

EXTENSIONS OF REMARKS

THE LINKUP FOR LEARNING ACT

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mrs. LOWEY. Mr. Speaker, I rise today to announce the reintroduction of an important bill designed to advance school reform efforts throughout the Nation and to significantly improve our Nation's ability to educate our youth. This bill is the Linkup for Learning Act.

Many times, when students fail in school, it is because their basic social service needs are not being met. Large numbers of children in America are in desperate need of help with problems such as poverty, inadequate nutrition or health care, drug or alcohol abuse, and child abuse or neglect. Unless their vital needs are met, these students will continue to fail in alarming numbers. However, the current delivery system for social services is fragmented, ineffective, overregulated, and duplicative. We need to improve the delivery of these services so that our at-risk youth will be able to learn effectively and become productive members of society.

Fortunately, the answer is at hand. Around the Nation, communities are successfully experimenting with one-stop shopping for key social services in schools, community centers, or public housing sites. By linking together our Nation's families, schools, and social service agencies, we can provide coordinated and effective social services for America's youth, and significantly enhance their ability to succeed in school.

More than 20 percent of our Nation's children are living in poverty. Almost half of all children and youth live in single parent families for part of their lives. High proportions of disadvantaged and minority children are with teenage mothers who are struggling to fulfill academic programs themselves or have been forced to abandon hope.

Many of our Nation's children suffer from the effects of inadequate nutrition and health care. Some are victims of homelessness or violence. Still others have fallen victim to alcohol or drug abuse. And many are children of recent immigrants who face language and other barriers to educational success.

At the same time that the population of at-risk youth is growing, the Nation's support system for these children is eroding. For instance, 40 percent of eligible children do not receive free or reduced price lunches or benefit from food stamps. As many as 25 percent of our Nation's children are not covered by health insurance, and only 20 percent of those in need are accommodated in public housing.

Moreover, existing services for at-risk youth are fragmented, expensive, overregulated, ineffective, and duplicative. School personnel and other support service providers often lack knowledge of and access to available services

for at-risk students and their families. Providers are constrained by bureaucratic obstacles and have few resources or incentives to coordinate services for these youth.

These facts are indicative of a national crisis in the making. Unless we respond to the needs of at-risk youth now, we will pay the price as a nation later. Our at-risk youth will continue to fail in school at an alarming rate, and our Nation will pay the price in the costs of remedial education and job training, lost productivity, reduced competitiveness, and increased spending on our criminal justice system.

The Linkup for Learning Act, which I am introducing today, seeks to address these serious problems by enhancing the effectiveness of educational support services for at-risk youth. It does so by providing resources to link together our Nation's families with schools and community social service agencies in an effort to provide overall coordination of services for at-risk youth.

By uniting parents, educators, and social service providers in addressing these problems in a comprehensive fashion, we can make significant progress in improving educational programs for these children. We can also better ensure that the billions of dollars we invest in elementary and secondary education are not undermined by shortcomings in the environments in which children are raised.

The Linkup for Learning Act calls for the establishment of a grant program in the Department of Education to encourage a coordinated approach to the provision of educational support services for at-risk youth.

Local school districts collaborating with a public social service agency or a consortium of agencies will be eligible to receive grants under this program, so long as the local school district is also eligible to receive chapter 1 funds for disadvantaged students. Participating school districts will be able to select any eligible school, grade level, or program area for the establishment of coordinated educational support services for at-risk youth.

Local education agencies receiving grants under this act may use the funds for coordinating, expanding, and improving such school-based or community-based services as: child nutrition and nutrition education; health education, screening, and referrals; student and family counseling; substance abuse prevention; remedial programs; child care; tutoring; mentoring; special curricula; family literacy; parent education and involvement activities; and other appropriate services.

In addition, funds may be used to develop a coordinated services program for at-risk youth to increase their access to community-based support services, such as: foster care and child protective services; child abuse services; recreation; juvenile delinquency prevention and court intervention; job training and placement; and other appropriate services.

School districts may also use grant funds to facilitate interagency collaboration, coordinate

case management, and train staff in the participating agencies. Special consideration will be afforded to school districts which have a particularly high proportion of at-risk students, and to achieving geographical distribution of awards.

Finally, the bill creates a Federal interagency task force to facilitate interagency collaboration at the Federal, State and local levels, and it directs the Secretary of Education to conduct a study of funded projects and make recommendations to Congress to improve the coordination of educational support services.

The bill authorizes \$250 million for linkup for learning grants in fiscal year 1994, and such sums as are necessary in fiscal years 1995, 1996, 1997, 1998, and 1999.

I would like to take this occasion to thank the officials and members of the National School Boards Association [NSBA] for the major role that they played in the development of this important legislation. NSBA members, who are on the front lines in responding to the crises facing at-risk youth, recognize the severe impediments to success that are posed by today's system of fragmented services, and they understand that the concept embodied in this legislation will go a long way toward achieving success in educating America's most troubled youths. They were crucial in building extensive bipartisan support for this legislation during the 102d Congress, and I look forward to a close and productive working relationship with the NSBA in the coming year.

During the 102d Congress, I introduced very similar legislation in order to call attention to the desperate need for improved coordination in the provision of services for at-risk youth. More than 140 Members of Congress from both parties cosponsored that bill.

During a series of hearings in the Committee on Education and Labor on the problems facing American education, it became very evident that enhanced coordination of education with Health and Social Services is one of the most effective tools of school reform available today. In the wake of these hearings, the Committee on Education and Labor and the full House of Representatives passed comprehensive school reform legislation that sought to provide funds to local school districts in order to assist them in conducting this essential reform activity.

Unfortunately, the reform legislation did not meet with final approval from Congress prior to the end of the legislative session in 1992. However, throughout the process, there was strong agreement from most education leaders in the House and the Senate that this concept would be on the top of the legislative agenda during the 103d Congress, as we move toward consideration of legislation to support school reform and to reauthorize the extensive programs of the Elementary and Secondary Education Act. In light of the strong congressional interest in this legislation, as well as the

● 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.

promising new leadership in the White House, I plan to press for prompt action on this legislation during the 103d Congress, and I am hopeful that we will meet with success.

Mr. Speaker, the issue of educating at-risk youth is among the most important issues facing education today. The concept embodied in the Linkup for Learning Act, which calls for a coordinated effort on the part of parents, educators, and social services agencies in responding to the needs of at-risk students, will help dramatically improve educational success of at-risk students. This, in turn, will reap benefits for our entire society in increased productivity, enhanced competitiveness, and reduced spending on social services.

I am joined today in introducing this legislation by my colleagues Mrs. MORELLA, Mr. ANDREWS of New Jersey, Mr. MILLER of California, Mr. OWENS of New York, and Mr. PAYNE of New Jersey. I urge all of my colleagues to join in this effort to improve our Nation's educational report card by cosponsoring the Linkup for Learning Act.

DELEGATE VOTING: A RISKY PRECEDENT

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GINGRICH. Mr. Speaker, the following article by Bruce Fein entitled "Setting a Risky Precedent on Votes" reviews the constitutional case against delegate voting. These arguments are well thought out and well written. I hope they will be helpful in explaining this issue to your constituents.

SETTING A RISKY PRECEDENT ON VOTES (By Bruce Fein)

On Jan. 5, the House of Representatives adopted a rule that established a frightening constitutional precedent.

Voting along party lines, the House, empowered delegates from the District, Guam, the Virgin Islands, American Samoa, and the resident commissioner from Puerto Rico to cast votes in the Committee of the Whole, subject to a new vote without their participation if their votes are determinative of the outcome.

The constitutional theories advanced by the Democrats to sustain their partisan power grab are daggers to the rule of law; they could be wielded in times of strife to exclude blacks, women, Hispanic-Americans, Asian-Americans, or members of a particular political party from participation in the critical preliminary legislative steps to House floor votes. To borrow from Supreme Court Justice Robert Jackson in *Korematsu vs. U.S.* (1944), the principle enshrined by the rule will lie "about like a loaded weapon ready for the hand of any authority that can bring forward a plausible claim of an urgent need."

Article I, Section 1 of the Constitution entrusts all federal "legislative" power to the Senate and House of Representatives. Article I, section 2 confines membership in the House to persons chosen biannually "by the People of the several states" from equally populous districts, as the Supreme Court declared in *Westberry vs. Sanders* (1964). In other words, the legislative powers of the House may be exercised only by persons

elected by voters in the various states and representing equal numbers of citizens. Persons representing territories of the United States, the District of Columbia, the president of the United States, foreign governments, the Vatican, or otherwise do not satisfy that constitutional requirement.

Under House Rules, the Committee of the Whole manifestly exercises legislative power. For example, if it declines to report an amendment to the House, that decision cannot be overruled by the House.

Rule proponents, nevertheless, insist on its constitutionality because the four delegates and resident commissioner have exercised similar legislative power under House rules for years: they vote in standing committees, introduce legislation, debate on the House floor, and make committee reports. But these powers have never been blessed in court; they are as constitutionally suspect as their new power to vote in the Committee of the Whole.

The Supreme Court has repeatedly denied that constitutional transgressions by Congress are immunized from challenge by long repetition. Thus, the court held legislative vetoes unconstitutional in *INS vs. Chadha* (1983) despite their routine enactment by Congress for a half-century. Similarly, the court denied Congress the power to levy a federal income tax in *Pollock vs. Farmers' Loan & Trust Co.* (1895) although an income tax had been levied without successful constitutional challenge during the Civil War. In sum, long congressional usage or custom is no proof of a rule's constitutionality.

Defenders of the new House rule also argue that since the introduction of bills and votes in standing committees and the Committee of the Whole are only preliminary to final legislative action on the House floor (and can theoretically be reversed), those powers can be exercised by nonmembers. But that argument exalts form over substance, and founders on experience.

Committee decisions to reject or approve bills or amendments are seldom reversed on the House floor because of customary deference to committee interest or expertise or procedural barriers. Indeed, that explains the heady enthusiasm exhibited by the four delegates and resident commissioner for committee voting rights.

If the law believes their committee votes are advisory only without pivotal influence over House legislation, then "the law is a ass, a idiot," to quote Mr. Humble's advocacy in *Oliver Twist*. The Supreme Court, moreover, would reject such sophistry reminiscent of white, racist and Democratic Party politics in the South for too many years.

In *Terry vs. Adams* (1953), white Democrats in Texas sought to evade the constitutional prohibition against racial discrimination in setting voter qualifications. They formed a private club consisting of all white voters in 1889—the Texas Jaybird Association—with no recognized status under state law. The club's purpose was to reach a consensus on Democratic candidates for primary and general elections. Although technically the club's candidate endorsement was only advisory, in practice it was decisive.

Writing for the court, Justice Hugo Black explained: "The only election that has counted in this Texas county for more than 50 years has been that held by the Jaybirds, from which Negroes were excluded. The Democratic primary and the general election have become no more than the perfunctory ratifiers of the choice that has already been made in Jaybird elections from which Ne-

groes have been excluded. * * * The effect of the whole procedure, Jaybird primary plus Democratic primary plus general election, is to do precisely that which the Fifteenth Amendment forbids—strip Negroes of every vestige of influence in selecting the officials who control the local county matters that intimately touch the daily lives of citizens."

In sum, to characterize standing committee and Committee of the Whole votes as "advisory" is to close one's eyes to what everyone else can see—namely, that they are ordinarily crucial in the House of Representatives to the fate of legislation, and thus must be constitutionally confined to members elected from the several states.

In debating the new Committee of the Whole rule, House Democrats repeatedly confessed their attempt to elevate the status of delegates and the resident commissioner to approach that of members. Thus, Democratic Reps. Bill Richardson of New Mexico, Louise Slaughter and José Serrano of New York, Steny Hoyer of Maryland, E "Kika" de la Garza of Texas and David Bonior of Michigan, and Resident Commissioner Carlos Romero-Barceló of Puerto Rico defended the rule on the ground that all U.S. citizens should be equally represented in the House if they fight in wars and pay federal or local taxes. Mr. de la Garza elaborated: "My interpretation is if you are born enfranchised a U.S. citizen by birth or by acquisition, that gives you full equality with every other American and we should not be talking about numbers." Mr. Hoyer declared: "[T]he substance of this proposal says * * * that nonState territories ought to be represented in this body." Mr. Bonior elided the constitutional issue by appeal to a "higher" law of morality: "Are we to say to [the] survivors [of dead Vietnam Veterans from the territories and the District of Columbia] that those soldiers were good enough to fight and to die for their country but not good enough to be represented here? Are we to say to those survivors and their families, 'We appreciate your sacrifice, but we can note it only on a monument, not in the Committee of the House of Representatives?'"

