will guarantee future access to everyone to the safety net facilities of the Nation's medically underserved urban and rural areas.

This bill meets the pay-go requirements of the Budget Enforcement Act. It is financed through a 1-percent premium tax on health insurance to create the revolving fund needed to provide loan guarantees, interest rate sub-

\* 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.

sidies, direct matching loans, and direct grants to safety net hospitals. In my view we all enjoy benefits relating to the services provided by these hospitals, and thus the modest increase in health insurance premiums needed to finance this program is more than justified by the return.

It is important to point out what this bill will not do. For one thing, it is not simply the re-birth of the old Hill-Burton program, whose resources were made widely available to build hospitals all over the country. The loan guarantees and direct grants of this bill are targeted to those areas of the country where the need is greatest. This bill is also not intended to perpetuate the current structure of our health system, or to support hospitals that will not be needed in the future. Hospitals receiving assistance under this measure will be required to maintain an open door to all patients, and to provide high levels of service to their communities.

The bill I am introducing today is an important complement to the health care financing reforms on which I and others are working. This bill will assure that when health care financing reform is accomplished, every citizen will have access to the kind of inpatient and outpatient hospital facilities that all of the rest of us have come to expect. I urge my colleagues to join me in support of this bill.

A summary of the bill follows:

SUMMARY OF THE BILL  
IN GENERAL

The bill establishes a Health Safety Net Infrastructure Trust Fund to provide loan guarantees, interest rate subsidies, direct loans, and direct grants to safety net hospitals.

ELIGIBILITY FOR ASSISTANCE

Ownership requirements

In order to qualify for assistance a hospital must be:

A public hospital owned or operated by a state or local government;

A quasi-public corporation; or,

Be a private, not-for-profit hospital which has contracted with a state or local government to provide care to medical indigents and where revenue under the contract exceeds ten percent of the hospital's operating revenue.

Eligibility requirements

The following types of hospitals would be eligible for assistance:

Hospitals receiving a "high" disproportionate share adjustment under Medicare (the disproportionate share percentage is greater than 20.2) or a "Pickle" disproportionate share hospital (revenues from State and local governments for indigent care exceed thirty percent of net revenue excluding Medicare and Medicaid revenue);

Essential Access Community Hospitals designated by the Secretary;

Federally qualified health centers;

Other hospitals which the Secretary determines to be appropriate recipients of assistance.

PRIORITY FOR SELECTION OF PROJECTS

In selecting projects for assistance, the Secretary would be required to give preference to: (a) projects that are necessary to bring existing facilities into compliance with accreditation standards or fire and life safety, seismic, or other related standards; or, (b) projects which improve the provision of essential services such as emergency, AIDS

and infectious disease, perinatal, burn, and primary care services.

LOAN GUARANTEES

The program will provide a Federal guarantee of loan repayment to non-Federal lenders making loans to qualified hospitals for hospital replacement, modernization, and renovation projects. Hospitals will be charged a reasonable loan insurance premium.

Eligibility criteria

In order to receive a loan guarantee, a hospital must:

Demonstrate that the loan guarantee is essential to obtaining bond financing;

Demonstrate evidence of ability to meet debt service;

Demonstrate to the satisfaction of the Secretary that the assistance is necessary to restore or maintain the financial or physical soundness of the hospital;

Agree to maintain an open door policy and provide significant volumes of care to the medically indigent;

Demonstrate improvements in management and operations to reduce operating costs;

Provide a detailed maintenance schedule;

Provide a schedule for correcting past deficiencies in maintenance, repairs, and replacements;

Provide a plan to meet cost-effective energy standards;

Provide a plan to improve financial and management controls;

Provide a detailed annual operating budget.

Special rules

At least ten percent of the dollar value of loan guarantees must be allocated to rural hospitals.

Loan guarantees may also be provided for refinancing loans.

The rules under the programs for recovery of funds, procedures in the event of loan default, options for foreclosure, and related matters are similar to the rules used for these purposes under the existing FHA loan guarantee program.

Priority for guarantees would be given to projects in which state or local governments participate in the form of first guarantees of the bonds.

INTEREST RATE SUBSIDIES

The program will provide a partial subsidy of debt service payment where State and local governments demonstrate a significant commitment to financing hospital replacement, modernization, and renovation projects by undertaking the issuance of bonds.

In order to obtain an interest rate subsidy a hospital must receive assistance from non-Federal sources at least equal to the assistance received from the Federal program.

At least ten percent of the value of interest rate subsidies must go to rural hospitals. The aggregate value in a given state may not exceed 25 percent of the value of subsidies granted in a year.

DIRECT LOANS TO HOSPITALS

Direct matching loans will be available for projects designed to achieve compliance with accreditation standards, life safety code standards, and other certification standards, and projects related to the provision of new services.

No more than 75 percent of the cost of the project could come from Federal sources, except that this requirement could be waived in the case of financially distressed hospitals.

The interest rate will be a market rate related to the most recent revenue bond index published by the Bond Buyer. Loans may be used for refinancing.

DIRECT GRANTS

Direct grants would be available for the following types of projects:

Projects to correct emergency certification and licensure violations which threaten the closure or loss of accreditation or licensure of the hospital;

Projects to maintain essential services such as obstetrics or trauma care;

Limited planning grants to hospitals requiring pre-approval assistance in order to apply for assistance under the program.

FINANCING

The Health Safety Net Infrastructure Trust Fund is financed through a one percent tax on the amount paid by employers to provide health insurance. This tax would apply to coverage provided by health insurers, and coverage provided directly by employers under ERISA. All of the funds generated by this tax would be paid into the trust fund.

SUPPORT FOR FULL FUNDING FOR  
PUBLIC TELEVISION STATIONS  
ACROSS AMERICA

HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. DOWNEY. Mr. Speaker, I rise today to call attention to the tremendous work public television stations have accomplished both on Long Island and throughout the country.

Realizing the great role noncommercial stations would have in promoting educational and public service television, in 1952 the Government reserved 242 channels around the country for the use of noncommercial educational TV. The next year, the first noncommercial TV station went on the air in Houston, TX. Since then, the number of noncommercial stations has increased tremendously to about 345 stations in 50 States, reaching 150 million viewers monthly—87 million viewers weekly.

As the number of public television stations has grown, so has the scope of their activity. Today public television is an essential educational resource, a valuable community partner, and a source of quality television programming. For example, one of the stations that broadcasts in the New York area, WNET, provides the opportunity for 350,000 individuals to learn how to read on a yearly basis, and they also have a General Equivalency Diploma Program [GED] in both English and Spanish which helps over 2,600 individuals become more employable in today's job market. Another station, WLIW which is located on Long Island, broadcasts 26 hours of instructional programs each week during the school year; 126 school districts on Long Island receive information and supplementary materials about these programs.

Since their beginning, public television stations have been of paramount importance within the community. As a public service these stations regularly sponsor town meetings and other local events. One station regularly hosts a series of debates in November

aimed at increasing voter awareness and turnout. Another features a community calendar twice a day which gives details of local activities and cultural events. In addition, through outreach campaigns they have brought attention and heightened awareness to such pressing issues as drug abuse, literacy, AIDS, prejudice, the environment, and affirmative action. WNET sponsored an entire day of AIDS-related programming featuring an AIDS helpline. During the day helpline volunteers responded to over 1,000 calls. Events such as this have made public TV a cornerstone of local communities.

Public broadcasters consistently aim to bring the best and most innovative programs to people throughout the United States. Public TV programs remain some of the most watched on television, bringing quality drama, educational, and public affairs programs to all Americans regardless of their location or ability to pay. The "MacNeil-Lehrer News Hour", "Masterpiece Theatre", "The Civil War", "NOVA", and "Sesame Street" are but a few of the well known and well received programs that public television is responsible for. WLIW's program, Window on Washington, helps to keep Long Islanders informed about the current issues being considered by Congress.

I am proud and pleased with the quality programming and community service that public television stations have been able to bring the people of Long Island, and so are Long Islanders themselves. In 1990, 381,000 supporters of public television contributed \$27.2 million in funds and over 25,000 dollars' worth of services to public television stations in the area. This is not enough however. It is imperative that public television stations across America receive the funding they need to continue their invaluable educational and community service work. I urge my colleagues in the House of Representatives to support full funding for public television stations across America.

#### NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL

#### HON. TOM CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. CAMPBELL of California. Mr. Speaker, in October 1991, the National Law Enforcement Officers Memorial was dedicated to honor the fallen comrades of this distinguished group of individuals. Our Nation's police officers keep our homes and families safe in an increasingly violent world. These men and women place their lives at risk, exposing themselves to grave dangers on a daily basis. Year in and year out, these proud officers stand willing to sacrifice their lives in service of the public good. In the performance of a job which is neither routine nor easy, law enforcement officers display a professionalism and a sense of duty unequalled in society. Too often, we the people take for granted the importance of law and order and the men and women who provide it.

We ought to remember the personal sacrifices that each officer and each officer's fam-

ily make during each day of service. In the performance of their duties, these crimefighters must face danger and the knowledge that they or their partner may possibly fall in the line of duty. This condition is endured by officers for the benefit of us all. I want every policeman and policewoman to know my personal gratitude for their dedication and service.

The memorial itself is a stirring sight. Inscribed along two low, gently curving blue-white marble walls are the names of officers slain in the line of duty. The wall is a chronicle of sacrifice from Revolutionary War times to the present day, and includes over 12,000 names. This memorial is not static in time—sadly, new names will be added as more officers fall. Behind each tragic name is a story of bravery and love of country. Located at the ends of each wall is a lion standing guard. I can think of no better metaphor for our law enforcement officers. I invite all Americans to come down to the memorial to pay your respects to these peacetime patriots—our nation's law enforcement officers.

#### THE HOPEFUL MESSAGE OF PURIM

#### HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. RANGEL. Mr. Speaker, I rise to call the attention of my colleagues to the holiday of Purim, which commemorates the deliverance of the Jewish people from an evil plot that sought their destruction.

This is a very important holiday for me, Mr. Speaker, because it evokes strong feelings of persecution and discrimination and redemption, and because it reminds me of the common heritage that Blacks and Jews share.

Purim is the moving account of a courageous woman named Esther, utterly loyal to her people, who saves them from the genocidal machinations of a government official named Haman. Today, Purim is celebrated with feasting and rejoicing. Gifts are given to friends and to the needy.

I join this celebration today, sharing the Jewish hope and confidence that, working together, we will survive every future Haman who seeks our destruction.

We are all survivors—of slavery, discrimination, and genocide. And we can all be liberators—saving our brothers and sisters from the horrors of poverty, disease, and hate. This, for me, is the unique and important message of Purim.

Our communities are deeply connected, however strained they may seem at times.

Even before the civil rights struggles of the 1950's and 1960's, Jews and Blacks had participated in friendship and mutual support.

In the 19th century, many Jews, concerned with human rights abuses that reminded them of the European tyranny they had fled, promptly joined the Abolitionist movement upon their emigration to the United States. Among them was August Bondi, a Viennese scholar who quickly committed himself to fighting slavery, fought with John Brown in his fa-

mous raid on Harper's Ferry, and served with distinction in the Union Army.

Jewish defense of the rights of Black Americans did not stop with the Emancipation Proclamation. In the early 1900's, Jewish philanthropists like Julius Rosenwald, Herbert Lehman, and Samuel and Mary Fels played major roles in the founding and support of the National Association for the Advancement of Colored People, the Urban League, and other Black organizations.

Other Jews with access to government also assisted the Black community. When Howard University President Mordecai Johnson decided to establish a law school, he turned to Louis Brandeis, the first Jewish justice on the Supreme Court, for advice and support.

Blacks, too, supported Jewish efforts. In the 1830's, the great Black nationalist Wilmot Blyden, who worked for the return of Blacks to their homeland in Africa, also supported Jewish resettlement in Palestine. Blacks consistently opposed the anti-Semitism of the Ku Klux Klan and joined with Jews to confront fascism.

The heart-rending meeting of these two minorities in the ashes of the Holocaust was one of the most moving chapters in both our histories, but certainly not the first—nor the last.

Black volunteers spearheaded the American Armed Forces advance into Germany and were among the first troops to liberate concentration camps such as Buchenwald and Dachau.

According to Leon Bass, Sr., a liberator: "I came into that camp an angry Black soldier. Angry at my country and justifiably so. Angry because they were treating me as though I was not good enough. But something happened. I came to the realization that human suffering is not relegated to me and mine. I now know that human suffering could touch all. I knew that in my lifetime I had to fight that. If this could happen here, it could happen anywhere. It could happen to me. It could happen to Black folks in America."

As Ben Bender, one of the Jews rescued by Leon Bass and his fellow soldiers that day, says, "The recollections are still vivid—Black soldiers of the 3d Army, tall and strong, crying like babies, carrying the emaciated bodies of the liberated prisoners. I was 17 and my life was almost extinguished. For me it was an instant awakening of life after a long darkness."

We are all survivors and we can all be liberators. Let us celebrate the hopeful message of Purim and recommit ourselves to cooperating against division, struggling against despair, and loving against hate.

Today, on Purim, I wish to remind my colleagues of the words of John Jacob, President of the National Urban League: "the cement for our continuing alliance is the shared vision of an America based on equality in an open, pluralistic, integrated society."

"That vision still has compelling meaning—not only for Blacks and for Jews, but for other minorities in various stages of access to the mainstream, and for all Americans."

WELL DONE, JJ; THANK YOU

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. PAYNE. Mr. Speaker, I would like to bring to the attention of my colleagues an event that occurred in New Jersey this past weekend. That event was a surprise roast for John Johnson, affectionately called "JJ". We know that surprises are not unusual and roast are not uncommon. What made this event significant was the man that was being honored. Every now and then a person comes along who changes the course of the lives of the people with whom they come into contact. For most of his life, John "JJ" Johnson has been that kind of person.

John Johnson was born in Charleston, SC. During his high school years he was involved in student government. Upon his graduation from high school in 1955, he attended Morris College in Sumpter, SC. Later JJ relocated to Newark, NJ where he settled, met and married the late Julia Bullock, and raised a son, the Reverend Elder Vincent R. Johnson of Faith Temple Church in East Orange, NJ.

JJ's sense of fellowship and caring became his trademark while he was employed at the U.S. Postal Service in Newark and the Newark board of education, where he became one of the board's first school security guards, in 1969. His leadership abilities took him to service in the labor movement. He served the workers of the Newark Board of Education as a shop steward of local 286 of the Teamsters. In April 1975, he became one of the founders of local 617 of the Service Employees International Union. He is the only executive vice president that local 617 has ever had. Presently he is also serving the membership as business manager. Due to JJ's hard work, local 617 is the largest public employee local of Service Employee International Union in the State of New Jersey.