Mr. Bonior's appeal to a higher law is not novel. It echoes Sen. William Seward's identical appeal to "a higher law than the Constitution" to prohibit slavery in the territories, an argument that bolstered the advocates of secession, notwithstanding the Constitution. A nationwide ban on slavery was achieved by the 13th Amendment, following proper constitutional processes. Similarly, the Constitution provides in Article IV, section 3 for the admission of new states and representation in the House through congressional legislation but not through House rules that escape Senate concurrence and political presidential vetoes. (A constitutional amendment is probably required for D.C. statehood because of its unique constitutional status).

To recapitulate: Delegate and resident commissioner House voting privileges play dangerously fast and loose with constitutional principles and judicial precedents. If expansion of committee voting rights beyond members is permissible because committee votes are advisory and subject to reversal on the House floor, then contraction of committee voting rights to exclude some members would seem equally defensible. Thus, a House rule might deny members committee voting rights based on their race, ethnicity, religion, gender, political party affiliation, ideological viewpoint or pesterousness. The denials could be defended on the theory that committee votes are simply advisory, are

berent of meaningful legislative consequence, and are thus noninjurious to the political clout of members who are disenfranchised in committees but not on the House floor.

Last week, House Republicans filed suit challenging the constitutionality of delegate and resident commissioner voting rights in the Committee of the Whole in the U.S. District Court for the District of Columbia (Michel vs. Anderson). The likelihood of success is great. Judges are more heedful than partisan legislators of Sir Thomas More's wisdom: "The law Roper, the law. I know what's legal, not what's right. And I'll stick to what's legal. * * * I'm not God. The currents and eddies of right and wrong, which you find such plain-sailing, I can't navigate, I'm no voyager. But in the thickets of the law, oh there I'm a forester. * * * What would you do? Cut a great road through the law to get after the Devil? * * * And when the last law was down, and the Devil turned round on you—where would you hide, Roper, the laws all being flat? * * * This country's planted thick with laws from coast to coast—man's laws, not God's—and if you cut them down * * * d'you really think you could stand upright in the winds that would blow then? * * * Yes, I'd give the Devil benefit of law, for my own safety's sake."

LEN GARDNER: A LEADER IN AGRICULTURE

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. EWING. Mr. Speaker, I rise today to recognize the achievements of an outstanding friend of agriculture, Len Gardner. Len recently retired as executive director of governmental affairs for the Illinois Farm Bureau. Len has been a friend of mine for many years, and I, and may others in Illinois, are sorry to see him go.

Len Gardner's life is devoted to agriculture. Having grown up on a grain and livestock farm in McLean County, IL, he attended the University of Illinois College of Agriculture for his bachelors and masters degrees.

As long as I can remember, Len Gardner has been associated with the Illinois Farm Bureau. He served the Illinois Farm Bureau well in a variety of assignments before joining the governmental affairs division, the position he will be most remembered for. Len represented Illinois agriculture skillfully at both the State and Federal levels, making the Illinois Farm Bureau an important participant in any policy debate affecting farmers throughout Illinois.

Len Gardner leaves behind an Illinois Farm Bureau stronger for his work, and a network of friends appreciative of his leadership. I know he will be as successful in his future endeavors as he has been in his past, and wish him the best of luck.

EUROPEAN PARLIAMENT RESOLUTION ON THE TORRICELLI ACT (CUBAN DEMOCRACY ACT OF 1992)

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. BEREUTER. Mr. Speaker, on January 15, 1993, members of the European Parliament meeting with Members of the United States House in the 40th meeting of the European Parliament-United States Congress Interparliamentary Meeting in Strasbourg, France, presented the following resolution which is recommended for consideration by Members of Congress:

RESOLUTION B3-1692, 1716, 1737, 1758 AND 1788/92

(Resolution on the restrictions on international trade imposed by the United States (Cuban Democracy Act)

The European Parliament:

Having regard to the Cuban Democracy Act or Torricelli Act adopted by the U.S. Congress and signed by President Bush,

Having regard to the United Nations General Assembly resolution of 24 November 1992 rejecting the Cuban Democracy Act,

Whereas this law unilaterally imposes restrictions on the national sovereignty of other states and constitutes a deliberate, flagrant violation of international law on free trade and freedom of transit incompatible with the principles of the EEC-USA Transatlantic Declaration,

Whereas in 1991 President Bush rejected a similar proposal, the Mack Amendment, his justification being that the amendment was extra-territorial in character and infringed international law,

Having regard to the opposition to this law expressed by the Commission, the Council Presidency, the governments of Canada and Uruguay and the parliaments of Mexico and Venezuela,

Whereas isolation of a state which has not been decided on by the United Nations can make no contribution to democratization and may, on the contrary, serve as a pretext for a harder-line policy,

Supports the complaint lodged with the U.S. State Department by the Presidency-in-Office of the Council of Ministers of the European Community;

Calls on the President-elect of the United States, once he has taken office, and the United States Congress to remove from the statute books the Cuban Democracy Act, the extra-territorial scope of which vis-a-vis United States jurisdiction represents flagrant violation of international free trade and freedom of transit;

Calls on the Council, the Commission and the governments of the Member States to take joint action to bring about the annulment of this Act;

Calls on the Council, the Commission and the governments of the Member States to step up their humanitarian aid to the Cuban people via NGOs;

Instructs its Delegation for the United States to raise this problem at its next meeting with the Members of Congress;

Instructs its president to forward this resolution to the Council, the Commission, the governments of the Member States, the U.S. President and the Cuban authorities.

TEXAS SENATE CONCURRENT RESOLUTION 10

HON. CHARLES WILSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. WILSON. Mr. Speaker, I respectfully request that Senate Concurrent Resolution 10, as passed by the 72d Legislature, Fourth Called Session, 1992, of the State of Texas, be entered into the RECORD as a memorial and also as a reminder to my colleagues that the Vietnam conflict's MIA/POW legacy is still with us.

SENATE CONCURRENT RESOLUTION 10

Whereas, The Legislature of the State of Texas respectfully concurs with the executive and legislative branches of the United States government in assigning the "highest national priority" to determining the location and status of all American citizens still missing in Southeast Asia; and

Whereas, There are 2,273 American servicemen and civilians whose fates remain uncertain to this day, nearly two decades since the withdrawal of American troops from Vietnam and Southeast Asia; and

Whereas, Of those missing in Southeast Asia, 145 are military personnel from the State of Texas; these men are listed below by name, hometown, branch of service, and date of capture or loss:

NAME, HOMETOWN, BRANCH OF SERVICE, AND DATE OF LOSS

- Lawrence Lee Aldrich, Fort Worth, U.S. Army, May 6, 1968.
- Terry Lanier Alford, Pasadena, U.S. Army, November 4, 1969.
- Samuel Almdendaz, McAllen, U.S. Army, July 12, 1967.
- John William Armstrong, Dallas, U.S. Air Force, November 9, 1967.
- James Henry Ayres, Pampa, U.S. Air Force, January 3, 1971.
- Vladimir Henry Bacik, Houston, U.S. Marine Corps, August 27, 1967.
- Arthur Dale Baker, San Antonio, U.S. Air Force, April 7, 1965.
- Robert Russell Barnett, Gladewater, U.S. Air Force, April 7, 1966.
- Rudy Morales Becerra, Richmond, U.S. Army, March 24, 1970.
- James Christof Becker, Palestine, U.S. Army, August 15, 1970.
- Robert Samuel Bradshaw, 3rd, Lufkin, U.S. Marine Corps, February 12, 1970.
- Jimmy Mac Brasher, Canyon, U.S. Army, September 28, 1966.
- Ernest Frank Briggs, Jr., Devine, U.S. Army, January 5, 1968.
- William Leslie Brooks, Tolar, U.S. Air Force, April 22, 1970.
- James William Brown, Maud, U.S. Marine Corps, April 5, 1966.
- Michael Paul Burns, El Paso, U.S. Army, July 31, 1969.
- Ernest Ray Byars, Houston, U.S. Marine Corps, July 30, 1967.
- James Henry Calfee, New Gulf, U.S. Air Force, March 11, 1968.
- Virgil King Cameron, McAllen, U.S. Navy, July 29, 1966.
- Clyde William Campbell, Longview, U.S. Air Force, March 1, 1969.
- William Edward Campbell, McAllen, U.S. Air Force, January 29, 1969.
- Donald Gene Carr, San Antonio, U.S. Army, July 6, 1971.
- Billy Jack Cartwright, San Antonio, U.S. Navy, December 22, 1965.