JJ has worked to organize many entities in our community. His affiliations are numerous. His dedication and commitment to the community is evidenced in his work as leader, advocate, fundraiser, contributor, coordinator, and friend. Mr. Speaker, the life and work of John "JJ" Johnson have been exemplary. The surprise roast for JJ was organized not for any particular milestone in his life or career. It was planned because JJ has given to many for so many years, without any formal or public show of appreciation and his friends, count me among them, thought it was time to say "Thank you, JJ." I am sure my colleagues send along their congratulations for a job well done and their encouragement and best wishes for a challenging and successful future.

**BULGARIA'S SUCCESS SHOULD NOT BE KEPT SECRET**

**HON. JOHN M. SPRATT, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. SPRATT. Mr. Speaker, several weeks ago, Deputy Secretary of State Lawrence

Eagleburger was quoted in the Washington Post as saying that Bulgaria's extraordinary political progress is the best kept secret in Central and Eastern Europe. Secretary Eagleburger was referring to Bulgaria's success in transforming from an orthodox, Stalinist nation into a democratic country with a free press, competing political parties, freedom of religion, and private enterprise. Mr. Eagleburger labeled these developments as amazing changes and stated that Bulgaria's success will be a secret no more. I commend Secretary Eagleburger for his insightful comments and would like to insert in the RECORD of the Washington Post article.

'AMAZING CHANGES' IN EAST EUROPE'S 'BEST-KEPT SECRET': BULGARIA

(By Blaine Harden)

SOFIA, BULGARIA, March 5.—"America Backs Bulgaria," crowed the headline in today's *Democratia*, the daily paper of the ruling political party.

The headline, over a report of a speech by deputy Secretary of State Lawrence S. Eagleburger in Washington Wednesday, reflected Bulgaria's march from Communist pariah to respected member of the international community.

Referring to a nation that is widely suspected of having plotted to murder Pope John Paul II, whose spies killed at least one disloyal citizen with a poison-tipped umbrella and whose leaders prided themselves on their close ties to hard-liners in Moscow, the number-two official at the U.S. State Department said that "the Bulgarian revolution has traveled the furthest distance" of any in eastern Europe.

Eagleburger told a conference of potential American investors in Washington on Wednesday that two years of "amazing changes" have allowed Bulgaria, despite a bleak history of misrule, to join Poland, Hungary and Czechoslovakia in the first rank of post-Communist democratic states committed to capitalist reform.

"It is no exaggeration to say that Bulgaria under democracy has not only overcome the legacy of communist, it is in the process of overcoming the legacy of history," Eagleburger said. "The best-kept secret in central and Eastern Europe will be a secret no more."

Here, where 8.5 million Bulgarians have been forced to wean themselves from nearly total dependence on what used to be the Soviet Union and where electricity cuts have kept them intermittently in the dark through two cold winters, the speech was greeted as an act of deliverance.

"We deserve such praise because we did a lot of courageous things," said Mariana Todorova, an economic adviser to Bulgarian President Zhelyu Zhelev.

Bulgaria has, indeed, stood Stalinist tradition on its head. But, Eagleburger's speech notwithstanding, the country has performed this act adagio—stock therapy in slow motion.

This country has been overlooked in Eastern Europe in large measure because only now is it getting around to reforms that were making headlines in Poland two years ago.

The current government of Prime Minister Philip Dimitrov, who this week is visiting the United States, has yet to pass into law many of the basic legislative building blocks of a post-Communist society, such as a law on privatization of state enterprises or a bankruptcy law.

Dimitrov's government says passage of these laws, drafts of which are before the

Bulgarian legislature, is just a few weeks away. The prime minister told reporters in Washington today that conditions will soon be optimal for foreign investors.

"Money can be made in Bulgaria, a country with steady and stable democracy right at the place that connects Europe with Asia," the prime minister said.

In Poland, democratic change has moved at such a dizzying pace that the country is now on its third elected government and many Poles are peeved that Western investors are buying up the country on the cheap.

Bulgarians, who have had a wholly non-Communist leadership for less than six months, do not yet have a major deep-pocketed foreign investor to welcome or to resent. This week, for the first time, neon signs were being erected in the capital's central business square to advertise Johnny Walker whiskey and Panasonic electronic goods.

It took cautious Bulgarian voters more than two years of thinking things over—as well as two nationwide free elections—before they could be persuaded that it was safe to vote Communists out of power. Bulgaria had been regarded as the 16th republic of the Soviet Union, a vassal state where KGB colonels sat in on councils of government.

Bulgaria's prime minister said today in Washington that the "most criminal element" of the Communist legacy in his country is "the effect it had upon the human soul. It started with vast intimidation, which was combined with leaving no room for hope."

The scars of communism, however, do not seem to affect the loan calculations of the World Bank and the International Monetary Fund, which are impatient with Bulgaria.

"The changes are not big and fast enough and have to continue" IMF delegation leader Anuf Singh told reporters here last week. A World Bank official said Bulgaria, unlike other Eastern European countries, agrees completely on all points of reform, but "the problem is it takes too long." The official, John Wilton, warned that Bulgaria will have to pick up the pace before the World Bank comes through with its second \$100 million tranche of loan money.

Prime Minister Dimitrov will hold talks with World Bank and IMF officials in Washington next week. He met with President Bush on Tuesday.

As Eagleburger said in his Washington speech, this country has been unexpectedly blessed with leaders who seem immune to a regional epidemic of hatred.

Eagleburger compared war-ravaged Yugoslavia—which is "mired in the hatreds of the past and sliding further into the past"—to Bulgaria, which has cemented friendly ties to historic enemies such as Greece and Turkey. The Turkish minority in Bulgaria has won a powerful voice in parliament.

Bulgaria, "against all historical precedent \* \* \* is transcending those hatreds and is thus poised to move forward into a totally different and far better kind of future," Eagleburger said. "It deserves the fullest support from the international financial institutions and integration into the Western family of nations."

I believe Bulgaria's achievements are especially notable because they took place in just 2 years and in a relatively peaceful manner. The Bulgarian people deserve enormous credit for their achievements. It should be noted that our own government has also played a small role in encouraging the democratic forces in Bulgaria. In particular, I am thinking about the democracy building work done by

the National Democratic Institute which has sponsored a series of workshops and election missions in Bulgaria. In addition, credit should go to Martin Frost's task force which has worked with the Congressional Research Service to train and equip Bulgarian members of Parliament and their staff.

For too long, people in the United States have praised the achievements of Poland, Hungary, and Czechoslovakia while ignoring Bulgaria's accomplishments. I hope Secretary Eagleburger is correct when he says Bulgaria's success will be a secret no more.

#### BIOGRAPHY OF QUANAH PARKER (COMANCHE)

#### HON. ENI F.H. FALCOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. FALCOMAVAEGA. 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 Quannah Parker, the most esteemed Indian of his tribe who acted as the industrious and able leader of a confederation of Comanches, Apaches, and Kiowas. This biography was taken from a U.S. Department of the Interior publication entitled "Famous Indians, A Collection of Short Biographies."

#### QUANAH PARKER (COMANCHE)

For many years the word "Comanche" meant terror on the Texas frontier. In early 19th century, Comanche Indians had been generally friendly to Americans, but they became bitter enemies of the Texas settlers who took over their best buffalo hunting grounds.

Wildest and fiercest of Comanches was the Kwahadi band. In 1835, Kwahadis attacked a small settlement in east Texas and carried away several captives, among them a little girl, Cynthia Ann Parker, then about 10 years old. Cynthia grew up to marry Nokoni, a Comanche chief. Their oldest son, born about 1845, was Quannah Parker, who, in Comanche tradition, was given his mother's surname.

Quannah grew up with the savage Kwahadi Comanches, and when his father died, he became the tribe's new chief, a tribute to the young man's ability and intelligence, since chieftainships were not ordinarily inherited among the Comanches.

Fights with the Comanches were an almost everyday occurrence to settlers on the plains of west Texas, and Indian attacks on travelers were a constant danger. The 1867 Medicine Lodge Treaty had assigned Comanches, Kiowas, Kiowa-Apaches, Cheyennes, and Arapahoes to reservations. But Parker and his band, who had refused to sign, continued to hunt buffalo on the Plains and to plunder settlements along the Texas border.

In the early 1870's, when white hunters illegally invaded Indian country and slaughtered vast numbers of buffalos to collect hides, Parker's fury reached its peak. Having mustered about 700 warriors from among the Comanches, Cheyennes, and Kiowas, in June of 1867 he attacked the post at Adobe Walls, where some 30 buffalo hunters were quartered. But the fort's thick walls and superior ammunition were too much for the Indian braves, who were forced to withdraw with severe losses after 3 days of heavy fighting.

Most Comanche aggression came to an end when U.S. Army troops were sent into Indian country. Parker, however, continued to remain on the Staked Plains with his band until the summer of 1875, when he surrendered.

As other leaders before him, Parker had dreamed of an alliance—this time of Plains Indian tribes—which would be strong enough to resist the inroads of white settlement. Once having surrendered his dream, however, he changed his point of view completely, and resolved to adjust to the dominant civilization. "I can learn the white man's ways," he said, and he did.

Parker was still young, and his real career, which was to be long and distinguished, started at that point. He influenced even the wildest of the Comanche bands to come onto southwestern Oklahoma reservations, and peace at last came to the Texas plains.

For the next 30 years, Parker acted as the industrious and able leader of a confederation of Comanches, Apaches, and Kiowas. He was their most able and influential businessman, and their guide to white civilization. The once-savage warrior made education popular, encouraged home-building and agriculture, and initiated the leasing of surplus pasture lands for Indian income. Always, however, he held fast to traditionally important Indian beliefs and ceremonies. Quannah's involvement with the Peyote Cult (peyote is a small cactus whose "buttons," when chewed, produce visions), played an important part in his ability to influence his followers. Parker had five wives (polygamy was customary among the Comanches), and many children, all of whom were educated. He spoke both English and Spanish fluently, and traveled frequently to Washington.

Quannah Parker, the most esteemed Indian of his tribe, died in 1911, at about 76. In 1957, he was reburied in the post cemetery at Fort Sill, Okla., with military honors.

#### SALUTE TO WILLIAM FORDEN

#### HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. LAGOMARSINO. Mr. Speaker, I rise to pay tribute to Bill Forden, who will retire on March 26, 1992 as the chief probation officer of Ventura County after an amazing 33 years of service for California correctional agencies.

Bill's lengthy and distinguished service includes an appointment to the Governor's Blue Ribbon Commission on Inmate Population Management and past chairmanship of the California Corrections Executive Council, of which he is still an active member.

Bill earned his position through many years of hard work, starting in 1957 as a probation trainee in Los Angeles County. One of Bill's great contributions during his 16 years as the

chief probation officer and director for the County of Ventura Corrections Services Agency was setting up a mental health program at the Frank A. Colston Youth Center, the first in California. In addition, Bill administered the largest work furlough program in California and also helped establish a local juvenile restitution project.

Bill Forden's commitment to public protection through a lifetime of service is an inspiration to us all. Ventura County is truly a better place to live with great thanks to Bill. I ask my colleagues to join me in congratulating Bill upon completion of an outstanding career. I wish him and his wife, Toby, many happy years of retirement on the golf course in Palm Springs.

#### HAPPY 50TH BIRTHDAY, MIMI SILBERT; HAPPY 21ST BIRTHDAY, DELANCEY STREET FOUNDATION

#### HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. LEVINE of California. Mr. Speaker, I rise today to send birthday greetings and best wishes to a good friend and strong leader, Mimi Silbert, and an extensive and innovative rehabilitation program, the Delancey Street Foundation.

Dr. Mimi Silbert serves as president, chairman of the board, and chief executive officer of the Delancey Street Foundation. The foundation, serving 800 residents in centers in New York, New Mexico, North Carolina, Los Angeles, and at the headquarters in San Francisco, has been called the "best and most successful rehabilitation program in the world." Thousands of men and women have graduated into society as taxpaying citizens leading successful lives.

The population at the centers ranges in age from 12 to 68, and the average resident has been a hard-core drug addict for 10 years and has been to prison four times. Many have been gang members, and most have been trapped in poverty for several generations. Although the average resident is functionally illiterate and unskilled when entering Delancey Street, all residents receive a high school equivalency and are trained in three different marketable skills before graduating.

The minimum stay at Delancey Street is 2 years, the average stay is 4 years. During that time, residents learn not only academic and vocational skills, but also the interpersonal and social survival skills, attitudes, values, sense of responsibility, and self-reliance necessary to live in the mainstream of society drug-free, successfully, and legitimately.

Delancey recently completed construction of an expanded and centralized home on the waterfront in San Francisco which was primarily built and supervised by Delancey residents with Mimi Silbert as developer. This was an unprecedented vocational training program providing 300 formerly unemployable drug addicts, homeless people, and ex-felons now in Delancey Street with every skill in the building trades, with full support of the unions. Resi-

dents were also trained in purchasing, contracting, computer, and accounting services.

Although Delancey Street is her primary life's work, Dr. Mimi Silbert is a recognized national expert in criminal justice. She has worked as a prison psychologist, a police trainer, and as a professor for both undergraduate and graduate students at the University of California at Berkeley, California State University at San Francisco, and the Wright Institute. She has received innumerable accolades from local, State, and Federal officials, has been appointed to several boards and commissions, and has been featured on many television shows including "20/20," "ABC World News Tonight" with Peter Jennings, and "Sunday Morning" with Charles Kuralt. That the Delancey Street foundation is run without cost to taxpayers and generates all of its funding internally is a tribute to Mimi's immense talent.

Therefore, I ask my colleagues in the House of Representatives to join me in sending birthday greetings to the Delancey Street Foundation and its leader, Mimi Silbert, who chose to cast her lot with society's losers to prove her belief that with hard work, courage, and discipline, they can be winners and transform impossible dreams into reality.

#### COMPETITION IN THE CREDIT CARD INDUSTRY IS ALIVE AND WELL

HON. DOUG BARNARD, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. BARNARD. Mr. Speaker, I would like to bring to the attention of my colleagues the results of a recent study, "Consumers, Competition and Choice: The Impact of Price Controls on the Credit Card Industry." The study was conducted by Robert E. Litan, senior fellow in the economic studies program at the Brookings Institution. Many of my colleagues are familiar with Dr. Litan's expertise. He has testified many times before Congress on banking issues and has served as a consultant to the Financial Institutions Supervision, Regulation and Insurance Subcommittee of the House Banking Committee.