- John David Cayce, San Antonio, U.S. Navy, November 12, 1967.
- James Albert Champion, Houston, U.S. Army, April 24, 1971.
- John Clavin Clark II, Brownfield, U.S. Air Force, December 5, 1969.
- Eugene Lunsford Clay, Arlington, U.S. Air Force, November 9, 1967.
- Isom Carter Cochran, Jr., Houston, U.S. Army, May 23, 1968.
- Edwin Ray Conner, Hillsboro, U.S. Navy, May 16, 1970.
- Samuel Blackmar Cornelius, Lubbock, U.S. Air Force, June 16, 1973.
- Joel Corona, Pharr, U.S. Army, November 8, 1970.
- Donald Thorpe Deere, Snyder, U.S. Army, May 17, 1966.
- Manuel Reyes Denton, Kerrville, U.S. Navy, October 8, 1963.
- Ronald James Dexter, Abilene, U.S. Army, June 3, 1967.
- William Young Duggan, Leander, U.S. Air Force, December 31, 1971.
- Irby Dyer III, Midland, U.S. Army, December 2, 1966.
- David John Earl, Dallas, U.S. Air Force, October 21, 1966.
- William Patrick Egan, Fort Worth, U.S. Navy, April 29, 1966.
- Carl J. Eller, Odessa, U.S. Navy, October 2, 1969.
- Julian Escobedo, Jr., San Antonio, U.S. Marine Corps, September 1, 1969.
- Clifford W. Fieszel, Lubbock, U.S. Air Force, September 30, 1968.
- Ronald W. Forrester, Odessa, U.S. Marine Corps, December 27, 1972.
- Marvin L. Foster, Hubbard, U.S. Army, March 16, 1969.
- William O. Fuller, Houston, U.S. Air Force, August 26, 1967.
- Ricardo Martinez Garcia, Driscoll, U.S. Army, March 19, 1971.
- James E. George, Jr., Fort Worth, U.S. Army, February 8, 1968.
- Paul F. Gilbert, Plainview, U.S. Air Force, June 18, 1972.
- Jesus Armando Gonzalez, El Paso, U.S. Army, April 19, 1968.
- Jose Jesus Gonzalez, El Paso, U.S. Marine Corps, June 11, 1967.
- Charles B. Goodwin, Haskell, U.S. Navy, September 8, 1965.
- Frank Clifford Green, Jr., Waskom, U.S. Navy, July 10, 1972.
- Robert Bailey Green, Lampasas, U.S. Air Force, October 25, 1966.
- Christopher A. Grosse, Jr., Harlingen, U.S. Army, March 28, 1968.
- Hilario M. Guajardo, San Antonio, U.S. Marine Corps, May 1, 1967.
- Alan W. Gunn, San Antonio, U.S. Army, February 12, 1968.
- Charles David Hardie, Houston, U.S. Navy, July 27, 1967.
- Bobby Glenn Harris, Mission, U.S. Army, March 17, 1971.
- Gregg Hartness, Dallas, U.S. Air Force, November 26, 1968.
- James Arthur Harwood, Dallas, U.S. Army, January 15, 1971.
- Edgar L. Hawkins, Lamesa, U.S. Air Force, September 20, 1965.
- Barry W. Hilbrich, Corpus Christi, U.S. Army, June 9, 1970.
- Rayford J. Hill, Houston, U.S. Navy, October 2, 1969.
- Richard Dale Hill, Houston, U.S. Air Force, December 6, 1963.
- Cecil J. Hodgson, Greenville, U.S. Army, January 29, 1966.
- Tilden S. Holley, Cameron, U.S. Air Force, January 20, 1968.
- Lynn R. Huddleston, Ralls, U.S. Army, September 26, 1967.
- James Larry Hull, Lubbock, U.S. Air Force, February 19, 1971.
- John F. Hummel, Barstow, U.S. Army, March 6, 1971.
- John Clark Hurst, Lufkin, U.S. Marine Corps, July 13, 1968.
- Juan Macias Jimenez, San Antonio, U.S. Army, May 11, 1968.
- August David Johnson, Houston, U.S. Navy, February 3, 1967.
- Robert Dennison Johnson, Dallas, U.S. Navy, September 1, 1967.
- John Robert Jones, El Paso, U.S. Army, June 5, 1971.
- Louis R. Jones, San Angelo, U.S. Air Force, November 29, 1967.
- Daniel Edward Jureco, Corpus Christi, U.S. Army, May 8, 1968.
- Robert D. Kent, Dallas, U.S. Marine Corps, December 20, 1968.
- Arthur William Kerns, El Paso, U.S. Army, December 23, 1966.
- Roy A. Knight, Jr., Millsap, U.S. Air Force, May 19, 1967.
- Terry T. Koonece, San Antonio, U.S. Air Force, December 25, 1967.
- Glenn O. Lane, Odessa, U.S. Army, May 23, 1968.
- Charles Allen Levis, Fort Worth, U.S. Air Force, April 2, 1972.
- James W. Lewis, Marshall, U.S. Air Force, April 7, 1965.
- Harold B. Lineberger, Austin, U.S. Air Force, January 29, 1971.
- Danny Leonard Little, Abilene, U.S. Army, April 23, 1970.
- Carl Edwin Long, College Station, U.S. Marine Corps, December 20, 1969.
- Howard B. Lull, Jr., Dallas, U.S. Army, April 7, 1972.
- Donald A. Luna, Houston, U.S. Air Force, February 1, 1969.
- Charles Jerome Manske, El Campo, U.S. Air Force, March 24, 1969.
- Michael Wayne Marker, Wichita Falls, U.S. Army, March 4, 1971.
- Douglas K. Martin, Tyler, U.S. Air Force, April 18, 1973.
- Sammy Arthur Martin, Bryan, U.S. Air Force, December 27, 1967.
- Donald John Matocha, Smithville, U.S. Marine Corps, April 5, 1968.
- James L. McCarty, McLean, U.S. Air Force, June 24, 1972.
- R.D. McDonell, Sweetwater, U.S. Army, March 25, 1971.
- John Terrance McDonnell, Fort Worth, U.S. Army, March 6, 1969.
- Michael Owens McElhanon, Fort Worth, U.S. Air Force, August 16, 1968.
- Homer E. McKay, Shallowater, U.S. Navy, February 6, 1968.
- Curtis D. Miller, Palacios, U.S. Air Force, March 29, 1972.
- James Dale Mills, Commerce, U.S. Marine Corps, January 29, 1968.
- Anastacio Montez, Presidio, U.S. Army, May 24, 1969.
- Scott Ferris Moore, Jr., Mesquite, U.S. Navy, February 20, 1970.
- Manuel J. Moreida, Harlingen, U.S. Army, December 2, 1967.
- Henry G. Mundi II, Abilene, U.S. Air Force, May 8, 1969.
- Charles V. Newton, Canadian, U.S. Army, April 17, 1967.
- William Clinton Niedecken, Corpus Christi, U.S. Navy, February 15, 1969.
- David Esequiel Padilla, Borger, U.S. Marine Corps, May 18, 1968.
- Joe Parks, Cedar Lane, U.S. Army, December 22, 1964.
- Manuel Rameriz Fuentes, El Paso, U.S. Army, March 25, 1971.
- Inzar William Rackley, Jr., Big Spring, U.S. Air Force, October 18, 1966.
- Harry M. Rayenna, III, San Antonio, U.S. Army, November 15, 1966.
- Ronald E. Ray, Port Arthur, U.S. Army, November 13, 1969.
- Terry Michael Reed, Randolph A.F.B., U.S. Air Force, June 23, 1969.
- John Will Roberson, Malakoff, U.S. Army, June 22, 1969.
- Gerald Ray Roberts, San Marcos, U.S. Navy, December 2, 1965.
- Jerry L. Roe, Houston, U.S. Army, February 12, 1968.
- Luther L. Rose, Howe, U.S. Air Force, June 3, 1966.
- Emmett Rucker, Jr., Wichita Falls, U.S. Air Force, May 24, 1968.
- Richard Lee Russell, Snyder, U.S. Air Force, April 26, 1972.
- Antonio Ramos Sandoval, San Antonio, U.S. Marine Corps, May 15, 1975.
- Kureka Lavern Schmittou, Ringgold, U.S. Navy, May 23, 1967.
- Melvin D. Seagraves, Lubbock, U.S. Navy, April 30, 1972.
- Michael John Shea, El Paso, U.S. Marine Corps, April 29, 1975.
- Warren Parker Smith, Jr., Pasadena, U.S. Air Force, June 22, 1966.
- Clarence W. Stoddard, Jr., Corpus Christi, U.S. Navy, September 14, 1966.
- Charles W. Stratton, Dallas, U.S. Air Force, January 3, 1971.
- James Daniel Stride, Jr., Denison, U.S. Army, October 5, 1968.
- Erwin Bernard Templin, Jr., Houston, U.S. Navy, January 22, 1966.
- William J. Thompson, Houston, U.S. Air Force, August 1, 1968.
- Francis Wayne Townsend, Rusk, U.S. Air Force, August 13, 1972.
- Glenn E. Tubbs, Amarillo, U.S. Army, January 13, 1970.
- Walter Shelby Van Cleave, Dallas, U.S. Air Force, April 22, 1969.
- Bobby G. Vinson, Nederland, U.S. Air Force, April 24, 1968.
- Dean Amick Wadsworth, Clarendon, U.S. Air Force, October 8, 1963.
- Jerry Mack Wall, Nacogdoches, U.S. Air Force, May 18, 1966.
- Neal C. Ward, College Station, U.S. Air Force, June 13, 1969.
- Larry Eugene Washburn, San Antonio, U.S. Air Force, June 17, 1966.
- Ronald Leonard Watson, El Paso, U.S. Army, February 18, 1971.
- Donald E. Westbrook, Sherman, U.S. Air Force, March 13, 1968.
- Albert Dwayne Wesier, Terrell, U.S. Air Force, October 5, 1968.
- Danny L. Widner, Graham, U.S. Army, May 12, 1968.
- Calvin Wayne Wilkins, Waco, U.S. Marine Corps, February 8, 1969.
- Clyde David Wilkinson, Mineral Wells, U.S. Army, February 12, 1971.
- Roy C. Williams, Woodville, U.S. Army, May 12, 1968.
- Harry Truman Wilson, Grand Prairie, U.S. Marine Corps, June 4, 1970.
- Murray L. Wortham, San Augustine, U.S. Air Force, December 30, 1967.

Whereas, The majority of information obtained on these missing citizens to date has remained classified, denying the families of these missing Americans, as well as the press and the American public, access to imports of live prisoner sightings, burial site locations, and detained camp locations; and

Whereas, Much of this important could be declassified without compromising the meth-

ods, resources, and identities of intelligence operatives; now, therefore, be it

Resolved, That the 72d Legislature of the State of Texas, 4th Called Session, hereby respectfully urge the President of the United States to declassify all information relating to American military personnel and civilians who remain missing in Southeast Asia, except for that information that would reveal the methods, resources, and identities of intelligence operatives; and, be it further

Resolved, That any remains returned from Southeast Asia in the future be transferred to the Smithsonian Institution in Washington, DC, for the purpose of identification and that the United States continue its current policy that diplomatic and economic relations with Laos, Vietnam, and Cambodia be normalized only when these countries have helped make a complete accounting of the missing; and, be it further

Resolved, That the Texas secretary of state prepare and forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and President of the Senate of the United States Congress, and to all members of the Texas congressional delegation, with the request that this resolution be officially entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States of America.

**FAIR TRADE AND RECIPROCITY
ACT OF 1993**

HON. GARY A. CONDIT
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CONDIT. Mr. Speaker, I rise today to introduce a bill, the Fair Trade and Reciprocity Act of 1993.

I have always been a supporter of the concept of free trade by allowing the marketplace to operate independent of government interference except in cases where national security interests are at issue. However, I am also a realist and there is an important step we need to take before free trade can be achieved—fair trade.

I have and will continue to support actions to offset institutional impediments that many nations place on the sale of American goods and services. I also believe that the same kind of action should be taken in terms of foreign ownership of American property and companies.

For these reasons, I am introducing the Fair Trade and Reciprocity Act of 1993. This legislation would require reciprocal responses to foreign acts, policies, and practices that deny equal treatment to American investment in other nations. Simply put, foreign nationals and corporations would be allowed to purchase American property and companies only to the extent in which Americans have reciprocal purchase rights in that foreign nation. In addition, the U.S. Trade Representative will notify Congress 90 days prior to enactment of any trade restrictions. During this 90-day congressional notification period, a country has a final prerogative to remove any trade impediments thus precluding further action by the United States.

I also believe it is time Americans stand up for each other. I am not convinced that free

trade can be achieved before fair trade is established. Our experience with Japan makes this lesson clear. I want to assure all of the Members that I will continue to do everything I can to create an equal playing field with our trading partners. It is my belief that this legislation will aid in achieving this goal.

I hope you will join me in supporting the Fair Trade and Reciprocity Act of 1993.

**IN RECOGNITION OF FREEDOM
BOWL CHAMPIONS FRESNO
STATE UNIVERSITY BULLDOGS**

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. LEHMAN. Mr. Speaker, I rise before my colleagues today to pay tribute to one of my district's and the great State of California's greatest assets, Fresno State University.

Seventy-one years after playing football for the first time, the battling Bulldogs of Fresno State recorded a milestone on December 29, 1992, by soundly defeating the favored Trojans of the University of Southern California 24-7 in the Freedom Bowl.

Coach Jim Sweeney called it the "biggest win in the history of Fresno State football—by far." And it was. The team was motivated, well prepared and talented, and should be proud of its accomplishments.

For coach Sweeney, his assistants and staff, and for the players, the inspired victory also capped a year in which FSU shared the Western Athletic Conference football title in its first season in the conference. And in the process, the university received well-deserved national recognition.

But this glory extends beyond the locker room and the football field. It must be shared by the legion of fans, the proud Red Wave, whose support and dedication over the years have been a source of inspiration to many.

As they have to many other parts of the country, the Red Wave crowded into cars and vans and 600 buses for the long journey south from the Central San Joaquin Valley to Southern California to show their support and cheer on their team on a rainy Tuesday night in Anaheim Stadium.

It was an impressive sight—nearly 30,000 Red Wavers in a crowd of 50,000, displaying their colors and their spirit as they turned the stadium, the "Big A," into one giant block party and a sea of red. For at least that night, it seemed like the world belonged to Fresno.

And so I salute Fresno State, its administration, its athletes, and its proud supporters, not only for the accomplishments on the field that cold and wet night in December, but for the true sense of community the victory has inspired.

**THE PUBLIC SERVICE
SCHOLARSHIP ACT OF 1991, H.R. 511**

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GILMAN. Mr. Speaker, today I am reintroducing legislation I had sponsored in the 101st Congress intended to enhance federal employment recruitment and retention. This measure complements current education initiatives which allows federal agencies the flexibility to repay employee student loans and pay for employee educational expenses as part of the Federal Government's continuing efforts to improve its recruiting and retention efforts. This legislation, H.R. 511, complements these past efforts by establishing a federal scholarship program to allow agencies to pay for the costs of an employee's or recruit's education in return for a specified period of service.

During the 101st Congress, the Committee on Post Office and Civil Service held a series of extensive hearings on the recommendations put forth by the President's Commission on the Public Service. The Commission was formed in 1987 to prepare recommendation to the President and Congress on what was viewed as the quiet crisis in the Federal Government. The Commission saw an erosion in the attractiveness of public service which seriously undermined the ability of government to respond effectively to the needs and aspirations of the American people. Among the Commission's findings was a recommendation that the Federal Government establish a scholarship program for current employees and recruits as a means of improving its efforts in recruiting and retaining highly qualified employees.

This legislation which I am introducing today reflect the goals of the Commission by establishing a Public Service Scholarship Program to be administered by the Office of Personnel Management. Agencies can select candidates under the program to enter into a written agreement for the agency to provide up to a four-year academic scholarship, leading to a bachelor's, master's, or doctor's degree at an academic scholarship, leading to a bachelor's, master's, or doctor's degree at an accredited educational institution in return for 18 months of service for each academic year of scholarship assistance provided.

Candidates must obtain an acceptable academic standing with an accredited educational institution. Upon completion of the degree, the agency shall appoint such individual to full-time employment in the agency. Should an individual who entered into a scholarship agreement fail to complete the degree or fail to complete the specified period of service, he or she will repay to the agency the entire amount the agency has paid as scholarship assistance, unless the agency determines that such repayment would violate equity and good conscience or be against the public interest.