I personally wish to commend Dr. Litan on his latest work, the findings of which come as no surprise to this Member. Through his research, Dr. Litan concluded that the credit card industry is very competitive—the credit card market is unconcentrated and credit card marketing is not inhibited by geographic location. According to Dr. Litan, consumers have many options available in choosing credit cards, including variety of interest rates, fees, enhancement programs, and payment plans.

Dr. Litan also lays to rest the misconception that placing a cap on credit card interest rates would benefit consumers. He found that imposing such a cap would restrict credit availability and place millions of consumers at risk of losing their cards. In addition, remaining cardholders would be subject to higher fees and other disincentives if credit card interest rates were subject to a ceiling.

Mr. Speaker, I would like to share with you the executive summary and introduction from Dr. Litan's study.

#### CONSUMERS, COMPETITION AND CHOICE—THE IMPACT OF PRICE CONTROLS ON THE CREDIT CARD INDUSTRY

(By Robert E. Litan<sup>1</sup>)

##### EXECUTIVE SUMMARY AND INTRODUCTION

Policy solutions are frequently advanced in Washington in search of problems. In some cases, the proposals may be relatively harmless, if unnecessary. In other cases, however, the proposed cures can be worse than the putative disease.

In November 1991, federal policymakers flirted with the enactment of a proposal of the latter type, one that at the time would have imposed a ceiling of 14 percent on credit card interest rates,<sup>2</sup> and if implemented today, could limit credit card rates to no more than 12 percent by the second quarter of 1992. Advocates aimed the cap proposal at a so-called "problem": that interest rates on credit card accounts appeared to remain constant while market interest rates, and therefore, the issuers' costs of funds, were declining. The implicit contention was that the credit card market was not competitive and that the imposition of an interest rate ceiling was the only way to make it so.

In fact, however, the premise for the cap proposal was and remains wrong. The market in credit card lending is highly competitive, as measured by the traditional indicia of competition. Over 5,000 institutions currently issue credit cards and the market is highly unconcentrated. Equally significant, there are very low barriers to entering the credit card issuing business, evidenced by the recent entry by AT&T and the U.S. automobile companies.

Nevertheless, advocates of credit card interest ceilings have pointed to two features of the market that they have argued are inconsistent with claims that the industry is competitive: the relative stability of credit card interest rates in the face of sharply declining market interest rates and the strong profitability of credit card lenders. But neither feature disproves the fact that the credit card issuing market is highly competitive and that interest rates reflect this fact.

Average credit card interest rates have remained relatively stable even as the cost of funds has dropped because other costs—especially chargeoffs—have risen sharply. As a result, credit card issuers have not profited from lower interest rates; to the contrary, the best evidence is that their profits have been gradually declining since the mid-1980's. In addition, the relatively flat trend in average credit card rates has not been unusual in recent years: rates on other types of consumer loans have displayed a similar pattern. Credit card interest rates nevertheless remain higher than those on other types of consumer credit because credit cards are more expensive to administer, providing both payments and credit services, and are unsecured.

More importantly, there is strong evidence that credit card issuers determine the interest rates they charge based not on the risks of their average borrowers, but on the risks of their marginal customers, or precisely

<sup>1</sup>The author has prepared this study for MasterCard International Incorporated on behalf of its 16,500 member financial institutions in the United States. The views expressed here are his own and not those of the Brookings Institution, its trustees, officers or staff. The research assistance of Maya MacGuineas is gratefully acknowledged.

<sup>2</sup>The term "interest" is used narrowly here to refer only to the annualized percentage rate (APR) for borrowings on a credit card and not to any other charges that may be considered "interest" for legal purposes.

what economic theory would predict. This report indicates that chargeoffs associated with marginal borrowers indeed have been running significantly higher than average chargeoffs, and therefore, that credit card operations at the margin are substantially less profitable than the aggregate data depict.

Until recently, most credit card issuers have not aggressively differentiated their interest charges between low and high risk borrowers, principally because credit card customers generally have been insensitive to the interest charges on their credit card balances. As a result, issuers have competed for business on other features of the credit card arrangement—on the size of annual fees, the length of "grace periods," and by offering other goods and services (such as "frequent flyer" points) in connection with their cards.

But what consumers helped create—namely a market where variations in interest rates do not appear to have influenced the use of credit card borrowing—they can also change. And change already has arrived. Prompted by the recession and by increased publicity regarding the availability of credit card accounts with lower interest rates, consumers are becoming more sensitive to interest charges on their accounts. In turn, issuers—both old and new—are responding to the heightened consumer awareness by offering lower rates in an effort to attract the most creditworthy consumers.

The future for the credit card business, therefore, is clear. Induced by consumers themselves, credit card issuers increasingly will compete on the basis of the interest rates they charge: borrowers that appear to present greater risks will be required to pay higher rates than those who appear less risky, while the least risky will continue to pay no interest at all by regularly paying their full balances each month during the "grace period." Significantly, however, in an unregulated market credit card loans will continue to be available to lesser credit-worthy customers, provided they compensate the lenders for assuming the risks.

Attempts to regulate this process by imposing ceilings on credit card interest rates are thus not only unnecessary but would be highly counterproductive. One certain result of any cap would be a restriction of credit made available through credit cards to higher-risk customers, or most likely those with low and moderate incomes. Under a 14 percent cap, at least 30 million cardholders could find their cards revoked or the fees associated with the cards would be raised to the point where perhaps an even greater number of cardholders would voluntarily cancel their credit card relationships. Under a 12 percent cap, a minimum of 70 million cardholders could be at risk.

Such substantial potential reductions in the availability of credit card finance could have seriously adverse macroeconomic effects. Indeed, policymakers today should not forget what happened the last time the U.S. government curtailed credit card lending in 1980: consumer purchasing plummeted sharply, helping to trigger what eventually became the deepest recession since the Great Depression.

Even customers whose credit would not be curtailed on account of an interest rate ceiling—and indeed even customers who do not currently use credit cards—could nevertheless find themselves worse off. The reason, of course, is that credit card issuers would attempt to cushion the impact of any government-imposed rate cap in other ways, such as by raising annual fees or reducing or eliminating grace periods.

Finally, any cap—or, indeed, even the threat of one implicit in any Congressionally mandated study—could have a significant adverse effect on the newly emerging market in securities backed by credit card receivables. This market could suffer not only a damaging loss of liquidity, but the significant prospect that a rate cap would be imposed would chill investor interest in the securities and thus immediately raise the cost of funds of credit card issuers, and in turn, the cost of credit card debt to consumers who continue to borrow through their cards.

In short, any claimed benefits of an interest rate cap are likely to be a mirage. Meanwhile, the costs would be visited upon those in the economy least able to afford them. A clearer example of an ill-suited policy—in search of any solution—would be hard to find.

#### SUPPORT FOR THE FEDERAL EMPLOYEE RESERVIST BENEFIT EXTENSION ACT OF 1991

**HON. THOMAS J. DOWNEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 19, 1992*

Mr. DOWNEY. Mr. Speaker, I would like to express my support for the Federal Employee Reservist Benefit Extension Act of 1991 which the House of Representatives overwhelmingly approved. Throughout Long Island and across the Nation, thousands of Federal and postal employees were called to active military duty during Operation Desert Shield and Desert Storm.

During the war, people across America showed their concern and support for our troops overseas. Now Congress must do the same. These men and women left their families, friends, homes, and jobs to fight for our country. Unfortunately, for these Federal reservists, this was often at great financial sacrifice. Many civil servants called up to active duty during the Persian Gulf war witnessed a significant loss of income as their military pay was less than their civilian pay. Some even lost homes and cars or went deeply into debt as a result of this loss in income.

To address this inequity, the Federal Employee Reservist Benefit Extension Act of 1991 provides a special pay differential for Federal employees who were called to active military service in the Persian Gulf war and whose military pay was lower than their normal civilian pay. In addition, this legislation allows employees to retain employer-provided life insurance and health benefits for the duration of their callup, and allows for the repayment of contributions to savings plans which were missed because of military duty.

The brave men and women who fought in the Persian Gulf deserve our gratitude and appreciation. This legislation will ensure that those Federal employees who were called to active duty are not penalized financially for their great sacrifice.

#### EXTENSIONS OF REMARKS

#### INTRODUCTION OF LEGISLATION TO IMPROVE LANGUAGE EDUCATION IN AMERICA

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 19, 1992*

Mr. RANGEL. Mr. Speaker, I rise to introduce to my colleagues two important pieces of legislation that aim to improve the state of language education in America.

As we all know, people have come to the shores of the United States from every continent, from every country on Earth. Many of my respected colleagues in the House of Representatives are, in fact, immigrants to this great land.

Immigrants to this country bring with them their desire to succeed, their love of freedom, and their own culture and language.

From the beginning, the United States has benefited and been enriched by these immigrants, as different as they look and sound.

The music of many languages flows through the cities and countryside of the United States. This is a rich heritage that should be nurtured, cherished, and promoted.

All people, regardless of their background, should be encouraged to preserve that proud birthright and be given the opportunity to continue to use and appreciate their own culture.

When someone comes to America, they do not leave their language, history, and culture at the door. And we should not insist that they do.

Yet those who come to the United States without proficiency in English should be provided the opportunity and support to learn English, since mastery of English is the key to so much here.

America's schools and corporations need to adapt to the broad variety of languages spoken in the United States and abroad. As a nation, we are not prepared to communicate effectively in the languages of our neighbors, our trading partners, our allies, or our adversaries.

Indeed, we often find it difficult to communicate with many different languages spoken here at home.

Fewer than 1 percent of our Nation's primary and secondary students participate in a foreign language program and fewer than 12 percent of our college students study any foreign language whatsoever.

And our workplaces are woefully unprepared to support the English language education of so many eager, ready, and bright workers.

Mr. Speaker, this is why I am introducing into the Congress two bills that will promote English and foreign language literacy among those who currently cannot read and write.

The first bill will elevate the Director of the Office of Bilingual Education and Minority Languages Affairs [OBEMLA] to Assistant Secretary of Education for Bilingual Education and Minority Languages Affairs.

OBEMLA is the only office with program responsibilities, the only office that actually administers Education Department programs, whose head is not an Assistant Secretary.

This legislation would not alter the focus or mission of the office—but it would introduce a

*March 19, 1992*

much greater degree of accountability to the Congress. The Director is hired by the Secretary without any formal congressional participation; the Assistant Secretary would have to be confirmed by the Senate.

The second bill will create a tax credit to employers who provide literacy training to their American-resident employees. This bill would emphasize literacy training. As you know, millions of Americans are functionally illiterate—this includes native-born English speakers in addition to people who speak English as a second language. This legislation would encourage employees to help anyone who needs literacy assistance.

English-only laws are narrow-minded, inappropriate, and mean-spirited. Instead of constraining the wonderful variety of languages spoken in the United States, we should be promoting them all and using them to improve the English ability of nonnative speakers.

Both limited English proficient and children whose primary language is English can benefit from two-way bilingual language programs. Such programs help develop our national linguistic resources and promote our international competitiveness.

Workplace skills of adults with limited English proficiency can be successfully developed in the native language while English language skills are being developed, thus enhancing their contributions to the workforce and the economy.

All Americans, regardless of their national origin and regardless of their ability to speak English now, can benefit from this legislation.

#### KEEP THE DEPOSIT INSURANCE SYSTEM STRONG AND EFFECTIVE

**HON. TOM CAMPBELL**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 19, 1992*

Mr. CAMPBELL of California. Mr. Speaker, with the establishment of the deposit insurance system in the 1930's, the Federal Government formed a social contract with the American people, and established a central element of our financial system. Because they are guaranteed by the Government that their money is safe, consumers feel confident to put their savings in federally insured banks. This assurance brings a vital security to the financial system.

Benefiting from this security, banks should honor their obligation to the deposit insurance system. As Congress reforms the banking system, we should make sure that we do not revoke or undermine this contract, but instead strengthen it. The financial industry can play a key role in this process by contributing to the solvency and strength of the Federal deposit insurance system.

Various reforms to deposit insurance coverage have been put forth—lowering the deposit coverage, privatizing the insurance fund, insuring only a percentage of the deposit, limiting insurance coverage to one account per person—but at this time, such reforms are ill advised. They would send a shock wave through the system, adversely affecting the availability of credit throughout the economy.

Moreover, consumers just don't have accurate and meaningful information about the risks they may face depositing their money in one institution over another.

As the economy shows its first signs of strength after this long recession, Mr. Speaker, now would be the worst time to undermine Americans' confidence in the banking system. The focus of our efforts must be to keep the deposit insurance system strong and effective. The American people deserve no less.

INTRODUCTION OF HOUSE  
CONCURRENT RESOLUTION 296

HON. MIKE KOPETSKI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. KOPETSKI. Mr. Speaker, all of us are familiar with the sorry state of our patchwork health care system. It leaves many Americans uncovered, and is coming apart at the seams under the pressure of high health care cost inflation. It's a safe bet that before this session is over, we'll be voting on a reform package in this Chamber. Given this fact, today I am introducing, along with 45 of my colleagues, House Concurrent Resolution 296 to focus attention on a segment of the health care field that is not getting the attention it deserves: mental health care.

Mr. Speaker, it is shameful that millions of Americans are not getting the mental health care they need when effective treatment is available to them. Approximately 19 percent of the adult U.S. population suffers from a diagnosable mental illness or substance abuse disorder within any 6-month period. Approximately 7.5 million children and adolescents suffer from some type of mental or emotional disorder. Researchers have made and continue to make great strides in understanding what causes mental illnesses and how to treat them, yet those afflicted with mental disorders aren't getting treated.

One factor contributing to the lack of treatment is the tremendous amount of stigma surrounding mental illnesses and mental health care still prevalent in our society. A study by the National Alliance for the Mentally Ill found that 71 percent of U.S. citizens thought mental illness was an emotional weakness, 65 percent felt it was due to bad parenting, 33 percent thought it was probably due to sinful behavior, and that only 10 percent felt it had a biological basis in brain dysfunction. Fighting this stigma is one of the highest priorities for the House Working Group on Mental Illness and Health Issues, and until it is reduced, millions of Americans will be dissuaded or diverted from getting the care they need.

An outgrowth of this stigma, and another big factor in preventing access to care, is the way mental health care is treated by insurance policies, including public health care programs. An excellent example of this inequitable treatment is the Medicare Program. For all physical illnesses, Medicare requires a 20-percent copayment. Somehow, though, mental illnesses are different, and aren't perceived as being as severe or legitimate. Medicare requires a 50-percent copayment requirement for mental

health care services. I would ask my colleagues to talk to the family of someone who's suffering from schizophrenia, or a panic disorder, or a bipolar disorder, and try to tell them that their son's or daughter's or husband's or wife's illness isn't severe or legitimate.

We must bring our responses to mental illness up to date. My friend and colleague RON MACHTELY recently introduced a bill, H.R. 4306, that takes a significant step toward correcting the Medicare copayment differential, and I urge my colleagues to cosponsor this legislation. However, as health care reform marches on, I believe it is also imperative that we bring along mental health care.

As I mentioned earlier, there are millions of Americans in need of mental health care services. This need is going unmet. Only 20 percent of those in need of mental health services actually get treatment.

The lack of treatment is placing great strain on our society. There are more Americans with serious mental illnesses in prisons and street shelters than in hospitals. One-third of people who are homeless have a mental illness, and 40 percent have a substance abuse disorder. Mental disorders are devastating to those who suffer from them. They can be as functionally disabling as a serious heart condition, and more disabling than other chronic physical illnesses such as lung problems, angina, hypertension, and diabetes. In addition to paying in pain and suffering and in damaged lives, we are paying in dollars.

American businesses lose over \$100 billion per year through lost productivity of employees due to substance abuse and mental illness. While the annual direct costs of treatment for mental illness and addictive disorders are estimated at \$68 billion, the indirect costs due to lost productivity, lost employment, vehicular accidents, criminal activity, and social welfare programs are estimated to be approximately \$250 billion per year.

In addition to these costs, the lack of adequate mental health care is a significant factor contributing to the health care inflation problems of our country. Research on 20,000 enrollees at the Columbia medical plan in Maryland showed that untreated mentally ill persons increased their medical utilization by 61 percent during a 1 year period. In contrast, those who received psychological treatment increased their medical expenditures by only 11 percent during the same period. A mentally healthy comparison group averaged a 9-percent increase. This and other studies show that we can't afford to ignore mental health care.

In light of this, my resolution, House Concurrent Resolution 296, expresses the sense of Congress that any health care reform legislation passed must include equitable mental health care benefits. Health care reform proposals do not discriminate against patients with illnesses such as cancer, diabetes, or heart disease. They should not discriminate against the millions of Americans who have mental disorders.

Now that the political will and national focus on health care reform make real progress possible, we must not let the opportunity pass to bring mental health care coverage up to date. We must not let those with mental disorders

fall by the wayside as we move forward with health care reform.

Following is the text of House Concurrent Resolution 296.

H. CON. RES. 296

Whereas mental illness and substance abuse disorders are prevalent throughout our society;

Whereas approximately 19 percent of the adult population in the United States suffers from a diagnosable mental illness or a substance abuse disorder within any 6-month period;

Whereas mental illness and substance abuse disorders can strike at any point during a person's lifetime;

Whereas 12 percent of Americans under the age of 18, or approximately 7,500,000 children and adolescents, suffer from some type of mental illness or emotional disorder;

Whereas 1/3 of children in need of mental health care do not receive services, resulting in significant costs to society as these children become adults;

Whereas approximately 1/3 of homeless people suffer from a mental illness and approximately 40 percent of homeless people suffer from a substance abuse disorder;

Whereas there are more Americans with a serious mental illness in prisons and street shelters than in hospitals;

Whereas the incidence of mental illness and mental health problems is very costly both to the individual with a mental disorder and to society as a whole;

Whereas mental illness and substance abuse disorders are devastating to the lives of those afflicted, as there exists a direct and close relationship between mental health and overall well-being;

Whereas American businesses lose over \$100,000,000,000 per year due to lost productivity of employees because of substance abuse and mental illness;

Whereas annual direct costs of treatment for mental illness and substance abuse disorders are estimated at \$68,000,000,000 and annual indirect costs due to lost productivity, lost employment, vehicular accidents, criminal activity, and social welfare programs are estimated to be approximately \$250,000,000,000;

Whereas significant progress has been made within the last 10 years in research into the causes and treatments of mental illnesses, and many such illnesses are now treatable;

Whereas cognitive therapy or other types of psychotherapy produced a positive outcome in 77 percent to 98 percent of cases of depression;

Whereas pharmacologic intervention for schizophrenia and bipolar disorders can dramatically reduce the rehospitalization rate for those afflicted with these disorders, improving the ability of such individuals to live productively in the community;

Whereas the success rate for the treatment of panic disorders is between 70 percent and 90 percent;

Whereas significant numbers of persons with mental illness in the United States find it difficult, if not impossible, to secure needed health care;

Whereas only approximately 20 percent of those in need of mental health services actually receive them;

Whereas mental health care is treated differently from care for other health conditions in both public and private financing systems;

Whereas 99 percent of insured individuals and their families have private health cov-

erage for some inpatient mental health treatment, but only 37 percent have coverage that is equivalent to their coverage for other illnesses;

Whereas many private insurance programs continue to discriminate against individuals who suffer from mental illness or substance abuse disorders;

Whereas public insurance programs continue to discriminate against individuals who suffer from mental illness or substance abuse disorders, as evidenced by the fact that the Medicare program has a 50 percent copayment requirement for mental health care services but only a 20 percent copayment requirement for all other services; and

Whereas businesses, consumers, and Federal and State governments are already paying for mental health care for the uninsured and underinsured in an inefficient and inequitable manner, resulting in much unnecessary pain and suffering for those afflicted with mental disorders as well for their families: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That it is the sense of the Congress that any legislation passed by the Congress to address the ongoing and unmet health care needs of the American people must include benefits covering medically and psychologically necessary treatments for mental disorders which are equitable and comparable to benefits offered for any other illness.

#### CHIEF JUSTICE REHNQUIST DISCUSSES LONG-RANGE PLANNING FOR U.S. COURTS

HON. NEAL SMITH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. SMITH of Iowa. Mr. Speaker, as chairman of the Subcommittee on Appropriations which handles the annual funding for the U.S. courts, I have been concerned about the willingness of Congress to load additional duties and costs onto the courts while resisting the increased funding needed to pay for those services. With a cap on Federal spending, any new costs for the courts in excess of the increase in finding dollars must come from some other agency or program; and that is difficult, especially since competing needs for funding are often good and popular local programs.

It is important that Members of Congress become more aware and more concerned about the impact of legislation which either drains the resources of the courts or requires increased appropriations or numbers of personnel to adequately implement.

Recently Chief Justice Rehnquist made a speech which very eloquently discusses long-range planning for the courts. To make it available to more people who need to be aware of the various considerations involved, I am inserting in the CONGRESSIONAL RECORD that part of the speech discussing these matters. It is as follows:

#### REMARKS OF CHIEF JUSTICE REHNQUIST

Since I last spoke to you in 1989, the judiciary has decided that the issues generated by present and prospective future changes in our legal system were important enough to be given more focused attention. Toward

that end, the Report of the Federal Courts Study Committee, issued in April of 1990, recommended that the judiciary engage in extensive long-range planning. That Report, citing what it termed, "the volatility of change throughout our society," recommended that the Federal courts should broaden their capacity to anticipate societal change and plan for the future. The Report also proposed the creation of an entity to oversee and coordinate this planning function. In response, the Executive Committee of the Judicial Conference of the United States created a Committee on Long-Range Planning, chaired by Judge Otto R. Skopil, Jr. of the Court of Appeals for the Ninth Circuit. Judge Skopil and his committee have begun to anticipate future demands on the federal courts and what must be done to meet them. In so doing, they will help provide us with a blueprint for the future.

The key question posed to the Long-Range Planning Committee deserves careful consideration by a much wider audience. What should be the future role of the federal courts? That is not an idle question, for the federal courts now stand at a crossroads. Many have spoken and written in recent years about the present impact of the case load crisis on the federal courts. That impact is serious now, but it threatens to become even more so.

The question transcends the personal concerns of sitting federal judges. It involves, instead, the kind of federal court system we will bequeath to our children and grandchildren. Unless actions are taken to reverse current trends, or slow them considerably, the federal courts of the future will be dramatically changed. Few will welcome those changes. Judges will have less time to spend on individual cases; bureaucratization and increased management strictures will leave judges less freedom to exercise personal judgment. These circumstances will lead judges to have less of a sense of personal responsibility and accountability for the work they produce. Unless checked, the result will be a degradation in the high quality of justice the Nation has long expected of the federal courts.

Some may say that we merely need to create more federal judgeships, which in turn would require more courthouses and supporting staff. Although providing additional judicial resources is necessary in the short run, the long-term implications of expanding the federal judiciary should give everyone pause. As one of my colleagues on the court of appeals has noted, a federal judiciary consisting of more than 1,000 members could be of lesser quality, and would require an attendant bureaucracy of ancillary personnel. It could also end up being divided into an almost unmanageable number of circuits or plagued by appellate courts of unmanageable size, with an increasingly incoherent body of federal law and a Supreme Court incapable of maintaining uniformity in federal law.

Because I believe such a federal court system would be unacceptable, my Annual Report on the Judiciary called for a reexamination of the role of the federal courts. I suggested that the reexamination should (1) recognize the benefits of renewed cooperation with state court systems; (2) consider curtailing some federal jurisdiction; and (3) avoid adding new federal causes of action unless critical to meeting important national interests which cannot otherwise be satisfied through non-judicial forums, alternative dispute resolution techniques, or the state courts.

I make this call for reexamination with full knowledge that the scope of federal ju-

risdiction has been an important political issue since the founding of the Nation. Article III sets few limits upon federal jurisdiction. Within its broad warrant it gives Congress the power to determine the scope of federal jurisdiction and decide when important national interests require the use of this resource. Two important historical limitations, however, circumscribe the scope of federal judicial power. Federal courts were always intended to complement state court systems, not supplant them. The Framers also intended that the federal courts be a distinctive judicial forum, performing the tasks that state court systems, because of political or structural reasons, could not perform. Throughout the two-hundred year history of the federal courts, they have maintained their special qualities, handling complex cases, protecting individual liberties, and adjudicating important national concerns. These are the jobs they do best—not those better suited to other forums.

These considerations highlight the desirability of going slow when it comes to adding new federal causes of action or new federal bases of jurisdiction to the existing structure of the federal courts.

In 1991, the Judicial Conference of the United States opposed portions of several legislative initiatives because they would unnecessarily expand the jurisdiction of the federal courts and intrude into areas of the law that have traditionally been reserved to state courts. S. 1241, the Violent Crime Control Act, included provisions that would have provided for federal prosecution of virtually any case in which a firearm was used to commit a murder or crime of violence. This federalization of most violent crimes would have been inconsistent with long-accepted concepts of federalism. It would have swamped federal prosecutors, thus interfering with other federal criminal prosecutions, and would have ensured that the already overburdened federal courts could not have provided a timely forum for civil cases. These provisions of S. 1241 were successfully eliminated from the Conference version of the 1991 Crime Bill, but could resurface if similar legislation is reconsidered in 1992. I have urged Congress to consider the serious implications to the federal courts if these provisions become law, and I urge the ABA to do the same.

Similar concerns exist with pending S. 15, the Violence Against Women Act. Although supporting the underlying objective of S. 15—to deter violence against women—the Judicial Conference opposes some portions of the bill. The judiciary is concerned that the bill's new private right of action is so sweeping that it could involve the federal courts in a whole host of domestic relations disputes. The Judicial Conference joined the Conference of Chief Justices in opposing Title III of S. 15, and I have urged Congress to consider carefully the wisdom of shifting these types of disputes to the federal courts. I urge your attention to this issue also.

We are not talking in either of these cases about what the substantive rule of law should be. Those who commit murder with firearms and those who perpetrate violence against women should be severely and properly punished—no one doubts that. But the question is whether the federal courts, with their limited resources, should be further burdened with the enforcement of these particular substantive rules.

Some years ago, Chief Justice Earl Warren said that "it is essential that we achieve a proper jurisdictional balance between the federal and state courts systems, assigning

to each system those cases most appropriate in light of the basic principles of federalism." Before these two added tasks are imposed on the federal courts—indeed, before any other added tasks are imposed upon them—the question should be asked as to whether the state courts presently deal, and deal with reasonable effectiveness, with these same matters. If the answer is in the affirmative, it is probably better to follow the maxim "if it ain't broke, don't fix it." To shift large numbers of cases presently being decided in the state courts to the federal courts for reasons which are largely symbolic would be a disservice to the federal courts, and, more importantly, to the whole concept of federalism.

I would strongly suggest that right now is surely the least propitious time to saddle the federal courts with significant added responsibilities. Federal judges should not be immune from change, any more than are those who do different kinds of work in the public or the private sector. But the role of federal judges has been anything but static during the last decade of our history. Congress has, during this time, enacted major statutory changes in the criminal law in its effort to use every federal resource to bring drug offenders to book. Approximately every two years, Congress has augmented the number of federal drug crimes, increased the severity of drug-related sentences, and added a whole host of ancillary provisions requiring the attention of the federal judiciary. These new statutes have more than tripled the number of drug cases prosecuted in the federal courts, from 3732 cases in 1981 to 12,400 in 1991. In many jurisdictions, the increase in drug prosecutions has substantially changed the caseload mix before the federal courts, making it next to impossible for many judges to give timely and adequate attention to their civil docket.

Federal district judges have also, since 1987, been wrestling with the Sentencing Guidelines mandated by Congress in 1984. This enactment has represented a total turnaround from the previous method of sentencing criminal defendants in federal courts. Before, the setting of the sentence within authority limits was almost entirely in the hands of the trial judge, and it was virtually impossible to appeal against such a sentence. Now, elaborate guidelines are in place which detail exactly how the sentence in each case shall be computed. The guidelines' sentencing tables contain a "grid" with vertical "offense levels" and horizontal "criminal history categories". Once the judge uses the tables to determine an appropriate offense level and criminal history category, the two are cross-referenced on the "grid" to determine the sentence. The judge may only depart from the specified sentence if aggravating or mitigating circumstances are present. These new guidelines mean that a sentencing hearing before a district judge, which might have taken five or ten minutes a decade ago, could take an hour or more today. And the new statute grants both the government and the defendant the right to appeal from the sentence so fixed to the Court of Appeals—a right of which both are taking full advantage. Criminal appeals rose 33 percent in the first year of the Sentencing Guidelines. Overall, criminal appeals have more than doubled in the past ten years. In 1991, 21 percent of the almost 10,000 appeals were of sentence only, and another 44 percent were appeals of both sentence and conviction.