Amounts payable as a scholarship under this program will include tuition and fees, books and necessary expenses, appropriate living expenses, and any estimated tax liability for such scholarship. Agencies are authorized to make scholarship payments from the appro-

priation available to pay salaries and other expenses. In addition, appropriations are authorized to be made to the Office of Personnel Management to permit it to reimburse agencies for scholarship payments in order to encourage agencies to make use of this program.

Mr. Speaker, this legislation was initially an initiative put forth by the Office of Personnel Management and I commend the Office for its efforts in developing this program. Such policies reflect farsighted leadership and are in step with attempts to constantly improve the Federal Government's efforts at recruiting and retaining the best and brightest employees. I hope all my colleagues will join me today in supporting this legislation.

I insert the full text of the H.R. 511 in the RECORD at this point:

H.R. 511

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Service Scholarship Act of 1993".

SEC. 2. PUBLIC SERVICE SCHOLARSHIP PROGRAM.

(a) IN GENERAL.—(1) Subpart B of part III of title 5, United States Code, is amended by adding after chapter 35 the following:

"CHAPTER 36—PUBLIC SERVICE SCHOLARSHIP PROGRAM

"Sec.

- "3601. Definition.
- "3602. Establishment.
- "3603. Identification of candidates.
- "3604. Scholarship agreements.
- "3605. Scholarship payments.
- "3606. Regulations.
- "3607. Reports.

"§ 3601. Definition

"For the purpose of this chapter, the term 'agency' means an Executive agency.

"§ 3602. Establishment

"The Office of Personnel Management shall establish a program, to be known as the Public Service Scholarship Program, under which scholarships may be awarded to outstanding students in accordance with this chapter.

"§ 3603. Identification of candidates

"(a) The Office of Personnel Management may, without regard to any provision of law requiring competitive bidding, enter into a contract with 1 or more not-for-profit, non-government organizations to identify candidates for the Public Service Scholarship Program.

"(b) Candidates for the Public Service Scholarship Program—

- "(1) shall be identified on the basis of—
 - "(A) academic excellence and a commitment to public service or to a field of endeavor useful to the Government; and
 - "(B) geographic diversity;
- "(2) shall be identified without regard to race, color, religion, sex, national origin, marital status, age, disabling condition, or political party or affiliation; and
- "(3) shall not be disqualified by reason of already being employed by the Government.

"(c) Each contract referred to in subsection (a) shall contain provisions under which the organization involved shall be required to permit the Office of Personnel Management and representatives of the General Accounting Office to examine such records of the organization as may be nec-

essary to carry out the purposes of this chapter.

"§ 3604. Scholarship agreements

"(a) An agency may select, from among candidates identified under section 3603, individuals to receive scholarships under the Public Service Scholarship Program.

"(b) The agency and each individual so selected shall enter into a written agreement which shall include, subject to such requirements as the Office of Personnel Management may by regulation prescribe, provisions under which—

"(1) the agency shall award the scholarship to help defray the costs incurred by such individual in pursuing a baccalaureate or post-baccalaureate degree, as a full-time student, in an academic program which is not less than 1 and not more than 4 academic years in duration, at an educational institution which is authorized to grant such degree;

"(2) the individual shall be required to maintain an acceptable academic standing (as defined in the agreement), and to provide to the agency such certifications from the educational institution as the agency may require relating to the individual's attendance and academic standing;

"(3) after successfully completing the requirements for the degree, the individual shall accept, if offered within such time as shall be specified in the agreement, an appointment to a full-time position that is commensurate with the individual's academic degree and experience, and that is—

"(A) in the excepted service, if the individual has not previously acquired competitive status, with the right, after successful completion of 2 years of service and such other requirements as the Office may prescribe, to be appointed to a position in the competitive service, notwithstanding subchapter I of chapter 33; or

"(B) in the competitive service, if the individual has previously acquired competitive status;

"(4) if appointed under paragraph (3), the individual shall serve for 18 months for each complete academic year (as well as the pro rata equivalent for any semester or other portion of an academic year in excess of 1 or more complete academic years) for which a scholarship was provided; and

"(5) the individual agrees to repay to the agency the full amount in scholarships paid to or on behalf of such individual under this chapter if the individual—

"(A) fails to maintain an acceptable academic standing or to satisfactorily complete the requirements for the degree involved; or

"(B) if offered a position in accordance with paragraph (3), fails to satisfy the requirement under paragraph (4), unless that failure is due to an involuntary separation other than for cause.

"(c) If, in the event of a failure described in paragraph (5)(A) or (B), the individual does not repay the amount required under the agreement, a sum equal to the amount outstanding shall be recoverable by the Government from the individual (or such individual's estate, if applicable) by—

"(1) setoff against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the Government; and

"(2) any other method provided by law for the recovery of amounts owing to the Government. The head of the agency concerned may waive, in whole or in part, a right of recovery under this chapter if it is shown that recovery would be against equity and good conscience or against the public interest.

"(d)(1) An agency and an individual who have entered into an agreement under this section may, by mutual agreement, modify or terminate the agreement at any time.

"(2) Nothing in this chapter shall be considered to require an agency to offer a position to a scholarship recipient. However, if the agency does not make such an offer within the time specified in the agreement, the agreement shall be considered terminated.

"(3) An agency may agree to allow the individual to complete all or part of the period of service required under subsection (b)(4) as an employee of another agency. The agreement between the agencies may include provisions under which the receiving agency shall reimburse the other agency for an amount not to exceed the total amount in scholarships paid by such agency to or on behalf of the individual involved.

"§ 3605. Scholarship payments

"(a) The Office of Personnel Management shall determine the maximum amount that may be paid as a scholarship under this chapter, on the basis of average costs at public and private educational institutions, covering tuition and fees, books, appropriate living expenses, and any estimated tax liability for such scholarship. The amount may vary based on the level of the degree being sought. The Office may revise the maximum amount from time to time, as the Office determines appropriate.

"(b)(1) Agencies may make scholarship payments from the appropriation, fund, or account that is available to pay salaries of employees of the activity in which it is expected that the recipient of the scholarship assistance will be employed.

"(2) There are authorized to be appropriated to the Office such sums as may be necessary to permit the Office to reimburse agencies for scholarship payments under this chapter, or for portions of such payments, in order to encourage agencies to make use of the Public Service Scholarship Program.

"§ 3606. Regulations

"The Office of Personnel Management may prescribe regulations for the administration of this chapter.

"§ 3607. Reports

"The Office of Personnel Management shall prepare and submit to Congress each year a report on the operation of the Public Service Scholarship Program."

(2) The table of chapters for part III of title 5, United States Code, is amended by adding after the item relating to chapter 35 the following:

"36. Public Service Scholarship Program 3601".

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective as of the date of the enactment of this Act.

SEC. 3. AMENDMENT RELATING TO STUDENT LOAN REPAYMENTS.

Section 5379 of title 5, United States Code, is amended by adding at the end the following:

"(h) At the request of an agency head, the President may authorize the application of the preceding provisions of this section (excluding subsection (a)(2)) with respect to 1 or more categories of employees within such agency, described in subsection (a)(2), who would not otherwise be eligible for benefits under this section."

THE NEED TO EXTEND THE STATUTE OF LIMITATIONS FOR CERTAIN CLAIMS AGAINST FAILED FINANCIAL INSTITUTIONS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. STARK. Mr. Speaker, today I am introducing a bill to ensure that the Resolution Trust Corporation has adequate time to investigate and prosecute the individuals responsible for the \$200 billion savings and loan fiasco.

My bill would do this by extending by 2 years the current 3-year statute of limitations for professional liability claims filed by the RTC against the former directors and executive officers of failed S&L's.

Professional liability cases are brought by the RTC against individuals whose negligence or fraud caused the failure of the institution. The RTC's professional liability section needs this extra time to cope with their extraordinarily heavy workload and the disruption of a recent organizational restructuring.

The RTC has had to take over 721 institutions. All of these failures must be examined for potential fraud, for the RTC estimates that there was fraud or negligence in 75 percent of thrift failures.

And the current statute is beginning to run out on many of these failed thrifts. Last year alone it expired for over 300 institutions. It will run out on an additional 213 failures this year, 141 next year, and at least 33 in 1994.

The regulators' duties have been complicated by a recent reorganization. The GAO reported to the Senate Banking Committee that the RTC professional liability section lost 40 percent of its attorneys and that many of the replacements had little or no experience in this highly technical field. This reorganization also disrupted the investigation of a number of cases being pursued at the time.

Despite the heavy workload and staffing disruptions, the RTC has already collected \$97.6 million from professional liability claims and settlements. By May of 1992, the RTC had claims pending for over \$4.5 billion—and the bulk of the lawsuits have yet to come.

My bill is similar to bills introduced last year by Senator Wirth and Congressman Levine. A weaker version of Senator Wirth's bill passed the Senate by bipartisan majorities four times but was dropped in conference. Both the RTC and the outgoing Bush administration registered support for extending the statute.

I hope my colleagues on both sides of the aisle will join with me to make sure that this bill gets passed early in this session.

COOPERATION WITHOUT COMPROMISE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GINGRICH. Mr. Speaker, I would like to draw my colleagues' attention to the following

article written by Hon. DAVID DREIER of California. He expresses a "cooperation without compromise" approach we should use when dealing with the new administration.

[From the Los Angeles Times, Dec. 4, 1992]

PERSPECTIVE ON THE NEW ADMINISTRATION—THE OPPOSITION EXTENDS A HAND

(By David Dreier)

Republicans and Republican themes played an important role in the election of Bill Clinton as our nation's 42nd President. More than twice the number of registered Republicans voted for the Democratic candidate in 1992 than did so in 1988. Conversely, there was a 23-point drop in Republican support for President Bush.

In the congressional vote, it was the first time in 32 years that the opposition party captured the White House but did not gain seats on the Hill. And in exit polls, voters preferred, by a margin of 54-38, government that costs less in taxes and provides fewer services.

Clinton's election clearly was not a victory for the left. The President-elect must, therefore, recognize that Republican support for his policies will be just as crucial to the success of his Administration as it was to the success of his campaign.

At the same time, congressional Republicans cannot infer from the election results that the public will tolerate unrestrained opposition to the Clinton Administration. Our overwhelming priority should be to help the new President succeed in improving the well-being of our country. But capturing a scant 43% of the popular vote does not entitle Clinton to a long honeymoon. It will take a great effort by both sides to attain the mutual trust and cooperation needed for successful governance.

We Republicans are willing to make such a commitment for the betterment of our country. For Clinton, the task will be made difficult by the demands of traditional liberals who dominate the national Democratic Party. Clinton needs to prove that he is a "new breed of Democrat" willing to stand up to congressional leaders and special-interest groups that inevitably resist change.

Clinton can start by holding firm on his support for a line-item veto. This campaign pledge gave budget-conscious voters a ray of hope that progress on the federal deficit is close at hand. But less than two weeks after declaring that "change is on the horizon," Clinton signaled a willingness to "compromise" with congressional leaders on a vague alternative that would actually weaken the President's already feeble authority to reduce wasteful spending.

Clinton is right to focus his initial energies and political capital on a program to stimulate the economy. Not surprisingly, Congress will have a different set of priorities. Democratic leaders have already indicated that Congress will move quickly on campaign finance reform, national voter registration, family and medical leave and, possibly, health-care reform legislation.

Republicans have offered thoughtful proposals on all of these issues. Clinton will gain immeasurable goodwill, and strong public support, if he works for bipartisan solutions to these issues.

When Clinton does submit his economic package to Congress, Republicans fully expect that it will include tax increases on the rich, as he promised during the campaign. While we continue to stand firmly opposed to new taxes to finance new spending programs, Republicans want to enact a bipartisan economic growth plan. Growth incentives that

will weigh favorably with many of us include a capital-gains differential, expanded IRAs, an investment tax credit and tax breaks for first-time home-buyers. Politically, Clinton can expect to score big if he succeeds in proving wrong those who believe he will tax middle-class families as well.

The first major challenge to Clinton's "new breed of Democrat" paradigm may come early next year when Congress must vote to implement NAFTA—the North American Free Trade Agreement. If Clinton is serious about breaking the stranglehold that special-interest groups have on government policy, he must reaffirm his support for NAFTA. Then he must work vigorously to prevent amendments that would effectively kill the treaty and choke off a major source of job creation and economic growth.

Clinton should go one step further and boldly call for negotiations leading to a U.S.-Japan free trade agreement. This would send a clear signal to the world's financial markets, and to our trading partners, that the Clinton Administration intends to pursue trade policies that foster greater economic efficiency and a higher standard of living.

Free trade, economic growth, congressional reform, deficit reduction and welfare reform are just a few of the issues that Republicans want Clinton to successfully address because they are important to the future of our country.