In addition to increased drug prosecutions and the Sentencing Guidelines, the district courts are required by the Civil Justice Re-

form Act of 1990 to develop civil justice delay and expense reduction plans. These efforts are well underway, and the early implementation district courts have submitted their plans. As an aside, let me say that critical to the completion of those plans has been the active participation of interested parties in the district advisory groups. For example, former ABA President Chesterfield Smith led the advisory group for the Southern District of Florida. The group included lawyers, academics, CEOs of banks, accounting firms, airlines and newspaper publishers, along with other civic leaders. This diverse group of talented individuals devoted thousands of hours to their task of assessing the court's docket, identifying the principal causes of cost and delay, and proposing remedial measures for adoption by the court. Several public hearings were held and, after nine months of work, a substantial plan was presented to the district court. It was unanimously adopted and sent to the Judicial Conference for approval. I understand that a similar process is being repeated in many districts.

These delay reduction plans will ultimately benefit the courts as well as the Bar and litigants, but they, too, take time from the district judge which he might previously have used for something else. They also add additional management constraints, lessening the traditional freedom of the district judge to manage his or her civil docket.

Whether or not a majority of federal judges would have welcomed these changes, they have had the changes thrust upon them and are dealing with them as best they can. The federal judiciary, far from being immune to or hesitant to change, has lived in a world of change for two centuries. Right not it is living through a whirlwind of very substantial changes which have occurred in only the last decade. Additional changes particularly increased in the number of different jobs which federal courts are required to do—should be initiated, if at all, in a responsible manner, with due regard to the work which federal courts are presently doing. These courts have always been regarded as courts of limited jurisdiction, very important to our country for performing the rather specialized tasks which Congress from time to time has given them. They cannot possibly become federal counterparts of courts of general jurisdiction, which are required to take virtually all kinds of cases, without seriously undermining their usefulness in performing their traditional role and jeopardizing those qualities which have made them special.

TRIBUTE TO LORA B. GRIFFIN  
TARVER ON HER 100TH BIRTHDAY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues the 100th birthday of one of my valuable constituents, Mrs. Lora B. Griffin Tarver. Mrs. Tarver was born on March 18, 1892, in Lato, AL. Her proud parents were the late George Griffin and Savilla Turpin Griffin.

As an adult, Mrs. Tarver met and married the late John Tarver. Six children were born to this union. Two of the children—Johnnie and Gillian—died during infancy, leaving one son and three daughters—Jeanette Tarver, William

J. Tarver, Dorothy L. Tarver Rowlette, and Lillian Tarver Romero. Mrs. Tarver has five grandchildren, nine great grandchildren and one great great granddaughter.

Mr. and Mrs. John Tarver settled in Newark approximately 75 years ago. They lived on Sherman Avenue for about 45 years. Sometime after the death of her husband, Mrs. Tarver moved to her daughter's home where she presently resides.

Mrs. Tarver has dedicated her entire life to rearing her family. This labor of love was a 24-hour, 7-day-a-week commitment. The only time this schedule was not in effect was during the Depression when she took a job in a toy factory to help provide for her family. Mrs. Tarver has been a pal, a friend, a teacher, a confidante, and an advisor; not only to her immediate family but to other relatives and their many friends. Everyone refers to Mrs. Tarver as "Mama."

Mr. Speaker, Mrs. Tarver is loved by all and her home has always been a nucleus for her family and their many friends. You will notice that I called Mrs. Tarver one of my valuable constituents. During her life Mrs. Tarver has instilled many values in her children and their children. As a matter of fact, she has influenced five generations. Glenn Van Ekeren once again, "When you know what your values are, making decisions becomes easier." The Tarver family is an attestation to that quote. They are all good citizens and family members.

Mr. Speaker, I am sure my colleagues would want to join me as I say: "Happy birthday, Mrs. Lora B. Griffin Tarver."

LEGISLATION TO TIGHTEN REGULATION OF HAZARDOUS WASTE FACILITIES

HON. JOHN M. SPRATT, JR.

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. SPRATT. Mr. Speaker, 1 week ago today, I introduced two bills, H.R. 4465 and H.R. 4466, measures amending RCRA to tighten regulation of hazardous waste facilities. Both bills are designed to increase public safety, strengthen enforcement of RCRA, and improve public confidence in the operation of these facilities. I am reprinting in the RECORD a copy of testimony I submitted on March 16, 1992, to the House Energy and Commerce's Subcommittee on Transportation and Hazardous Materials. This testimony describes these two bills in greater detail. I urge my colleagues to support these two important measures.

STATEMENT BY CONGRESSMAN JOHN M. SPRATT

Mr. Chairman, members of the Subcommittee, I urge your support for H.R. 4465 and H.R. 4466, two bills I introduced last week to toughen federal laws regulating hazardous waste facilities. I am sorry that I am in my Congressional district today and therefore unable to deliver this testimony personally. Nonetheless, I appreciate your accepting my testimony for the record. These two bills are designed to increase public safety, strengthen enforcement of environmental laws and improve public con-

confidence in the operation of these facilities. In drafting both bills, I have worked closely with the South Carolina Department of Health and Environmental Control which is supporting the measures. I have also worked closely with the Environmental Defense Fund (EDF) and other environmental groups which are backing them as well.

I have a particular interest in ensuring that hazardous waste facilities are safe because my Congressional district hosts both an incinerator in Rock Hill, South Carolina and a hazardous waste landfill in Sumter County, South Carolina—the second largest hazardous waste landfill in the southeast. Both have experienced problems and both would benefit by tougher federal laws regulating waste facilities.

H.R. 4466, the Hazardous Waste Facilities Public Accountability Act, attempts to resolve three gaps in existing federal law: facility owners are not required to show that they have the financial resources they might need in case an accident occurs; the federal government provides states with grossly inadequate funding to pay the cost of policing hazardous waste facilities and enforcing federal environmental laws; and, operators who are violating state or federal environmental laws are still eligible for and frequently receive permits for new or expanded facilities.

Let me describe each one of these problems in greater detail and then explain how H.R. 4466 would address them. First, current law imposes no requirement that operators show they have the money to pay corrective action costs before a leak occurs. They only have to show they have money to clean up a mess after the facility leaks. This puts the cart before the horse. By the time of the leak, it's too late. Two years ago, KPMG Peat Marwick performed a study which found that a significant leak at the Sumter facility could cost over \$1 billion to clean up. Given the enormous costs of a waste cleanup, the government must require landfill owners to demonstrate they have the resources before, not after the accident happens. Otherwise, when a landfill leaks or an incinerator explodes, the operator can declare bankruptcy and the taxpayer is left holding the bag. The thousands of Superfund sites across the country are a clear example of what happens when the government does not impose financial responsibility standards on companies.

In some cases, corporations which own waste facilities cleverly shelter their corporate liability by creating layers of corporate shells to protect them from financial loss. I would like to introduce into the record a 1987 organizational chart of Laidlaw/GSX, the company which owns the landfill in Sumter County, South Carolina. This chart was prepared as part of a study done for the state by KPMG Peat Marwick in 1989. It shows five separate corporate layers between the company operating the landfill and the deep pocket parent. The study showed that the operating entity failed three out of the four financial tests applied, making it doubtful as to whether the subsidiary by itself could respond to a major catastrophe. As of August 1987, the GSX subsidiary was carrying \$114 million in total liabilities, \$96 million of which represented short-term debt callable at any time by its parent.

Related to this lack of financial responsibility, federal law imposes only the most limited standards for the "post-closure period" of a landfill, the time after a facility shuts down. Operators must demonstrate for only thirty years after the facility closes that they have the funds to pay for a leakage

monitoring system. This requirement ends after 30 years even though the waste remains toxic for hundreds of years.

The first part of H.R. 4466 would require financial responsibility standards from the time a facility begins operation until the time its waste no longer is a threat to human health or the environment. With this provision, Congress would be telling waste operators, "If you want to run a facility, you have to show us you can pay for the consequences of an accident. If you can't meet that standard, you shouldn't be running a facility." The bill would also extend the 30-year monitor and maintenance period until the time the waste is no longer toxic.

A second problem with current law is that the federal government provides states with inadequate funds to enforce federal hazardous waste laws. We all know that most states are in difficult financial straits with large budget deficits and revenue shortfalls. Because of tight state budgets, few states now have the personnel, equipment or resources they need to fully and effectively enforce hazardous waste laws. This means that operators can get away with committing permit violations and public safety suffers.

Part two of my bill would require states to impose a fee on waste facilities. State environmental agencies would keep the proceeds to pay the cost of running the RCRA program. The fee would equal the cost states incur in developing, implementing and enforcing the permit program of RCRA. This provision is patterned after the fee provision in the new Clean Air Act which has already become law. This provision has two advantages. First and foremost, it would provide significant and consistent revenue to state environmental agencies so that they can better protect the public health and the environment. Second, the bill brings some fairness to states where general tax revenues wholly or substantially subsidize the regulatory program. It is much fairer for the facilities treating the waste or the companies generating the waste to foot the bill.

A third problem is that owners of hazardous waste facilities who are currently violating state or federal environmental laws are still legally eligible to receive and do receive new operating permits. The third part of my bill, called a "good guy" provision, would prevent any company which is violating state or federal environmental laws from obtaining a permit for a hazardous waste facility. Before a company received a permit for a new or expanded facility and before an existing facility could renew its permit, it would have to show it is in compliance with federal and state environmental laws. This provision will provide a strong incentive for operators to obey laws designed to protect public safety and minimize environmental risks. This section is not designed to penalize owners guilty of only minor or technical errors such as bookkeeping mistakes. It is designed to send message to industry that you can't get away with violating important safety laws and yet still continue to open new facilities.

The second bill I have introduced, H.R. 4465, would require EPA to issue standards governing where hazardous waste facilities can be sited. These standards would prevent companies from locating waste facilities in sites where they pose a particular threat to the environment or to people. This legislation would require EPA to promulgate standards within 18 months after the enactment of the new RCRA bill. In the event that EPA fails to promulgate new regulations within the prescribed time, H.R. 4465 will prohibit

the construction of a new facility: within one-half mile of a residence, school, hospital or church; over or in a complex hydrogeology; and over or in a recharge zone of an aquifer. In my district, the Sumter landfill is located over an aquifer and a few hundred feet from a lake while the Thermalkem incinerator in Rock Hill, South Carolina is near a residential neighborhood and a church. If these regulations had been in effect before these facilities opened, they would probably not have been sited in these risky locations.

I believe that these two bills represent modest, but important changes in law. Hazardous waste facilities will continue to pose a danger to our health and the environment. No law we pass can totally eliminate those risks. But I believe we have a responsibility to minimize those risks and provide the public with the best protection we can. These two bills are steps in that direction and I urge your support for them. I welcome the opportunity to sit down with each of you to discuss these bills in greater detail. Thank you for your consideration.

### "EXXON VALDEZ" CLAIMS BOTTLENECK

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. YOUNG of Alaska. Mr. Speaker, next week marks the third anniversary of the grounding of the *Exxon Valdez* on Bligh Reef in Prince William Sound, AK, and the subsequent spill of some 11 million gallons of crude oil into Alaska's productive marine environment. Unfortunately, Alaskans that suffered serious harm are still encountering difficulties in getting their full claims before a jury so that justice can be done.

The *Exxon Valdez* spill was a tragedy for those of us who struggled back in the early 1970's to craft legislation which would both permit the expeditious development of our oil resources on Alaska's North Slope, while at the same time establishing what we at the time believed and hoped were stringent protections minimizing the possibility that an environmental disaster like the *Exxon Valdez* spill would happen. A cornerstone of Congress's effort was to enact tough liability provisions assuring that, if such a disaster were to occur, compensation for victims would be both sure and swift. That is, in sum, what Congress intended in 1973, when it enacted the Trans-Alaska Pipeline Authorization Act [TAPAA], 43 U.S.C. section 1601.

The liability provisions of the original TAPAA, 43 U.S.C. section 1653(c), established a three-part structure. First, the owner/operator of the vessel involved in a TAPS oil-spill was strictly liable for the first \$14 million of damages. Second, the TAPS liability fund was strictly liable for damages above \$14 million and up to the amount of \$100 million. Third, TAPAA expressly authorized the States to establish rights and remedies beyond those imposed by TAPAA itself. 43 U.S.C. section 1653(c)(9).

The TAPS liability fund was created to provide a solvent and expeditious source of money for victims of a TAPS spill. It was

never intended to be finally responsible for spill damages, or to relieve parties such as the owner/operator from any responsibility under State or other Federal law.

As good as Congress' intentions were in setting up the TAPS liability fund, through the years it has proved to create problems we had not foreseen. For example, the functioning of the fund was stymied after the 1987 *Glacier Bay* oilspill in Cook Inlet, AK, when the owner of the *Glacier Bay* went bankrupt and its insurer thereafter refused to pay damage claims for several years. Because the owner/operator's insurer had not paid the initial \$14 million, the TAPS fund was prohibited by the existing regulations from making any payments itself. Congress closed that loophole in 1990 when, as part of the legislation included in the Oil Pollution Act of 1990 [OPA], we eliminated the \$14 million threshold, or deductible, to be paid by the owner/operator before the fund's liability kicked in.

As Congress hoped and intended, the *Glacier Bay* amendment helped break a logjam in the litigation arising from that oil spill. Partial settlements were paid by the fund, and remaining claims against the owner/operator thereafter, proceeded promptly to a trial in the Federal court in Alaska.

Now, it has come to my attention that another problem relating to the fund has arisen. A question has been raised in the *Exxon Valdez* litigation whether TAPS fund claims determination would be the final word on the damages that *Exxon Valdez* victims suffered.

Mr. Speaker, to give fund determinations any kind of final or preclusive effect as to damages which may be awarded against parties other than the fund who may be responsible for damages caused by the *Exxon Valdez* oil spill, under any State or Federal law other than TAPAA, would be contrary to what Congress intended when enacting TAPAA or OPA. The fund was intended to have only a limited role—that is, to provide a quick and sure source of money for TAPS oilspill victims who voluntarily submitted claims. Congress intended for the fund to be an insurance fund not have the status of a Federal Government agency. It was also not intended to replace normal legal processes, including the right to a jury trial in State or Federal court, under applicable law other than TAPAA.

A CONGRESSIONAL SALUTE TO  
BRYAN "WHITEY" LITTLEFIELD

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to a man who defies description, Mr. Bryan "Whitey" Littlefield. On Tuesday, March 24, 1992 Whitey will be honored with the Jewish Institute for National Security Affairs [JINSA] Leadership Award. For the past 10 years, Mr. Littlefield has served as a vice president of JINSA, advancing their cause and leading its organization into national prominence and impact. I will be most anxious to hear how speakers and guests on that special occasion find new words to describe a man

who already is one of the most honored men in the community. Whitey is a close family friend and I take great pride in the opportunity to place this enduring message in the CONGRESSIONAL RECORD.

Born in Salt Lake City, UT on Christmas Day in 1932, Whitey moved to California at the tender age of 5. He attended area schools and in 1954 took a job as a beer truck driver working with all of the major beer distributors in the Los Angeles area. His hard work and determination paid off as by 1961, Whitey was the owner of his own liquor store. Returning to the wholesale liquor business, Whitey became the general manager of Somerset Distributors in 1967.

Mr. Littlefield's drive and determination is not limited to his business ventures. The support and guidance he gives to numerous worthy causes has earned him the well respected reputation he so rightfully deserves. Whitey has always given freely of his time, talents, and energies to our community in organizations and activities too numerous to mention and his special touch will be felt throughout Long Beach for many years to come.

Mr. Speaker, I feel most fortunate to claim this man as my good friend. I treasure our friendship and hope that his efforts on behalf of Long Beach will be rewarded time and time again. My wife, Lee, joins me in extending our thanks to Mr. Bryan "Whitey" Littlefield. He is truly a remarkable man who has devoted his life to making this little part of the world a better place. We wish him, his wife, Meg, his son, Bryan, Jr., and his three daughters, Linda, Lorraine, and Shari all the best in the years to come.

SALUTE TO EDWARD J. VASQUEZ

HON. ROBERT J. LAGOMARSINO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. LAGOMARSINO. Mr. Speaker, today I rise to pay tribute to a native of Ventura County who has spent a lifetime working for the safety and best interests of the people of my congressional district. Edward J. Vasquez will be retiring from his position of senior investigator with the Ventura County District Attorney's Office after more than 27 years with their Bureau of Investigation.

Ed has spent his entire life as a resident of Ventura County working to make it a better place to live. His career in law enforcement began during his time in the Air Force where he attained the rank of sergeant in the Military Police. Upon completion of his military career in 1958, he worked for the Ventura County Probation Department at Juvenile Hall, and from there moved on to be a deputy sheriff with the Ventura County Sheriff's Department.

Ed moved to the D.A.'s office in 1964, where he became known as one of the hardest working investigators in Woody Deem's office. His trial preparation assignments included cases ranging from fraud to homicide. In addition to his tremendous workload, Ed completed his bachelor's and master's degrees on the side, as well as the rigorous 3-month course at the FBI National Academy in Quantico, VA. The

last 7 years of his career have been largely dedicated to his supervision of the Special Investigations and Intelligence Unit, and he is now regarded as an expert in the investigation of political corruption and conflict of interest cases. His professional demeanor and personal style have always been appreciated and will be missed by all.

I ask my colleagues to join me in saluting senior investigator Ed Vasquez on the completion of a tremendous 33-year career in public service as a criminologist and law enforcement officer. I wish him and his wife of 38 years, Lupe, a wonderful retirement and all the best.

KEEP SCHOOLS OPEN TO ALL

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. JACOBS. Mr. Speaker, the following article by Jerry Ellsworth appeared in the March 16, 1992, issue of Newsweek. How unreasonable of Mr. Ellsworth to mess up some people's dreamy thinking with some cleverly and subtly suggested facts.

KEEP SCHOOLS OPEN TO ALL

(By Jerry Ellsworth)

Picture this: an American public-school classroom in which the children are eager and ready to learn. The students are well disciplined, neat, clean and sitting in rows. Our day opens with prayer and the Pledge of Allegiance. Everyone has homework completed and there are no arguments about the assignments given. Parent helpers are present and ready to work with students. This scene can be the result of school choice.

Many Americans on the national, state and local levels are calling for parental choice or open enrollment as a way to improve the educational system. The argument is that when our schools are forced to compete for students, the quality of education will improve. Parents will be able to choose from among schools, both private and public, and funding will accompany the child through some sort of voucher system. The school that best sells its program will reap the profits of the highest enrollment. The parental-choice approach calls for applying American competitive business practices to our schools. In the business world the profitable businesses will succeed while those who cannot attract customers will go out of business or change.

Choice is a good idea, and just as doctors, lawyers and other professionals can choose their clients, so also I, as a public-school teacher, want some choice for my school. If parents can choose which school will educate their children with public funds, teachers should be able to choose which students will attend their schools.

I will choose the child whose parents are professionals. Children whose parents are unemployed or in service jobs might not be as eager to learn. Those parents might be shift workers, and that causes scheduling confusion for children.

I will choose the children who are well dressed. The kid whose clothes are dirty or whose clothes were purchased at yard sales or thrift shops won't fit in well here.

I will choose the healthy, well-nourished children for my school. Those marginal kids,

such as the child with fetal alcohol syndrome or the child who was a crack baby, can't perform well and will bring down our test scores.

I will choose the child from the family in which only one parent has to work outside the home. I want that mom who is at home to be able to be a room mother, to be able to volunteer in class, to be able to accompany us on field trips, or to be able to come to PTA meetings.

I will choose the child who is white. Those black, brown, yellow and red kids are often underprivileged and can't learn as well. If we have them in our school, our test scores will go down, and we can't tolerate a decline in SAT scores.

I will choose the children without handicaps. Kids who have physical or mental disabilities need special schools or institutions. It's too expensive to educate them.

I will choose those children who come from homes with strict discipline. Those permissive parents can take their kids somewhere else. In our school we want to know that parents support our decisions.

I will choose children from families who will take a turn serving on our book-selection committee. We want control over what our children read. Those other schools can have those liberal kids with their wild ideas and their free-thinking parents. No New Age ideas will be allowed in our school. We will have prayer every day!

I will choose those children from families who limit TV watching. Kids whose entertainment and babysitter is a television have a severely limited attention span. Let other schools educate those TV kids.

I will choose those children who have not moved for at least two years. I don't want a high turnover rate of students. That's upsetting and it negatively affects our test scores. Children from unstable families won't be able to keep up with our curriculum.

I will choose those children who have a home computer. We can make such great progress in computer literacy when children can do computer homework. Those kids who are computer ignorant won't fit well into our progressive school or our progressive society.

I will choose to teach those children who show no sign of physical or sexual abuse. Those abused kids need help and counseling and they can get it somewhere else. Our school needs its money for the basics, and we can't spend our money on counselors. Those kids can't concentrate on their studies and, besides, they are often troublemakers. We don't want them here.

I will choose those children who go home to caring parents. Latchkey kids who go home to empty houses are an embarrassment. Another school can take them and provide after-school activities to keep them busy each day.

I will choose those children who live pretty close to school or whose parents can drive them. If we take many of those bussed students, our transportation budget will get too high, and we might not be able to afford our computer center.

I will choose those children who are very fluent in English. In our school we won't tolerate any of this bilingual nonsense. The American way is best, and that means English. Those other schools can teach those foreigners. We're going to keep our schools American.

I will choose those children who went to a good preschool. Those Head Start kids can be so difficult. They can go to the other schools. Besides, those kids will be happier with their own kind.

Yes, school choice will solve our problems. It will surely make schools accountable to the taxpayers. I'm certain our school will have those high test scores which measure success in the educational world.

Oh, incidentally, the name our school has chosen is Southwest Aryan School No. 1.

(Ellsworth, a public elementary teacher for 18 years and a freelance writer, lives in Prescott, Ariz.)

#### SUPPORT OF POLITICAL RIGHTS AROUND THE WORLD

### HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. DOWNEY. Mr. Speaker, I rise today in strong support of political rights around the world. America was founded on the principle of ensuring political freedom for all people, and it has been the goal of our foreign policy to help others around the world enjoy those same freedoms. I would like to submit into the RECORD a statement from the Committee to Free Kim Keun-Tae and all Political Prisoners, who are working to ensure that political freedom is guaranteed for the people of Korea.

FROM THE COMMITTEE TO FREE KIM KEUN-TAE  
AND ALL POLITICAL PRISONERS:

This year, the people of the Republic of Korea have the opportunity to shape their destiny. Through upcoming national elections they can send a clear message to their leaders about the type of society they wish to become—but only if these elections are truly free. The Committee to Free Kim Keun-Tae and All Political Prisoners hopes that the democratic process in Korea will be able to develop fully, ushering in a new era of respect for human rights and commitment to the rule of law.

Kim's work for higher wages and better working conditions, his leadership among young people in pursuit of a democratic future, and his unflinching commitment to justice have earned him the respect of those around the world who believe in human rights. During a quarter century of activity, Kim has been jailed nine times and has been severely tortured. Yet he perseveres for the sake of his country and his people. He is a patriot in the true sense of that word.

"Opposition to injustice," said Robert Kennedy, "will be denounced as radicalism or branded as subversion." That is exactly what has happened to Kim Keun-Tae. On May 14, 1990 he was once again arrested, and is now serving a two-year term for statements made about the South Korean government, Korean reunification, and Korean relations with other nations.

In order that the people of Korea may unite in building a future society which is free, democratic and founded upon respect for the rights of its citizens, The Committee to Free Kim Keun-Tae and All Political Prisoners hereby urges that the Roh Government release Kim Keun-Tae and all others who have been imprisoned for the nonviolent expression of their political beliefs.

(Organizational affiliations are given for identification only.)

Philip Alston, Centre for Advanced Legal Studies in International and Public Law, Australia.

David Atwood, International Fellowship of Reconciliation, The Netherlands.

Edward J. Baker, Harvard Yenching Institute.

Robert Bernstein, Human Rights Watch, United States.

Rep. John Conyers, Jr., United States Congress.

Kerry Kennedy Cuomo, Robert F. Kennedy Memorial Center for Human Rights, United States.

Drew Days, III, Yale University Law School.

Patt Derian, former U.S. Assistant Secretary of State for Human Rights, United States.

Rep. Thomas J. Downey, United States Congress.

Rep. Mervyn M. Dymally, United States Congress.

Rep. Edward F. Feighan, United States Congress

Rep. Thomas Foglietta, United States Congress.

James H. Forest, Peace Media Service, The Netherlands.

Rep. Barney Frank, United States Congress.

Zehava Gal'on, The Israeli Information Center for Human Rights in the Occupied Territories.

Rep. Bill Green, United States Congress.

Hurst Hannum, The Fletcher School of Law and Diplomacy.

Olga Havel, The Olga Havel Foundation, Czechoslovakia.

Helen Kekkonen, Peace Education Institute, Finland.

Senator Edward M. Kennedy, United States Congress.

Rep. Joseph P. Kennedy, II, United States Congress.

Mrs. Robert F. Kennedy, The Robert F. Kennedy Memorial, United States.

Jan Piotr Lasota, France.

Fang Lizhi, Committee to End the Chinese Gulag, United States.

Juan E. Mendez, Americas Watch, United States.

Hernan Montealegre Klenner, Attorney, Chile.

Peter Mroczek, Radio Free Europe, Germany.

Kassie Neou, Cambodia Documentation Commission, United States.

Gregory Peck, Actor, United States.

Navanetham Pillay, Attorney, South Africa.

Edward W. Poitras, Southern Methodist University, United States.

Patrick Rice, Movimiento Ecumenico por los Derechos Humanos, Argentina.

Mona Rishmawi, Center for the Independence of Judges and Lawyers, Switzerland.

Jeffrey A. Sachs, President, EcoLink, United States.

Michael Scammell, Human Rights Advocate, United States.

Anton Shammass, Writer, United States.

Rep. Louise M. Slaughter, United States Congress.

Rose Styron, Poet, United States.

Rep. Edolphus Towns, United States Congress.

Archbishop Desmond Tutu, South Africa.

Theo C. van Boven, University of Aruba, Former Director, U.N. Division of Human Rights, The Netherlands.

Doan Van Toal, Institute for Democracy in Vietnam, United States.

Erich Weingartner, Human Rights Advocate, Canada.

Jose Zalaquett, Human Rights Advocate, Chile.

KILDEE HONORS HOME  
ECONOMISTS**HON. DALE E. KILDEE**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 19, 1992*

Mr. KILDEE. Mr. Speaker, I rise today to urge my colleagues in the House of Representatives to join me in observing March 20 as World Home Economics Day. It is on this day that we have special opportunity to recognize the significant contributions home economists make in our work and family lives. The primary purpose of the profession of home economists is to promote an integrated approach to work and family issues that will prevent crisis and promote the well-being of the individual, family, and community.

World Home Economics Day was first established in 1980 by the International Federation of Home Economists [IFHE], a professional entity composed of member organizations from over 100 countries. Its goal is to bring together institutions and individuals who are working in home economics in different cultures to share research, ideas, and information and to engage in cooperative projects which will assist families.

At the international level, home economists are involved in helping families cope with the many changes that we have seen in the past year. Our world picture has changed radically and mapmakers are having difficulty keeping pace. In addition, our awareness of shared concerns about the environment, such as the ozone and oil spills, has made the world a little smaller. Home economists are helping families in both industrial and developing countries to deal with such issues as water quality, family planning, food supply, economics, recycling, and much more.

In the United States, home economists work in a wide range of professions. Examples of the kind of work in which home economists are involved include: nutritionists who are dedicated to make our foods more healthy and our food labels more readable; teachers who are helping our youth to avoid teenage pregnancy and learn skills basic to successful employment; cooperative extension agents working with rural families in economic and environmental crisis; and university professors who are involved in researching ways in which to address the needs of our aging population.

I am especially pleased to acknowledge the contributions Michigan home economists have made in enhancing the lives of those in need of resources. Michigan's Whirlpool Foundation has provided a national grant to the American Home Economics Association to address the needs of school-age childcare. Also, Michigan was one of the pilot sites for training home economists to become advocates for community programs to help parents and children with self-care skills. In addition, Project Taking Charge, a curriculum and training program for teachers of middle school students to encourage abstinence from sexual relations, was implemented in Michigan to enhance home economics programs.

The Michigan Home Economics Association has a continuing relationship with home economists from Poland. In 1988, several Pol-

ish home economists visited Michigan to learn about educational programs in communities, schools, and universities. During the summer of 1992, several Michigan home economists will visit Poland to study the social, cultural, economic, and political forces that have had an impact on Poland over the past decades and especially in the past year.

Mr. Speaker, it is indeed an honor and a pleasure to rise before the House of Representatives to pay tribute to home economists. I urge my colleagues to join me in commending these individuals on World Home Economics Day. Their selflessness and ingenuity have touched the lives of countless individuals and continue to serve as a beacon of bright hope for our entire community.