"Our loyalty is due entirely to the United States," Theodore Roosevelt once wrote. "It is our duty to support [the President] when he serves the United States well. It is our duty to oppose him when he serves it badly."

This is how most Republicans are approaching the new Administration. Like the voters in general, we are looking to Clinton with a sense of hope and optimism and are willing to work with him to address the difficult challenges that lie ahead.

How far Republicans are willing to extend a helping hand depends on which Clinton emerges after his inauguration. If the "mainstream" Bill Clinton continues to pursue an agenda that recognizes free trade and free markets as the engine of our economy, he can look to Republicans to help carry the ball. If the "liberal" Bill Clinton emerges with an agenda of higher taxes, more government spending and increased regulation, he faces four of the most difficult years of his life.

BUSH ANSWERED A HIGHER CALLING

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. BEREUTER. Mr. Speaker, this Member appreciates President Clinton's salute to former President Bush for Bush's 50 years of public service. It is fitting that we all honor and reflect upon President Bush's commitment to the United States of America. Service to one's nation is a higher calling that must be honored and encouraged. I encourage my colleagues to read and carefully consider the following editorial from the Omaha World-Herald which reviews the outstanding record of former President Bush's public service.

[From the Omaha World-Herald, Jan. 20, 1993]

BUSH ANSWERED A HIGHER CALLING

George Bush represents an honorable tradition in American life—the tradition of re-

garding service to one's country as a higher calling.

Bush wore his country's uniform in combat, volunteering for duty in World War II. He served in Congress. He was the U.S. ambassador to the United Nations. He headed the American mission to China in the early days of the Nixon administration's thaw. He was director of the CIA and spent eight years as vice president.

Four years in the White House capped his career—four years that have seen the world become more peaceful and rational than nearly anyone could have realistically imagined at the time Bush took office.

Bush helped guide the Free World wisely through dangerous times—a period that brought the collapse of the Soviet empire, the Persian Gulf crisis, the challenge of dealing with Manuel Noriega and the constant threat of a trade war.

In Somalia, he demonstrated how military power could be used on a mission of compassion.

He improved relations with Mexico and Canada, championing free trade and signing an environmental law that relieved Canadian concerns about acid rain.

Bush's critics sometimes accused him of being out of touch with the multicultural world of the 1990s. But it was under him that an African American became the nation's highest-ranking military officer. He appointed more blacks, Hispanics and women to the Cabinet than any previous president. He signed legislation that expanded employment rights for women, disabled people and minority groups.

His experience in the private sector gave him a clear perspective of how jobs are created. He knew instinctively it would be dangerous to enlarge the national debt to spend the nation out of recession. His judgment, deplored in the press and on the evening news, was vindicated when the recovery began on his watch.

Other vindications may await. Bush now steps aside, leaving his accomplishments for the judgment of history. The preliminary verdict on a president, influenced by negative news coverage and the rhetoric of his opponents, doesn't always stand. Bush can be heartened at the fact that history has often recognized accomplishments that a president's contemporaries failed to fully appreciate.

TIME TO SHUT DOWN SPECIAL PROSECUTOR WALSH

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. EWING. Mr. Speaker, as Federal resources become more and more scarce, everyone agrees that waste must be eliminated from our Government. I can think of no better place to start than with the Office of Special Prosecutor, Lawrence Walsh.

Lawrence Walsh has been on a 6-year fishing expedition during which his major success has been to waste over \$35 million of the taxpayers' money. Originally hired to investigate the Iran-Contra incident, Walsh has made a mockery of justice and tarnished the reputations of several respected figures. Now, even though all of his victims have been pardoned or any wrongdoing, Mr. Walsh is still trying to

continue his investigation. Walsh maintains an unlimited budget and is accountable to no one. It seems that his main interest is in keeping his office open and his dozens of prosecutors employed. Justice seems to have taken a back seat. It is time that Mr. Walsh be given a pink slip.

Any credibility which the initial investigation had is now long gone, Mr. Speaker. It is time for the taxpayers to have their money spent on more worthy programs. It is time to put an end to this travesty and to pull the plug on Mr. Walsh.

PERISHABLE AGRICULTURAL COMMODITIES ACT TECHNICAL AMENDMENT OF 1993

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CONDIT. Mr. Speaker, I rise today to introduce a bill entitled, the Perishable Agricultural Commodities Act Technical Amendment of 1993.

The Perishable Agricultural Commodities Act [PACA], was enacted in 1930 to promote fair trading in the fruit and vegetable industry by requiring buyers and sellers of fresh and frozen produce to honor the terms of their contracts.

The measure I have introduced will allow federated cooperatives as being exempt from fines levied by the Department of Agriculture as a result of misbranding and misrepresentation by an affiliated or member packing house.

Marketing cooperatives, like brokers, should not be subject to fines because of misbranding or misrepresentations made by an affiliated or member packinghouse. They do not have the knowledge of misrepresentation and lack the ability to correct these mistakes and therefore should not be punished.

In August of 1988 Congress established an Industry Advisory Committee to review the PACA Program and propose ways to enhance its efficiency and equity. The committee was composed of representatives from most major segments of the produce industry.

The committee met five times and submitted its final report to Congress and the Secretary of Agriculture on May 1, 1990. The committee thoroughly reviewed the PACA Program and suggested a number of actions. Included in the committee recommendations was to limit misbranding liability to licensees that could have knowledge of a product misrepresentation and the ability to correct it.

This bill is an attempt to honor the committees' recommendation and remove the federated cooperatives from liability for the violations of others whom they have no control and, in my view, improve the Perishable Agricultural Commodities Act.

I hope you will join me in supporting this important piece of legislation.

IN RECOGNITION OF FREEDOM BOWL CHAMPIONS FRESNO STATE UNIVERSITY BULLDOGS

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. LEHMAN. Mr. Speaker, I rise before my colleagues today to pay tribute to one of my district's and the great State of California's greatest assets, Fresno State University.

Seventy-one years after playing football for the first time, the battling Bulldogs of Fresno State recorded a milestone on December 29, 1992, by soundly defeating the favored Trojans of the University of Southern California 24-7 in the Freedom Bowl.

Coach Jim Sweeney called it the "biggest win in the history of Fresno State football—by far." And it was. The team was motivated, well prepared and talented, and should be proud of its accomplishments.

For coach Sweeney, his assistants and staff, and for the players, the inspired victory also capped a year in which FSU shared the Western Athletic Conference football title in its first season in the conference. And in the process, the university received well-deserved national recognition.

But this glory extends beyond the locker room and the football field. It must be shared by the legion of fans, the proud Red Wave, whose support and dedication over the years have been a source of inspiration to many.

As they have to many other parts of the country, the Red Wave crowded into cars and vans and 600 buses for the long journey south from the Central San Joaquin Valley to Southern California to show their support and cheer on their team on a rainy Tuesday night in Anaheim Stadium.

It was an impressive sight—nearly 30,000 Red Wavers in a crowd of 50,000, displaying their colors and their spirit as they turned the stadium, the "Big A," into one giant block party and a sea of red. For at least that night, it seemed like the world belonged to Fresno.

And so I salute Fresno State, its administration, its athletes, and its proud supporters, not only for the accomplishments on the field that cold and wet night in December, but for the true sense of community the victory has inspired.

INTERNATIONAL INDIGENOUS PEOPLES PROTECTION ACT OF 1993, H.R. 510

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GILMAN. Mr. Speaker, today I am introducing legislation H.R. 510 that will help prevent the further destruction and elimination of cultures and societies around the world. Most of us, regardless of our political leanings, assume that indigenous peoples and tribal societies are bound to disappear. Most of us would assume that the process is as lamentable as it is inevitable.

Historical processes do not make small traditional societies disappear. Greed and a lack of understanding, however, do. Such groups are weak and tempting targets to the development programs that they are presumed to hinder or in the name of states that they are assumed to subvert.

There is no reason, however, that indigenous and tribal peoples cannot survive, both physically and culturally, the rapid changes that contact with expanding industrial societies and economic and political institutions brings.

Seen as impediments to progress and development, small societies throughout the world are facing extinction. Those that survive are often decimated by diseases introduced by outsiders and denied a political voice. Usually deprived of their lands and means of livelihood, they are forced to adapt to a national society whose language they do not speak. Without education, technical or other modern day skills, they generally suffer permanent poverty, political marginality, and cultural alienation.

As the push to exploit the resources of the Earth reaches the remaining untouched areas of the world, contact with isolated societies is inevitable—but their destruction is not. These vulnerable societies need the benefits of modern life, but to survive they need the ability to choose how much they will adapt and how long the process will take.

Toward that end, I have introduced this bill to help indigenous and tribal peoples have as much control as possible over their destinies—to retain their rights and culture as they adapt to the modern world.

Accordingly, I invite my colleagues to support the International Indigenous Peoples Protection Act of 1993, H.R. 510 and I insert a full text of this measure at this point in the RECORD:

H.R. 510

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Indigenous Peoples Protection Act of 1993".

SEC. 2. FINDINGS.

(a) DETERIORATING SITUATION FACING INDIGENOUS AND TRIBAL PEOPLES.—The Congress makes the following findings:

(1) The situation of indigenous and tribal peoples in developing countries is deteriorating world-wide.

(2) Many of these populations face severe discrimination, denial of human rights, loss of cultural and religious freedoms, or in the worst cases, cultural or physical destruction.

(3) If current trends in many parts of the world continue the cultural, social, and linguistic diversity of humankind will be radically and irrevocably diminished.

(4) In addition, immense, undocumented repositories of ecological, biological, and pharmacological knowledge will be lost, as well as an immeasurable wealth of cultural, social, religious, and artistic expression, which together constitute part of the collective patrimony of the human species.

(5) The pressures on indigenous and tribal peoples, about 10 percent of the world's population, include denial of political and civil rights and of opportunities for self-determination, destruction of natural resources necessary for survival, and ethnic, racial, and economic marginalization.

(6) In many cases, unsound development policy that results in destruction of natural resources seriously jeopardizes indigenous and tribal peoples' physical survival and their cultural autonomy, frequently also undermining the possibility for long-term sustainable economic development.

(7) The loss of the cultural diversity for indigenous and tribal peoples is not an inevitable or natural process.

(8) In light of United States concern and respect for human rights and basic human freedoms, including rights to express cultural and religious preferences, as well as the United States desire for sustainable economic development, it is incumbent on the United States to take a leadership role in addressing indigenous and tribal peoples' rights to physical and cultural survival.

(b) DEFINITION OF INDIGENOUS AND TRIBAL PEOPLES.—Indigenous and tribal peoples in developing countries are those populations that are ethnically, culturally, or socially distinct from the politically dominant society on the regional or national level. These peoples are often (but not invariably) minorities, and invariably have little, if any, political representation or influence in governments. Many such peoples are marginally integrated into market economies and practice traditional, partially or wholly subsistence-based forms of economic activity. Examples of indigenous or tribal peoples include lowland South American Indians, Basarwa of Botswana and Namibia, Mayan Indians in Central America, and registered tribes in India.

SEC. 3. PROMOTING AND PROTECTING THE RIGHTS OF INDIGENOUS AND TRIBAL PEOPLES.

The Secretary of State and the Administrator of the Agency for International Development shall ensure—

(1) that United States foreign policy and foreign assistance vigorously promote the rights of indigenous and tribal peoples throughout the world; and

(2) that United States foreign assistance is not provided for any project or program detrimental to the rights of indigenous or tribal peoples or to their livelihood.

The rights of indigenous and tribal peoples to be promoted and protected pursuant to this section include the right to maintain their cultural, religious, and other traditions, customs, and institutions.

SEC. 4. BASELINE REPORT ON INDIGENOUS AND TRIBAL PEOPLES.

(a) PURPOSE.—The purpose of this section and section 5 is to help—

(1) guide future United States foreign assistance and other actions that could affect indigenous and tribal peoples; and

(2) permit United States actions that would assist these peoples.

(b) PREPARATION OF REPORT.—The Administrator of the Agency for International Development, in consultation with the Secretary of State, shall prepare a report on indigenous and tribal peoples in developing countries. This report shall include the following:

(1) A description of the economic, political, and social situation of indigenous and tribal peoples.

(2) A discussion of the effects of United States bilateral foreign assistance and United States-supported multilateral assistance on indigenous and tribal peoples, including a description of those projects and activities currently being funded by the Agency for International Development—

(A) which have a positive impact on indigenous and tribal peoples, or

(B) which have a negative impact on indigenous and tribal peoples.

(3) A comprehensive strategy for regularly monitoring and improving the situation of indigenous and tribal peoples, including—

(A) a description of the methodology and the guidelines to be used in carrying out the monitoring required by section 5, and

(B) a description of the specific actions that the Agency for International Development proposes to take to improve the situation of indigenous and tribal peoples.