DR. VICTOR H. FRANKEL, ON THE  
LEADING EDGE OF  
ORTHOPAEDIC MEDICINE

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, March 19, 1992*

Mr. GILMAN. Mr. Speaker, I am pleased to rise today to bring to your attention the accomplishments of a remarkable man: Dr. Victor H. Frankel, Ph.D.

Dr. Frankel was recently honored by his colleagues at the Hospital for Joint Diseases [HJD] in New York City for a decade of outstanding achievement as chairman of orthopaedic surgery and over 30 years of leadership and excellence in American orthopaedic medicine.

Dr. Frankel graduated from Swarthmore College in 1946 and the University of Pennsylvania School of Medicine in 1951, and served his orthopaedic residency at the Hospital for Joint Diseases from 1955 to 1958. After completing his residency, he spent 2 years on a Frauenthal fellowship at the University of Uppsala in Sweden, studying biomechanics under the famous scientist and surgeon, Dr. Carl Hirsch. Biomechanics, the science which studies the mechanical properties of bone and connective tissue and the forces imposed on the musculoskeletal system, was then a little-known complement to orthopaedic surgery.

Dr. Frankel brought this knowledge back to the United States, establishing the first biomechanics laboratory in our Nation at the Hospital for Joint Diseases in 1960. Through his continued research, encouragement to colleagues, and tenacious application of this science to orthopaedic surgery, biomechanics was disseminated throughout American universities and hospitals and became an essential component of the permanent architecture of orthopaedic surgery as it is known today. Through Dr. Frankel's efforts, biomechanics in orthopaedic surgery also became a vital part of orthopaedic residency in the USA, and is now an integral segment of the national board accreditation examination for orthopaedic surgery residents.

As with all true innovators, Dr. Frankel's work began a chain reaction extending to a host of outstanding scientists in universities and in the medical device industry. New gen-

erations of artificial joint implants for the knee, hip, shoulder, and elbow were designed, leading to the high quality implants which are used today. These implants have given independence back to thousands of elderly Americans who have suffered fractured hips and to countless others, young and old alike, in need of arthritic joint replacements.

In 1986, Dr. Frankel led the way once again, traveling to pre-glasnost Siberia to observe firsthand a revolutionary orthopaedic medical technique, an innovative method of limb lengthening and reconstruction which enables orthopaedic surgeons to gradually lengthen by as much as 12 to 14 inches the arms and legs of patients with growth deficiencies. This method, known as the Ilizarov method of bone lengthening, is named for its originator, Dr. Gavril Ilizarov of Kurgan in Russia. Upon his return, Dr. Frankel became the first to perform this surgery in the United States, and is now a leader in this field. The North American Organization of Orthopaedic Surgeons practicing Ilizarov techniques [the A.S.A.M.I.] is now 220 members strong and growing, as Dr. Frankel's commitment to orthopaedic patient care is manifested in a renewed quality of life for hundreds of patients.

When Dr. Frankel assumed the chairmanship at the Hospital for Joint Diseases in 1981, he dedicated his energies to teaching, passing the mantle of his formidable knowledge and experience to younger surgeons. After 10 years of refining orthopaedic residency training at the Hospital for Joint Diseases, he has nobly attained his goal. HJD now has one of the pre-eminent programs in the world, receiving over 300 applications each year for just six available positions.

Dr. Frankel has brought orthopaedic medicine out of the laboratory and into industry, establishing injury prevention and treatment programs for Ford, Boeing, Volvo, IBM, TWA, AT&T and many other companies. He has lectured throughout the world, speaking in Shanghai, Tokyo, Sydney, Sao Paulo, Mexico, Siberia, and every major city in the U.S.A. He has served on the editorial boards of 13 national medical journals, and has been a distinguished member of the American Academy of Orthopaedic Surgeons since 1965. Dr. Frankel has been a special consultant to the National Institute of Health, to the Congressional Office of Technology Assessment, to the National Research Council, and has served on the Food and Drug Administration panel on orthopaedic devices.

To crown his medical career, Dr. Frankel was appointed chief executive officer of HJD in 1987, inheriting a hospital battered by the new DRG system and millions of dollars in debt. Along with Reuven Savitz, the man with whom he shares the office of HJD president, he returned the hospital to fiscal health in 3 years, an impressive feat in these times of severe financial stress.

On December 11, 1991, over 200 colleagues, friends, and family gathered at New York's St. Regis Hotel for a gala dinner to honor Victor H. Frankel's lifetime dedication to orthopaedic medicine and his 10-year chairmanship at the Hospital for Joint Diseases, which stands today as one of the Nation's premier specialty hospitals. At this event an endowed chair, the Victor H. Frankel Chair in

orthopaedic research, was inaugurated to pay perpetual tribute to Dr. Frankel's commitment to excellence in research and patient care.

Dr. Victor H. Frankel is a man who has dedicated his life to healing people in need and teaching other physicians to do the same. Through his considerable skills and limitless dedication he has helped push the leading edge of American medicine to previously uncharted horizons. Dr. Victor Frankel is an admirable man and a credit to the American medical profession.

COMMEMORATING SHABBAT  
ZACHOR

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. ATKINS. Mr. Speaker, I rise today in observance of Shabbat Zachor, the Sabbath of Remembrance. Shabbat Zachor coincides with the holiday of Purim, when Jews all over the world celebrate the bravery of Esther and her Uncle Mordecai. These two Jews lived in an assimilated Persia, and risked their lives to speak out against the injustices committed against their people. The spirit of Purim is no less relevant today, as injustices against Jews in Syria which demand our vocal opposition, continue.

This week also marks the 18th anniversary of the brutal rape and murder of four young Syrian Jews whose only crime was attempting to flee the repression of Syria. In March 1977, their remains were stuffed into trash bags and dropped on the doorsteps of their Damascus homes as a warning to Syrian Jews to never again attempt such an escape. Grievous human rights abuses continue against Syrian Jews today, and it is crucial during our rush to achieve President Bush's vision of a new world order that we continue to highlight such persecution in an effort to bring it to an end.

As Syria struggles to become accepted into the community of nations, and as images of President Hafez al-Assad's "good graces" flicker across our TV screens with the recent release of our hostages in Damascus, it is easy to forget about the plight of the Syrian Jews. But during these times of global change, we must continue to speak out against injustices like those imposed upon the approximately 4,000 Jews in Syria.

As a signatory to the Universal Declaration on Human Rights, Syria is obligated to allow its citizens to emigrate freely. Yet Jews in Syria are denied this right. Today, if a Syrian Jew wants to travel abroad, he must leave a deposit with the Syrian secret police, the Mukhabarat, to ensure his return. Such ransom usually amounts to about \$10,000.

Additionally, entire Jewish families are not permitted to leave the country at the same time. A father must leave his children; a young woman must leave her husband or parents. Syrian officials have defended this policy in the past by stating that the free emigration of Jews would provide "fodder for the Zionist military."

Human rights abuses against Jews in Syria do not end with restricted emigration. They are

subject to constant surveillance by the Mukhabarat, most of which is aimed at ensuring that they do not flee. Jews must carry identification cards, which, unlike Christians or Muslims, denote their religion. They cannot vote, and, should they desire, they cannot belong to the ruling Ba'ath Party.

Mr. Speaker, these injustices against the struggling Syrian Jewish community must not be allowed to continue. Jews should not be held as human pawns, as hostages in the context of the broader Arab-Israeli conflict, with the hope that they will be released once Syria and Israel reach some sort of political agreement.

If Syria is to join the community of civilized nations, and if its President, Hafez al-Assad, believes he should be accorded the rights and respect of an enlightened world leader, the Syrian Jewish community must be granted their human rights and must be allowed to emigrate freely.

On this Shabbat Zachor, Mr. Speaker, let us remember the teachings of the Bible and the lesson of strength of words. We must speak out to save Syrian Jewry as did Esther and Mordecai to save Persian Jewry. We must put Syria and Mr. Assad on high alert: Your membership in the new world order is contingent upon your treatment of Jews in Syria, your own citizens. Unless Syria recognizes this minority's fundamental rights, fully accepts Jews into Syrian society, and grants them the right to emigrate, we should return Syria and President Assad to the status of pariah in the international community.

IN REMEMBRANCE OF SYRIAN  
JEWS

HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. MACHTLEY. Mr. Speaker, I rise today to recognize Saturday, March 14 as Shabbat Zachor, the Sabbath to remember the plight of Syrian Jews.

As a signatory to the Universal Declaration of Human Rights, Syria has committed itself to respect the right of all its citizens to emigrate freely. However, Syria has continually denied its Jewish population this fundamental right.

The 4,000-member Jewish community in Syria has been exposed to unnecessary discrimination by their own government due to their religion. Unlike any other minority, Syrian Jews must carry passports and identity cards which denote their religion. In an effort to prevent emigration, whole families are forbidden to travel together. Those who travel without permission, risk criminal charges. In fact, Syrian Jews are restricted from leaving Syria unless they pay a fee to the Mukhabarat, the secret police. Since 1949, Syria remains the only Arab nation which has denied Jewish citizens the right to leave.

In 1987, two brothers, Eli and Selim Swed, were arrested for traveling to Israel. For 2 years, they were held incommunicado and later denied family visas. Last year, the Syrian Government sentenced Eli and Swed to 6½ years in prison for illegally traveling to Israel.

This gross violation of human rights, which is based solely on religious affiliation, should not be tolerated any longer.

On many occasions, I have called on the Syrian Government to allow free emigration of Syrian Jews and to release prisoners such as Eli and Selim Swed, who have encountered discrimination. As a member of the Ad Hoc Coalition on Syrian Jewry, I implore Members of Congress to recognize the hardships Jews face in Syria. It is only fair that Syrian Jews are given the right to emigrate from Syria without restriction.

Shabbat Zachor serves as an excellent reminder to us all of the many obstacles faced by Syrian Jews. On this day, we must pause and pray for Syrian Jews, and others like Eli and Selim Swed, who have encountered discrimination and hardship in the nation of Syria. I commend the Syrian Jews for their courage and will remember them in my thoughts and prayers.

TRIBUTE TO CORP. LEWIS EUGENE  
DOUGLAS

HON. JOHN T. MYERS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. MYERS of Indiana. Mr. Speaker, as we commemorate the 50th anniversary of U.S. participation in World War II, we are reminded of the brave men and women who made great sacrifices in defense of liberty and justice during the conflict.

Many of these individuals were ordinary people who demonstrated extraordinary courage but because of the confusion and dislocation which occurs in battle, their acts of valor went unrecognized.

One of those persons is a constituent of mine, Corp. Lewis Eugene Douglas, USMC Reserve, a native of Crawfordsville, IN, who served in the Pacific during World War II. He earned two Purple Heart Medals for wounds received in action on Peleliu and later on Okinawa.

During the Battle of Okinawa, Corporal Douglas distinguished himself with conspicuous gallantry when he rescued three fellow marines who were pinned down by enemy machinegun fire. His courage, initiative, and indomitable fighting spirit merited the Silver Star Medal which he will finally receive this Saturday, March 21, at the American Legion Hall in Crawfordsville, IN.

The ceremony will feature a musical prelude by the 74th Army Band from Fort Benjamin Harrison, a proclamation by Crawfordsville mayor, Dr. Philip Michal, declaring "Gene Douglas Day" in Crawfordsville, and the Marine Corps Color Guard. Col. Alton C. Bennett, USMCR, Ret., Douglas' former company commander, will read the citation for conspicuous gallantry and intrepidity signed by the Secretary of the Navy for the President and 1st Lt. Thomas M. Matthews, USMCR, Ret., Douglas' former platoon leader, will pin the Silver Star Medal on Douglas. I am proud to be participating in the ceremony honoring Corporal Douglas and am planning to bring a congratulatory message from my colleague, Representative ANDY JACOBS, as well.

**INTRODUCTION OF LEGISLATION TO TRANSFER LAND FOR USE AS A PUBLIC PARK**

**HON. JIM KOLBE**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. KOLBE. Mr. Speaker, today I have introduced legislation to transfer 11 acres of land to the city of Tucson for use as a public park. These lands were originally conveyed for public health purposes to be used for a refuse transfer station. The land in question was part of Davis-Monthan Air Force Base until its designation as excess land. A total of 64 acres was designated and acquired by the city. Fifty-three acres were conveyed to the city for park purposes, with the remaining 11 acres to be used as a refuse transfer station, including access property.

Recently, the mayor and city council of Tucson decided to abandon the plan to build a refuse transfer station on the property. The city would now like to use the property for park purposes and requested that a bill be introduced to accomplish this purpose.

The 11 acres would hookup the existing Freedom Park and the master-planned sports complex being developed on the adjacent 53 acres. This community sports center will offer Tucson residents the opportunity to participate in organized sporting activities, as well as other recreational opportunities. It is hoped that the park will become a focal point for city activities. This transfer would also enhance the visual quality of the area.

Recently, the property reverted back to the Federal Government and is undergoing real property disposal procedures through the General Services Administration. The city is seeking the property administratively through the General Services Administration concurrently with the introduction of this bill.

With the introduction of this bill, I am hopeful that Tucsonans will be transferred land that will allow them to enjoy greater recreational opportunities and improve the overall quality of life in southern Arizona.

**IN RECOGNITION OF THE THIRD ANNIVERSARY OF IMAGEN LATINOAMERICANA**

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to have the opportunity to acknowledge and commemorate the third anniversary of Imagen Latinoamericana, a periodical which covers Hispanic and Latin-American issues. The paper will celebrate its third anniversary on Sunday, March 22, at the Garibaldi's Restaurant in Miami.

Three years ago, a group of Hispanic journalists and enthusiasts started what is now called Imagen Latinoamericana. The purpose of this newspaper is to serve the Hispanic community in Miami by providing information on current events and issues of interest to the community.

Through its enthusiastic reporting and sharp writing skills, Imagen Latinoamericana has earned the respect and admiration of the Hispanic community in Miami as well as other cities in south Florida. In addition to the news it provides us, Imagen Latinoamericana has brought our community interesting views and opinions from its editors on important and serious issues concerning the homelands of many people who reside in south Florida.

Imagen Latinoamericana has expressed its commitment to serve its readership for the enhancement and the betterment of our community. They believe that by informing the community and by encouraging them to participate in our country's politics then each member of the community can truly become part of the diverse American culture.

Mr. Speaker, it is with much enthusiasm that I congratulate the members of Imagen Latinoamericana for their 3 years of continued dedication and commitment to the Hispanic community in south Florida: Mr. Fernando Cerratto, director-Editor; Mr. Ramiro Calvo, assist director; Ms. Inelda Cerratto, manager; Ms. Cristina Fandiño, editorial chief; Ms. Gladys Florez, art director.

**A TRIBUTE TO JOY SIMONSON**

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. FRANK of Massachusetts. Mr. Speaker, our colleague the gentleman from California [Mr. LANTOS] who so ably chairs the Subcommittee on Employment and Housing in the Committee of Government Operations used this forum to congratulate Joy Simonson on her induction into the Women's Hall of Fame of the District of Columbia. Characteristically, our colleague from California generously noted that I had first hired Ms. Simonson to work on that subcommittee. During the 4 years in which I chaired it, and since then under the chairmanship of the gentleman from California who has used that subcommittee in an extraordinarily creative fashion to press for the solution of some serious societal problems, Ms. Simonson has been an outstanding public servant. For those who view things superficially, no one could be more of a contrast to the stereotype of the tough government investigator. And in fact, for those who pay any attention at all to the record, no one does a better, more thorough, more responsible job of uncovering problems and helping to resolve them. Ms. Simonson came to Federal Government service under the Presidency of Gerald Ford. She served in a distinguished and non-partisan way for 7 years, until she became one of many victims of right-wing pressure during the Reagan years, when she was removed as Executive Director of the National Advisory Council on Women's Educational Programs because she did not fit current extremist thinking. Since then, Ms. Simonson has been, as our colleague from California noted, a great asset to us in Congress and indeed to all those in the country who care about the quality of Government work. I am very pleased to be able to join my colleague

from California and many others in celebrating the work of Joy Simonson.

**TRIBUTE TO THE HOUSTON-HENRY COUNTY RSVP**

**HON. WILLIAM L. DICKINSON**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. DICKINSON. Mr. Speaker, today I would like to pay tribute to the members of the Retired Senior Volunteer Program of Houston-Henry Counties, AL, and their director, Brenda Rice. RSVP provides meaningful volunteer opportunities for people who are retired or semiretired. In turn, these volunteers happily donate their time and perform valuable services for the community.

The RSVP has been very active in Houston County for many years. In 1991, 512 Houston County volunteers gave over 124,000 hours of service at 81 sites, marking another year of successful service. Also in 1991, the senior volunteer program expanded to neighboring Henry County with funding support from a National Significance Grant. RSVP volunteers have established programs to help address two community problems in Henry County: teenage parents and respite care and transportation of frail elderly and handicapped. Only in full operation since August, these programs have already recruited 60 volunteers and generated 3,000 hours of volunteer service.

The Houston-Henry County communities are fortunate to have the services of so many dedicated senior volunteers. I ask Members of Congress to join me in recognizing the Houston-Henry County Retired Senior Volunteers director Brenda Rice, and her staff for their accomplishments in helping to make Houston and Henry Counties better places in which to live.

**IN HONOR OF RALPH LIBERATO**

**HON. DENNIS M. HERTEL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. HERTEL. Mr. Speaker, I treasure this opportunity to call attention to the many deeds and sacrifices made by a loyal and dedicated citizen of the city of Warren, MI, which falls within the boundaries of my congressional district.

Ralph Liberato, the son of Italian immigrants and one of nine children spent his entire life in the service of working men and women, members of his community, the Democratic Party where his efforts to promote good citizenship were constant. Ralph is fiercely proud of both his heritage and his country.

Ralph joined the Marine Corps at age 15, serving with the Marine Raiders in the South Pacific until 1946. In the early 1950's, he built a home in Warren with the help of his brothers. And with his lovely wife, Lynn, he raised four children. His education includes a bachelor's and master's degree in industrial relations from Wayne State University.

Ralph's interest in helping fellow workers is indicative of his service and dedication to his community. His labor life began immediately following his discharge from the service when he went to work at the Chevrolet engineering plant in Hamtramck and joined Local 235. Next, he was the founding president of UAW Local 160 at the GM Center in Warren, also serving on the civil service commission. In 1958, he was elected president of the Macomb County AFL-CIO, serving until 1961. He also served as secretary/treasurer of Metro-Detroit AFL-CIO from 1968 to 1988. Currently, he serves on the executive board and is vice-chair of the Metro Detroit AFL-CIO COPE—political action committee for Macomb County. In May 1990, he was appointed to the county commission and won a full term as county commissioner in the November 1990 election. He retired as governmental affairs director of AFSCME Council 25 in December 1991.

Through the years, Ralph has served as an ambitious leader in the Democratic Party in Michigan. He was elected as a delegate to the Michigan Constitutional Convention in 1961, and chairperson of the Macomb County Democratic Committee in 1964, where he served until December 1990.

Ralph may have retired from his position as governmental affairs director of the AFSCME Council, but you may be sure of his continuing activities in his community. I have been privileged to work with Ralph and have benefited from his dedication and friendship. I know I join with his many friends and colleagues in extending our best wishes for a long and rewarding future.

#### PLIGHT OF SYRIA'S 3,600 JEWS

### HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. REED. Mr. Speaker, today, I join other members of the Congressional Caucus on Syrian Jewry to remember the terrible tragedy which occurred 18 years ago.

Each year, in mid-March, we recognize the Shabbat Zachor—Sabbath of Remembrance—for the murder and torture of four young Jewish women in Syria, who attempted to leave Syria.

There are 3,600 hundred Jews living under President Hafiz al-Assad's oppressive regime. They are subjected to surveillance and harassment by the Mukhabarat, Syria's secret police. They are denied voting rights. They are unable to purchase or sell property without prior approval by the Government. Their passports are the only Syrian passports which specifically state a religious affiliation. And they are allowed to travel abroad only if they post a security deposit and leave members of their family in Syria.

These are obvious violations of human rights. However, there is an even more flagrant human rights abuse occurring in Syria—A nation which has signed the International Covenant on Civil and Political Rights—the denial of emigration rights for Syrian Jews. Torture and imprisonment are the most likely

outcomes of any attempt to leave Syria. The Shabbat Zachor and the 1987 jailing of the Soued brothers for merely traveling to Israel are proof of this fact.

In 1989, President Assad made a commitment to give consideration to emigration requests that involved family reunification for single Jewish women unable to find a husband among Syria's Jewish population. Although there was some movement early on, today there is none. I urge President Assad to stop the torture, to stop the indiscriminate surveillance, and to permit the free emigration of Syria's Jews.

#### FREE THE JEWS WHO ARE TRAPPED IN SYRIA

### HON. SIDNEY R. YATES

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. YATES. Mr. Speaker, I know that all of us share a sense of gratitude and genuine relief that the U.S.S.R. and other repressive satellite governments of Eastern Europe have faded away with a minimum of violence and bloodshed, and we welcome the tremendous improvements in human rights that have taken place in that part of the world. Nothing is more representative of these changes than the lifting of harsh policies and immigration restrictions that have threatened the lives of Jewish citizens in those countries for so many years. As one who has worked for decades to protect and assist those Jews, I have a sense of very personal satisfaction about what has happened in Eastern Europe.

I wish I could tell the House that it is no longer necessary to be concerned about the safety of Jews, but this is not the case. Today in Syria a Jewish community of some 4,500 people is being increasingly threatened by one of the world's most despotic and cruel governments and it is important to emphasize our support for these people. It is a sad fact that Syria continues to deny its small Jewish minority the right to emigrate and the secret police subject them to close and persistent surveillance. This is a situation that has the potential to develop into another international hostage crisis and we must bring pressure on Syria to end these practices and meet basic international human rights standards. I urge the Bush administration to make this a priority human issue and I ask your help in working to free the Jews who are trapped in Syria.

#### TRIBUTE TO ESTELLA E. ROMERO

### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. TORRES. Mr. Speaker, I rise today to ask the House of Representatives to recognize my much admired and accomplished friend, Estella E. Romero, president of Estella Romero Enterprises. On March 26, 1992, Estella will be honored by the Los Angeles Area Council Boy Scouts of America.

A native of El Paso, TX, Estella received a bachelor's degree in Bilingual Community Relations from the University of La Verne in La Verne, CA. Estella and her husband, Victor, have three daughters, Irma, Anna Maria and Christina.

Prior to establishing her firm, Estella served as vice-president of community relations and specialized in marketing for Crocker National Bank, now Wells Fargo Bank. While with Wells Fargo, Estella was on executive loan to the Latin Business Association [LBA] for 1 year and served as the organization's first executive director. LBA, comprised of Hispanic business owners, is the largest and one of the most influential organization of its kind in California.

Estella has dedicated much of her life to public service. She serves on numerous civic, community and professional boards of directors and committees, including the United Way, Latin Business Foundation, Los Angeles Business Council of the Archdiocese of Los Angeles and various Hispanic business and professional associations.

Estella has dedicated her efforts toward the betterment of Los Angeles by serving on the Los Angeles County Economic Development Committee and working with the Los Angeles County Planning Commission. At the County Planning Commission, she has helped develop projections and plans to ensure the economic growth and development of the area. Recently appointed by the State Bar of California, Estella serves on its Legal Services Trust Fund Commission. She has received numerous awards for outstanding community service, including the LBA's Woman of the Year Award. Twice, Estella has been included in Hispanic Business magazine's list of the 100 most influential Hispanics in the Nation. Few would argue that Estella's selfless commitment to public service is a valuable legacy and one which we should emulate.

Mr. Speaker, on March 26, 1992, the Los Angeles Area Council Boy Scouts of America, family, friends, and civic leaders will gather to honor Estella E. Romero for her dedication to the betterment of the Boy Scouts of America and the community of Los Angeles. I ask my colleagues to join me in saluting my dear friend and a true community asset, Estella E. Romero, for her outstanding record of public service to the people of Los Angeles, and to wish her well in her future endeavors.

#### TRIBUTE TO SGT. GARY MERRIFIELD

### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. BERMAN. Mr. Speaker, it gives me great pride to rise to pay tribute to Sgt. Gary Merrifield, who is being honored for 25 years of service as an officer of the Los Angeles Police Department.

Gary has set an admirable example for those who are committed to making a difference in the lives of others. He has served the San Fernando Valley community with intelligence, skill, and dedication and is highly re-

garded by his peers as an involved, devoted, and effective police officer.

Gary graduated at the top of his class in the police academy and early in his career was recognized for his leadership and dedication to duty. Soon after his probation period, he was chosen to be a member of the division's special operations squad. He was selected as senior lead officer and later chosen as officer of the month.

His hard work for his community has led to special commendations from his superior officers for outstanding leadership and performance, recognition for participation in the juvenile justice connection project, and certificates of special recognition.

It is very important to Gary that the Los Angeles Police Department help the community it serves. When Gary joined the Football Police Division in 1982, under his direction, the first Christmas Basket Program for needy families in the area was established. One hundred and twenty baskets were given out. As a result of his concern for our community, 9 years later, Foothill's annual Christmas Basket Program now reaches 1,002 needy families. This is certainly one of Gary's most significant legacies.

Gary is also responsible for developing one of the most active Police Explorer Posts in the city. This post has consistently won the Edward M. Davis Award for leadership, community service, and most hours served.

Gary and his wife Carol are the proud parents of three children.

It is my honor to ask my colleagues to join me in saluting Sgt. Gary R. Merrifield, a man whose dedication and achievements are a credit to our community.

INSIGHTS OF SIXTH GRADERS

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. DURBIN. Mr. Speaker, I rise today to share with my colleagues the insights of several sixth grade students from Shelby County, IL.

In celebration of the Shelby County Soil and Water Conservation District's 50th anniversary, local students wrote essays on the im-

portance of preserving our natural resources. As adults we can learn much by listening to our children, and these children eloquently urge us to protect our Nation's vital natural resources.

Michael Williams, from Mr. Baker's sixth grade class at Findlay Grade School wrote:

Conservation means the protection and wise use of our natural resources. We can not control the supply of air we breathe or the sunshine that warms the earth. But we can influence the supplies of our other natural resources, soil and water.

Conservation means guarding these resources so they may be used wisely by the greatest number of people. Our natural resources are not only limited but many of them can also be easily damaged or destroyed. Whenever possible we must replace the resources we use.

Perry Jordan, from Mrs. Gillett's class at Moweaqua School, wrote:

Our water is polluted. Sixty two percent of pesticides are not tested for harmful effects to humans. These pesticides are washed, by rain, into our ground water which eventually is the water we use daily for drinking, cooking, and bathing. These and other things that we dump into our water is what pollutes this vital resource. To prevent further pollution we need restrictions on pesticides and chemicals being used, and more testing on pesticides. We also need to stop dumping garbage and throwing litter into our streams and rivers.

Benjamin Maurer, also of Mrs. Gillett's sixth grade class, wrote:

Air is another resource that needs help. The average adult inhales 6,000 gallons of air daily. If in a city, he takes in ten billion foreign particles with it, which are linked to ailments such as colds, asthma, pneumonia, tuberculosis, emphysema, bronchitis, and lung cancer. Please, keep the air clean by enforcing laws that make factories clean up their polluted air before releasing it. Clean air devices should be put in all vehicles, too.

The preservation of our Nation's natural resources will be one of the most important legacies we leave for future generations. I thank these sixth grade students and the Shelby County Soil and Water Conservation District for their thoughtful comments on this important issue.

IT COULDN'T BE DONE

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 19, 1992

Mr. PAYNE of New Jersey. Mr. Speaker, as a child I learned the poem, "It Couldn't Be Done." I would like to enter one stanza into the RECORD, as a tribute to the spirit and conscientiousness of Mrs. Betty A. Williams who is retiring on Friday, March 20, 1992:

Somebody said that it couldn't be done,  
But (s)he with a chuckle replied  
That maybe it couldn't, but (s)he would be  
one  
Who wouldn't say so "till (s)he tried."  
So (s)he buckled right in with the trace of a  
grin  
On (her) his face. If (s)he worried, (s)he hid  
it.  
(S)He started to sing as (s)he tackled the  
thing  
That couldn't be done, and (s)he did it.

Mrs. Williams has served the City of Newark for 31 years. She began her career on September 11, 1961 in the Newark Police Department where she worked diligently in various positions. In the late 1970's she became contract administrator for Newark's facility management operation contract. During her 8 years as contract administrator, she attended Rutgers University where she received a bachelor of science degree in business. She is presently working as acting director of the division of data processing.

Mrs. Williams is a staunch community activist. She is the president of the Upper Custer Avenue Block Association, secretary for the Newark South District Police Precinct Community Relations Council, and my county committee (district leader) partner. She is also active in her church.

Mr. Speaker, it is often said that if you want something done, give it to a busy person. Mrs. Betty A. Williams epitomizes that adage. She is active in her profession, her community, her church, and has a stable home and family life. I am sure my colleagues will join me as I extend best wishes for a happy and productive future and thank Mrs. Betty A. Williams for being an exemplary citizen.