(c) CONSULTATION WITH NGOS.—The Administrator shall consult with nongovernmental organizations with experience in monitoring and reporting on indigenous and tribal peoples, and with other interested persons, throughout the preparation of the report required by subsection (b), but in particular—

(1) in determining the scope of that report; and

(2) in developing the methodology to be used in preparing that report.

(d) SUBMISSION TO CONGRESS.—Not later than 6 months after the date of enactment of this Act, the Administrator shall submit the report prepared pursuant to subsection (b) to the Congress.

SEC. 5. MONITORING REGARDING INDIGENOUS AND TRIBAL PEOPLES.

(a) MONITORING.—The Agency for International Development (in consultation with the Department of State), on a regular basis, shall collect information concerning and shall analyze the situation of indigenous and tribal peoples in developing countries.

(b) USE OF NGOS.—In carrying out subsection (a), the Agency shall, wherever appropriate, use nongovernmental organizations with experience in monitoring and reporting on indigenous and tribal peoples.

(c) ANNUAL REPORTS TO CONGRESS.—Following completion of the report required by section 4, the Administrator of the Agency for International Development shall submit to the Congress, not later than February 1 each year, a report which—

(1) presents the findings resulting from the monitoring of indigenous and tribal peoples carried out pursuant to subsection (a);

(2) updates the information provided in the report submitted pursuant to section 4; and

(3) describes the activities which the Agency for International Development proposes to fund for the coming fiscal year to address the problems facing indigenous and tribal peoples in developing countries, specifying which activities will be carried out by the Agency and which will be carried out by nongovernmental organizations.

SEC. 6. ANNUAL HUMAN RIGHTS REPORTS.

In each report submitted to the Congress pursuant to sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961, the Secretary of State shall include a description of each country's practices regarding the observation of and respect for the internationally recognized human rights of indigenous and tribal peoples in that country.

THE HIGH PRICE OF PRESCRIPTION DRUGS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. STARK. Mr. Speaker, the pharmaceutical industry has led us to believe that a reduction in drug prices would cost this Nation

invaluable pharmaceutical research and new, innovative drugs. I would like to submit another excerpt from the Philadelphia Inquirer series on pharmaceutical drugs that has been outstanding in its effort to educate the public about the pharmaceutical industry, and refutes the notion that high prices equals substantially larger research budgets.

[From the Philadelphia Inquirer, Dec. 16, 1992]

MINIMIZING R&D, MAXIMIZING PROFIT

Whenever drug industry executives are challenged at congressional hearings by legislators looking into the high cost of drugs, their response is the same:

Pharmaceutical research is very expensive. It costs an average of \$231 million for each drug brought to market. Sixteen cents of every sales dollar is spent on drug R&D, three times the average for other industries. For every discovery that results in a breakthrough drug, many expensive efforts fail.

To hear drug companies tell it, this must be a very difficult business in which to survive. Yet they not only survive, they manage to absorb all these costs and remain the most profitable businesses in America.

That's because drug companies—especially the big brand names ones, which account for the majority of drug research—are able to minimize their R&D risks in many ways:

They make me-too drugs, duplicating medicines that are already proven successes.

They buy other people's research or merge with companies that have promising drugs.

They benefit from basic research done by federal and academic laboratories.

They get substantial tax breaks or other incentives to develop and produce many of the drugs for which they charge high prices.

They abandon research on potentially useful drugs when market analysis shows the expected profit is not going to be big enough.

They even put premium prices on drugs they did not develop.

Letting someone else do the basic or preliminary research until a project looks like it will pay off handsomely is one of the surest ways the big companies have of minimizing risk—

Once a company does decide to develop or build on someone else's discovery, it often puts a high price on the drug, even though little of the company's own money was spent on the preliminary research.

That's what Wyeth-Ayerst Laboratories did with the contraceptive Norplant. It's what Janssen Pharmaceutica Inc. did with a cancer drug called levamisole. And it's what Burroughs Wellcome Co. did with AZT, the first drug effective in slowing the development of AIDS.

The research people at Wyeth-Ayerst, which sells Norplant in this country, had little interest in the idea of a long-acting contraceptive when it was first proposed to them years ago.

Wyeth was one of several big firms that rejected the idea when the non-profit Population Council of New York City tried to interest them in it, a research scientist at the council said.

So with funding from the Rockefeller and Ford Foundations and the Agency for International Development, the council went ahead on its own, said Irving Sivin, a senior associate and biostatistician with the Population Council. The council spent \$10 million and several years running clinical trials with the matchstick-thin Norplant capsules, which are implanted under the skin and slowly release the hormone progesterin.

Though Wyeth chose not to do the R&D, the company did want to stay on top of the

research. So Wyeth provided the Population Council free of charge the hormone progesterin, which it had developed, for use in the trials, with the provision that it would have first rights to distribute the drug in the United States should the trials prove successful.

The trials did prove Norplant's success. Wyeth still wasn't interested in risking capital in the manufacture of the contraceptive. So the Population Council turned to the Finnish firm of Leiras Pharmaceutical, which decided to make the drug.

Wyeth subsequently activated its right to distribute the contraceptive in the United States, paying a royalty to the Population Council.

Buying Norplant from Leiras, it repackages the contraceptive and sells it for \$365—almost four times as much as the \$96 that Finnish women pay for the drug.

Americans have to pay this premium even though Norplant was developed with U.S. government and philanthropic funds.

Sandra Waldman, a spokeswoman for the Population Council, said attempts were made to persuade Wyeth to sell Norplant to public agencies at a lower price.

Wyeth spokeswoman Audrey Ashby said the company didn't get involved with Norplant's R&D because 'preliminary research showed that it would not be accepted by American women. We did not want to have a brand new contraceptive for American women that would not succeed.'

Norplant is turning out to be a very important contraceptive in the United States.

Asked why Norplant costs so much more in the United States, Ashby said Wyeth spent \$30 million to train 30,000 doctors in inserting and removing Norplant. And Wyeth includes the tools needed for these procedures as part of the drug's purchase price, she said.

Sometimes it is research done by academic physicians that drug companies profit from. These are doctors who independently run lengthy trials showing how a drug being sold for one medical problem can be used for a different one.

Janssen Pharmaceutica benefited in this way with levamisole, a veterinary drug it discovered that turned out to be very effective against cancer in humans.

For years levamisole had been used to rid sheep of parasites. Because the drug also seemed to improve animals' immune systems, doctors such as Charles G. Moertel of the Mayo Comprehensive Cancer Center started testing the drug in human cancer patients in 1978.

Supported with \$11 million in grants from the National Cancer Institute, Moertel studied the drug with 1300 colon cancer patients. Earlier this year, Moertel reported the results of the ongoing trials: He was able to cut the death rate by a third and the recurrence of cancer by 40 percent, using levamisole in conjunction with another cancer drug.

Moertel said in a recent interview that Janssen, a subsidiary of Johnson & Johnson, had promised him and other researchers that the drug for human use, to be called Ergamisol, would be sold at a reasonable price.

A year's supply of Ergamisol costs \$1250 to \$1500.

Purchased at the price of the sheep drug, Moertel said the cost would be \$14.

Why such a large difference?

"We think the price is reasonable," said Robert Kniffen, spokesman for Janssen Pharmaceutica Inc. "You are talking about a drug for someone with colon cancer who

goes on the drug for a year. . . On average it costs something like \$1300 a year, which is the cost of one day in the hospital."

BATTLING THE BUDGET

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GINGRICH. Mr. Speaker, the following editorial appeared in the Wall Street Journal last week. As the new administration begins to tackle the budget deficit, I hope they will pay attention to the points that are stressed here.

THE REAL AMERICA

Don't believe Leon Panetta for a minute when he says "everything is on the table" in the budget battle. Mr. Panetta is talking only about the federal budget. The rest of the country's fiscal affairs—towns, cities, states—exist more or less as an abstraction to Washington's policy makers.

But the fact is that a lot of President-elect Clinton's constituents have already had taxes or fees raised at the local level, or are wrestling with budgets they can't afford. Little of this will figure in Mr. Panetta's budget calculations, but the continuing story of California's fiscal struggles suggests just how real the issue is well beyond the Beltway.

The one thing not getting worse in California at the moment is state taxes, and give Governor Pete Wilson credit for that. After his disastrous 1991 tax overture to the big spenders pushed his constituents deeper into recession, the Governor has been rather steadfast on this front. He may yet redeem himself on the issue, and in the process provide some firmament for other deficit weary public officials.

Mr. Wilson's latest budget, revealed last week, presumes expiration of a half-cent sales-tax increase on schedule this year, as well as the resumption of loss "carryforward" write-offs for businesses getting off the ground or back in the black. It is encouraging when a politician remembers that a tax was to be "temporary." Legislative Democrats in Sacramento would like to forget that, because \$1.8 billion rides on extension.

Pundits speculate that this year's California budget battle is likely to come down to that sales-tax commitment. A two-thirds vote will be needed to extend the half-penny another year, so if the Governor and the Republican minority in the Statehouse stand together, they can thwart it. With Mr. Wilson's budget having mostly bought off the public-school lobby, which frightens suburban GOP legislators, this alliance should hold.

The Governor's plan defunds local government to the tune of \$2.6 billion, and those jurisdictions could ask voters to restore the sales-tax increase to spare them a need to cut. But the localities, thanks to a Wilson stand last year, have greater freedom to reduce services other than police and fire, so long as they don't trigger the ire of an activist judge by paring the wrong social program.

Mr. Wilson is asking those getting higher education in the state to shoulder something closer to what they would in other places. Community-college students typically pay only \$240 a year. At four-year schools, successive years of stiff increases are bringing

howls; perhaps a tougher line on featherbedding facilities could curb operations costs and allow for a more gradual rise in fees.

Belatedly, but to his credit, the Governor has proposed actually abolishing several state agencies and commissions. And he is back with another attempt to rein in welfare expenditures. The Legislature gave a little ground on this last year but the voters turned down Mr. Wilson's initiative to do more cutting.

In the end, California and many other states will never escape these annual budget scrambles until they get welfare, health care, schooling and prison costs under control. In the meantime, it helps to have a Governor who will hold the line on the revenue side, and maybe try some incentivist reductions of tax rates in the process. We suspect that the Washington strategy of Mr. Panetta and friends may be moving in the opposite direction.

FEDERAL ASSISTANCE FOR SPECIAL CENSUSES

HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. PANETTA. Mr. Speaker, today I am introducing legislation which would require the Federal Government to fund special censuses that are necessary as a result of a disaster. As some of you may recall, I introduced identical legislation last Congress. This legislation was prompted by the fact that under current law, local jurisdictions are required to fund special censuses, even if an undercount is the result of a disaster. In the fall of 1989, the devastating Loma Prieta Earthquake struck and did extensive damage to areas in my district. The earthquake caused millions of dollars of damage and cost many lives. In addition to the physical harm done, a good number of people were displaced as a result of this disaster. Some earthquake victims remain homeless today.

Because of the displacement that occurred as a result of the Loma Prieta Earthquake, the city of Watsonville was significantly undercounted in the 1990 decennial census. They have repeatedly requested that the numbers be adjusted to reflect the true number of people residing in the city of Watsonville. But, the Bureau of the Census claimed that they could not make this adjustment, but rather than a special census would be necessary. The city of Watsonville and many other localities cannot afford to fund a special census in addition to the financial burden that they are carrying as a result of the earthquake.

The legislation I am introducing is designed to ensure a fairer arrangement for jurisdictions that have been undercounted as a result of a disaster. It frankly doesn't make sense to require local and State jurisdictions to pay for special censuses when the undercount was through no fault of their own.

Our Constitution requires that a census be taken every 10 years. The census is required to count every person living in the United States, and it is the constitutional obligation of the Federal Government to pay for special censuses when a disaster results in a significant undercount.

Mr. Speaker, this legislation is essential. I invite my colleagues' review and cosponsorship of this important legislation and urge its timely adoption by the full House. For the convenience of my colleagues the text of the bill is printed below:

H.R. —

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

SECTION 1. AUTHORITY TO CONDUCT SPECIAL CENSUSES.

The Secretary of Commerce shall conduct a special census for the government of a State, or of a county, city, or other political subdivision within a State, for the government of the District of Columbia, or for the government of any possession or area (including political subdivisions thereof) referred to in section 191(a) of title 13, United States Code, without charge to such government, if—

(1) the special census is necessary to correct a significant undercount which occurred in the most recent decennial census of population with respect to the area involved;

(2) a natural disaster or other emergency affecting such area, as declared by the President, was a major factor contributing to the undercount; and

(3) a request for such a census is made by such government within such time and in such manner as the Secretary shall by regulation prescribe, except that the deadline for such a request may not be fixed at a point before the end of the 18 month period beginning on the most recent decennial census date.

SEC. 2. METHODOLOGY TO BE USED IN SPECIAL CENSUSES.

A special census under this Act with respect to a particular area shall, to the extent practicable, be conducted in the same manner and using the same methodologies as were used with respect to such area in the decennial census last taken before the special census.

SEC. 3. PURPOSES FOR WHICH DATA MAY BE USED.

Data collected pursuant to a special census under this Act may be used for any purpose which would be allowable if it had been conducted under section 196 of title 13, United States Code.

SEC. 4. EXPEDITIOUS ACTION REQUIRED.

Upon receiving a request for a special census under this Act—

(1) a determination as to whether or not the criteria under section 1 have been met shall be made as expeditiously as possible; and

(2) if the criteria under section 1 are determined to have been met, the special census conducted under this Act pursuant to such request shall, in the allocation of personnel and resources, be given priority over any special census under section 196 of title 13, United States Code.

SEC. 5. DEFINITIONS.

For the purpose of this Act, the term "decennial census date" shall have the meaning given such term under section 141 of title 13, United States Code.

SEC. 6. APPLICABILITY.

(a) IN GENERAL.—A special census under this Act may be conducted to correct an undercount in—

(1) the 1990 decennial census, if appropriate application is submitted within 18 months after the date as of which regulations to carry out this Act become effective; or

(2) any decennial census subsequent to the 1990 decennial census.

(b) REGULATIONS.—Regulations to carry out this Act shall become effective not later than 3 months after the date of the enactment of this Act.

AGRICULTURAL WATER CONSERVATION ACT OF 1993

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CONDIT. Mr. Speaker, I rise today to introduce a bill entitled the Agricultural Water Conservation Act of 1993.

The Agricultural Water Conservation Act of 1993 has been introduced to ensure that farmers are encouraged to use water conservation systems as part of their farming practices. This legislation will allow farmers to receive a tax credit on their federal income tax for the purchase and installation of a water conservation system on farm land.

Specifically, this measure will allow farmers to receive a 75 percent income tax credit of the cost to develop and implement a water conservation program on their farm land. To be eligible for the tax credit, a water conservation plan must be approved by the Department of Agriculture's Soil Conservation Service. Basically, this measure encourages farmers to use water conservation practices thus assuring water for future needs.

As a Member who comes from a rural district, I recognize that water is becoming increasingly scarce and expensive in many parts of the United States. This is compounded when we have multiple years of drought as we have had in California during the last 6 years. I am also aware that farms are overwhelmingly the largest water consumers in the United States. Without proper water conservation measures, farmers and ranchers will be increasingly endangered of losing their ability to produce for their livelihood.

The Federal Government has a historic commitment to assisting areas of the Nation in developing water supplies. It is also in the Nation's interest for farmers to implement water conservation measures which are a least-cost approach to addressing critical water needs and for the Federal Government to promote such conservation measures. In the last few years, the agriculture industry in California has been hurt by a variety of natural and man-made problems. The 6 year drought and the 1990 freeze are beyond the power of government to solve, but government, by its planning and preparation, can mitigate problems associated with the needs of individuals and the environment. There is no doubt California agriculture, and the millions of people who depend on it, would not have survived the 6 consecutive years of drought we are now facing without the construction of the Central Valley Project. Despite the construction of massive water projects to secure water, it is evident that farmers must now develop conservation practices because adequate water supplies are diminishing.

The Agricultural Water Conservation Act will help farmers and ranchers assure water needs can be met in the future. I hope that you will

join me in supporting this important piece of legislation.

THE CALIFORNIA DESERT PROTECTION ACT

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. LEHMAN. Mr. Speaker, today I am introducing, along with Congressman GEORGE MILLER and 15 of my colleagues, the California Desert Protection Act of 1993.

The protection of the California desert has been a source of great debate during the last decade. Legislation was introduced 5 years ago and every Congress thereafter. During that time, in the House of Representatives, three hearings have been held in Washington, DC and three hearings have been held in California. Although H.R. 2929, the Desert Protection Act, passed the House in the 102d Congress, it did not move past the hearing stage in the other body.

Last Congress, great strides were made to resolve what had been some outstanding conflicts involving the desert protection bill. Briefly, 271,000 acres were eliminated for offroad vehicle use, utilities, and mining. In addition, all known active mines were eliminated from any wilderness area. Specific concerns of the utilities were resolved. Language was included to provide a land exchange provision for two of the largest private landowners in the desert, the California State Lands Commission, and the Catellus Corp. Grazing in the Mojave National Monument was allowed for up to 25 years, and three proposed wilderness areas, totaling 160,000 acres near Fort Irwin, were kept in study status pending expansion proposals from the Defense Department.

The bill I introduced today is substantially the same bill which passed the House of Representatives in the 102d Congress. It designates 73 areas containing 4.3 million acres of land under the jurisdiction of the Bureau of Land Management as wilderness. It also redesignates the Joshua Tree National Monument and the Death Valley National Monument as national parks. Further, the bill makes some additions to each of these parks and designates wilderness within them. Finally, the bill transfers jurisdiction of 1.5 million acres of BLM land to the Park Service to become the Mojave National Monument.

Protection of the desert can no longer wait. This is a piece of legislation whose time has come, and I look forward to expeditious passage of this bill.

WE WELCOME 110 FRESH WOMEN AND MEN

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. OWENS. Mr. Speaker, the new class is no longer shrouded in mystery. The new Members of this 103d Congress, except for

their unusual numbers, make up a group that is quite natural and normal. Certainly some surprise behavior is still possible now that anxiety concerning committee assignments no longer clouds the picture. The leadership has generously offered the newcomers 90 more days to review the rules. We anxiously await these surprises which may disprove the following quote from the New York Times, January 6, 1993:

In all they look refreshingly new. Alas, some early signs indicate otherwise. * * * It is equally distressing that the first choice of committee assignments for most new House members was the public works committee * * * i.e. getting contracts for their home districts. * * *

Premature judgments should not be made about our 110 fresh women and men. They may still make their mark; however, those who feared that this huge wave would sweep in with a mandate for massive change may now relax. Those who still have high hopes for help in rescuing our venerable House from some of its silly habits should patiently wait for the next 90 fateful days. This is the grace period that has been set aside for further dialog with our new supply of rich human resources—110 fresh women and men.

FRESH WOMEN AND MEN

110
 Fresh women and men
 Quick to comprehend
 Our beltway institutions
 Admiring
 Committees that inspire
 The most contributions
 Aspiring
 To be House Speaker
 Do nothing wrong
 And rise through the ranks
 Never be a fool
 Don't blast
 Thieving S and L banks.
 Forget Labor
 They're losing ground
 Go for Defense
 Keep district bases around
 Education is high priority
 But a crusade that suffers
 From weak confused PACs
 Forget Committee school work
 Bully your "choice" amendments
 Through floor debate cracks.
 Do nothing wrong
 And rise through the ranks
 Celebrate your assignments
 And vote your thanks
 Economy is maybe one
 Deficit probably number two
 Health care coverage for all
 A dream leadership
 Proclaims can never come true.
 Don't do special orders
 And rise through the ranks
 Members who use media
 Are just Ross Perot cranks
 On the floor don't be seen
 Be too clever to be heard
 But beware constituent charges
 That you're a do nothing nerd.
 110
 Fresh women and men
 So quick to comprehend
 Admiring the rules
 Aspiring to be Speaker.

THE NEED FOR NATIONAL CARE REFORM NO. 2: IN 3 YEARS HEALTH INSURANCE PREMIUMS TRIPLE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. STARK. Mr. Speaker, another horror story on why we need national health care insurance reform is provided by Mr. and Mrs. Juan Granados of Miami, FL.

As Mr. Granados says, "if in 3 years, our quarterly premiums have tripled to \$2,744.68, by how much will our premiums increase before we are able to qualify for Medicare—11 to 18 more years.

Mr. Granados' memo to the Congress and his description of health premium increases follows. He also tells me that his wife and he have not been heavy users of the policy. Note that the policy premiums triple, even though two sons leave the family's coverage. In other words, the policy is covering half as many people at three times the cost within a 3-year period.

In giving this example, I am not picking on Travelers Insurance Co. This story is repeated by company after company and in case after case, and this is just one more proof of the need for cost containment and health insurance reform:

NOVEMBER 9, 1992.

Attn: Honorable Chairman of the Committee on Ways and Means.

From: Mr. and Mrs. Cristina C. and Juan A. Granados, Miami, FL.

OUR GOVERNMENT MUST PROVIDE FOR REASONABLE HEALTH INSURANCE COSTS FOR ALL AMERICANS OF ALL AGE INCLUDING THOSE SELF-EMPLOYED

1. I own a small business corporation that is in the business of exporting ethyl alcohol. Since the beginning of its activities in 1987, we have each year, continuously and without exception been by far the single largest exporter of this commodity.

2. My wife and I feel that we are being discriminated and abused by our insurance company who has tripled our premiums since we took out the policy shortly after our marriage 36 months ago.

3. The policy has a pre-existing condition exclusion on my wife which the company has not removed, even though it has not recurred.

4. I am 54 years old with my next birthday being May 29, 1993. My wife will be 47 this November 15, 1992. We are yet many years from qualifying for Medicare.

5. If in three years our quarterly premiums have tripled to \$2,744.68, by how much will our premiums increase before we are able to qualify for Medicare?

HISTORY OF QUARTERLY HEALTH INSURANCE PREMIUMS

Insured: Cristina C. and Juan A. Granados.
 Insurance Carrier: The Travelers.

Policy No.	Due date	Amount	Persons covered
X	11/9/92	\$2,744.68	J&C Granados.
	8/9/92	2,418.72	Do.
	5/9/92	2,418.92	Do.
	2/9/92	2,418.72	Do.
	11/9/91	1,829.90	Do.
Y	8/9/91	1,456.14	Do. ²
	5/9/91	1,456.14	Do.
	2/9/91	1,456.14	Do.

Policy No.	Due date	Amount	Persons covered
	11/9/90	1,456.14	Do.
	8/9/90	1,087.67	Do.
	5/9/90	1,039.08	Do.
	2/9/90	1,188.06	Do.
	11/9/89	1,188.06	Do. ⁴

¹ The Travelers changed the policy number.

² Son Lorenzo Lebrija.

³ Date on which policy was initiated.

⁴ Sons Lorenzo and Jose A. Lebrija.

TRIBUTE TO ABE WHITE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, Abe White has been an extraordinarily positive force in the city of Fall River for a very long time, and I was delighted when the Fall River Herald News chronicled Abe's excellent work in its October 19 issue. Because we were not in session at the time, I wasn't able to share this important article with others. But I am eager to do so now, because I think the example that Abe White presents is a very important one that ought to be made available broadly in the Nation. Those who lament the course of today's youth can do much more to change that course in a positive direction than they may realize, and reading about the life work of Abe White could help them understand how.

A 70-YEAR FRIENDSHIP WITH THE CITY—BOYS AND GIRLS CLUB MENTOR HONORED FOR LONGTIME SERVICE

(By William Corey)

FALL RIVER.—The cast of characters and personalities that keep breathing life into this old mill town wouldn't be complete without Abe White.

It's hard to imagine that the man who flashes a gentle grin and walks a modest step has been so entwined in the city's fabric for the last seven decades. But no one has belonged to more organizations, managed more sports events, and has been more of a friend to the city's youth than White has since the days when his family paid \$2 a week for rent on Spring Street.

Last month, White was commended for his 70 years of membership and service to the Boys and Girls Clubs of America in a letter mailed to him by its national director, Thomas Garth. The letter is just the latest in long line of awards, plaques, trophies and certificates that clog his den—more than 60 in all.

"My main concern was always children and teens," White says. "That's who I felt needed me mostly."

His story dates back to a time when Fall River boasted that its textile industry was one of the largest and most productive in the world. As a child he sold newspapers or shined shoes on street corners for \$7 each week, which he gave to his family. If two hawkers reached a busy corner at the same time, the boys would fight it out, simple as that.

But White didn't stay on those street corners for long. With the help of his father, who was good friends with the late Thomas Chew, the youngster joined the Boys Club when he was 6. The club was then located on Anawan Street and offered a host of activities, including basketball, soccer, a swimming pool, game rooms, a drama club and bowling alleys.

White took part in all those programs, even becoming a director in some, before serving in the Army in World War II, during which he was stationed in Hawaii. Chew wanted to send White to college, but White said he was perfectly content learning the ropes at the Boys Club.

He looked at the place as home. His father died when he was 12 and, as the youngest of 15 children, White learned how to take care of himself on the streets. He even became an amateur boxer, fighting as a light welterweight, and going 12-1—his only loss to Ralph Zinelli, a man who was later defeated by Sugar Ray Robinson.

He lived in Providence for a while, then in Attleboro, where his French neighbors called him Al LeBlanc. White has since adopted a middle name of Albert.

Over the years, White has always stayed involved with the Boys Club, becoming a board of directors member after taking a job with the Naval Underwater Systems Center in Newport. He retired from the center in 1977 as an accounting supervisor, but never left community service.

Buying a baseball glove for a needy child, giving advice to combat drugs and alcohol to both kids and parents, as well as counseling anyone in need of a sympathetic ear, White is the city's most underpaid social worker.

"I really believe that I was put on this earth to help children," he said. "All I want is their respect and when they get older, they say, 'Thank You Mister White.'"

He admits that children today are a bit smarter than "those of yesteryear," but that children are also facing more difficult problems today—drugs, alcohol, broken families. Listening to those children, those problems and offering some solutions hasn't changed at all for White.

He married in 1975 and credits his wife with much of his successes, saying she is more than tolerant of his hectic schedule, even at the age of 76, when his days are still filled with appointments.

His list of accomplishments is too long to mention, but some highlights include his 52-year association with the sports program at B.M.C. Durfee High School, where he has worked as an assistant basketball coach, assistant trainer, announcer and now a scorer; his 30 years with the Fall River CYO; 34 championship teams in 40 years; commissioner of Fall River Junior Twilight Baseball League; life member of the William Greene Chapter 9 Disabled American Veterans and the Jewish War Veterans Post 168; and much more.

Since his involvement with the Boys Club, the agency has moved to its current Bedford Street location and boasts 2,200 members. The name has been changed to the Boys and Girls Club—a move that White had a hand in since the YWCA closed its doors and the city's girls needed a recreation facility.

"Sometimes, these kids would follow the wrong person," White said. "I learned this from Mr. Chew. I use sports as a medium to talk with these kids and teach them to respect themselves."

CONGRESSIONAL ARTS CAUCUS AWARD PRESENTED TO PATRICK LIPPERT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Ms. SLAUGHTER. Mr. Speaker, as chair of the congressional arts caucus, I had the sin-

gular pleasure this week to join Senator JAMES JEFFORDS, arts caucus vice chair, in presenting the Congressional Arts Caucus Award to Patrick Lippert, executive director of Rock the Vote—a nonpartisan, nonprofit organization dedicated to encouraging young people to register and vote. This marked the first time that the award was presented to a private citizen who has committed himself to encouraging the participation of young people in the arts and in the political process.

Mr. Lippert was honored for his extraordinary leadership of Rock the Vote, his dedication to and work on behalf of the Congressional High School Art Competition, and his devotion to protecting the environment and, through these efforts, his effectiveness at involving young people in the arts.

I insert the remarks made in presenting the award in the RECORD:

PRESENTATION OF CONGRESSIONAL ARTS CAUCUS AWARD TO PATRICK LIPPERT (Remarks by Representative Louise Slaughter)

On behalf of all the members of the Arts Caucus, Senator Jeffords and I have the great honor of recognizing not only a friend of the Caucus, but a friend of young people from every corner of the country. For more than a decade, Patrick Lippert has devoted himself to ensuring that young Americans participate in the arts, that they have a strong and substantial voice in the political process, and, in a singularly effective way, that they find their political voice through the arts. Simply put, he has succeeded beyond any expectation through his extraordinary leadership of Rock the Vote, his unwavering commitment to the Congressional High School Art Competition, and his dedication to protecting the environment.

For these efforts, which have played a very real role in helping to prepare the next generation of Americans, we are thrilled to present Patrick Lippert with the Congressional Arts Caucus Award. The text of the award recognizes Mr. Lippert, "who, by his extraordinary devotion to young people through such efforts as Rock the Vote and the Congressional High School Art Competition, has given America's youth a profound and lasting voice in shaping their futures."

The Arts Caucus has been extremely fortunate to be the beneficiary of Patrick's limitless energy, his boundless optimism and, quite frankly, his ingenuity. As a direct result of Patrick's commitment to bringing the brightest young stars to Washington to honor young artists from across the Nation, the Congressional High School Art Competition has blossomed into one of the most eagerly awaited events on the Hill, involving some 250 Congresspeople and hundreds of students, family members and Congressional staff each year. It is nearly impossible to describe the excitement and sheer joy of a student from Auburn, Alabama, having her hand shaken by actor Tom Cruise and being congratulated for her artistic vision, or students from Mississippi or North Dakota having their works viewed by actress Sarah Jessica Parker and actor Christian Slater and being personally encouraged to pursue their artistic careers. For nearly ten years, Patrick has made this possible.

Patrick also spearheaded a movement to involve young talent in environmental issues, bringing them into the political arena and, with them, scores of young people who share similar concerns. This past year, Rock the Vote registered hundreds of thousands of

new voters in a brilliant campaign that enfranchised and empowered young Americans, enlisting such enormously popular musical groups as R.E.M. to encourage passage of the so-called Motor-Voter Bill.

The young people Patrick involves, moreover, become committed for life. He does not merely bring young actors to Washington for a photo opportunity or register young people to vote for a single election. Patrick, through his energy and commitment, is able to inspire in those he touches a lasting commitment to public service, to creative expression and—most importantly of all—to involvement, constructive involvement in the world around them that will serve them all of their lives.

In being a singular voice of change for young people in this country and by encouraging their participation in the arts, Patrick Lippert has fundamentally helped to change the opportunities afforded America's youth. It is indeed our honor to present him with the Congressional Arts Caucus Award.

**LAGOMARSINO VISITORS CENTER
FOR CHANNEL ISLANDS NATIONAL PARK**

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GALLEGLY. Mr. Speaker, the U.S. Congress has lost one of its leading legislators and hardest working members, the Honorable Robert J. Lagomarsino.

During his 33-year career in public services, as a city councilman, mayor, State senator and Congressman, Bob Lagomarsino has distinguished himself as a person of honesty and integrity with a commonsense approach to government. As a member of the House Interior Committee and vice chairman of the National Parks and Public Lands Subcommittee, he was a spokesman for a balanced national environmental policy. Bob helped to shape landmark bills such as the Alaska Wilderness Act, the Strip Mine Control Act, the Land and Water Conservation Act, and hundreds of other bills dealing with parks from American Samoa to the Everglades. As vice chairman for Insular and International Affairs Subcommittee—a position to which I am proud to succeed him—he worked to save rain forests, protect whales, and ban driftnet fishing worldwide.

Bob Lagomarsino's legislative efforts on behalf of the Santa Barbara Channel began during his service in the California State Senate, where he successfully authored a bill creating an oil-free sanctuary around the Channel Islands. After his election to Congress in 1974, he sponsored legislation which created the Channel Islands National Park, and fought long and hard for funding to complete it. When congestion threatened marine life in the Channel, Bob persuaded six major oil companies to stop shipping Alaskan oil through the Channel. At his instigation, the International Maritime Organization designated the Channel Islands Marine Sanctuary as an "area to be avoided" by international shippers, and President Bush withdrew Federal offshore oil tracts in the Channel from leasing. Bob's successful amendment bringing offshore oil operations in

the Channel under State and Federal clean air standards will protect air quality in the Santa Barbara Channel.

In recognition of his distinguished career in the House of Representatives and his outstanding record to preserve and protect the environment and the Channel Islands, I am pleased today to propose a joint resolution designating the visitors center at the Channel Islands National Park as the "Robert J. Lagomarsino Visitors Center." Joining me in sponsoring this resolution honoring the "father of the Channel Islands National Park" are 46 Members of this body from both political parties.

I urge my colleagues to pass this joint resolution quickly, while Bob Lagomarsino and his record of accomplishments are still fresh in our memories. Mr. Speaker, I ask that the text of this joint resolution be printed in the RECORD at this point.

H.J. RES.—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The visitors center at the Channel Islands National Park, California, is designated as the "Robert J. Lagomarsino Visitors Center".

SEC. 2. LEGAL REFERENCES.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the visitors center referred to in section 1 is deemed to be a reference to the "Robert J. Lagomarsino Visitors Center".

PRIORITIES OF THE 103D CONGRESS MUST INCLUDE PASSAGE OF THE BRADY BILL AND CAMPAIGN FINANCE REFORM

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. MAZZOLI. Mr. Speaker, in keeping with pledges I made last year, I introduced on the first day of the 103d Congress—January 5, 1993—two measures which are fundamental to the proper operation of our system of government and which, in my view, merit immediate consideration and passage by Congress.

I am an original sponsor of H.R. 3, a comprehensive campaign finance reform bill identical to the measure passed in the spring of 1992 by Congress but subsequently—and unhappily—vetoed by President Bush. This bill calls for voluntary spending limits in House and Senate races, provides candidates financial incentives to abide by those limits, and cracks down on campaign practices involving so-called bundling and soft money.

Additionally, I have reintroduced more focused campaign finance reform legislation, which I introduced last year, which, if enacted, would eliminate political action committees as factors in Federal elections by prohibiting them—some 4,000 in number these days—from contributing money to candidates in such elections. My legislation would also lower the maximum amount that any individual could contribute to a candidate during a campaign from \$1,000 to \$100.

In introducing this bill, I recognize it as a statement of goals—a vision of where Congress needs to go in changing the way that elections are financed. We need to restore the influence of the small individual contributor, and eliminate the influence of the big special interests which, through their PAC's, have come to a nearly dominant role in the political process. All people, not just those with financial means, should have a right to be heard and to participate freely and equally in the political activities of their national government.

President-elect Clinton has indicated his support for quick passage of comprehensive campaign reform that will move us toward these goals. House Democratic leadership—to its credit—has made passage of campaign finance reform a priority in the 103d Congress. I intend, once again, to be an ardent supporter of that effort.

On another subject than campaign reform—but no less important—I have reintroduced the Brady bill (H.R. 277). This legislation, which mandates that a 7-day waiting period must elapse before the purchase of a handgun could be concluded, is intended to give law enforcement officials an opportunity to check the background of the proposed handgun purchaser, and to prevent the sale of handguns to people who should not have them—such as convicted felons and the mentally incompetent.

During my recent congressional campaign, I joined Jefferson County Judge-Executive Dave Armstrong, Louisville Mayor Jerry Abramson, representatives of the Louisville and Jefferson County Police Departments, and members of the Casey family—who lost their husband, son and brother, John Patrick Casey, M.D., to handgun violence a few years ago—in pledging that the Brady bill would be among my top priorities in the 103d Congress. And, I intend to work to make it among the House' priorities as well.

Although the Brady bill was passed in 1991 as a freestanding bill by the House, it was later incorporated into the omnibus crime bill and fell victim to partisan wrangling which scuttled the omnibus bill in the waning hours of the 102d Congress.

I believe the 103d Congress could do no better to exhibit its resolve to make America a better, safer nation than to pass, expeditiously, a strong campaign finance measure and the Brady bill.

ROY C. ACUFF

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CLEMENT. Mr. Speaker, last November 23, America lost an individual of unquestioned talent, generosity, and achievement.

Roy C. Acuff, the King of Country Music, passed away in Nashville from congestive heart disease. He is sorely missed by Americans everywhere and by an industry and musical style he pioneered and shaped throughout his life.

His contribution to country music is legendary. His warmth and generosity, particularly to

ward new artists and musicians, is less well-known, but no less appreciated and admired.

In 1991, I had the honor of nominating Roy for the National Medal of Art, which President Bush conferred on him in June of that year. Roy was the first country music entertainer to receive that award, as well as a Kennedy Center honor for a lifetime of extraordinary contributions to American culture.

Mr. Speaker, our Nation and our culture is greater because of Roy Acuff. It was an honor to know him and to be his friend.

I have included with my remarks a tribute which appeared in the Grand Ole Opry's program the weekend following Roy's passing last November.

ROY ACUFF

From the great Atlantic Ocean to the wide Pacific shore—people from all walks of life were deeply affected by the death of Roy Acuff on November 23, of congestive heart disease. He had been hospitalized for the condition since October 30.

The undisputed "King of Country Music," Roy Claxton Acuff was born September 15, 1903 in the shadow of the Great Smoky Mountains on a farm near Maynardsville, Tennessee.

He joined the Grand Ole Opry in 1938 and for 54 glorious years Roy remained the Opry's brightest star. Roy personified what this family radio show embodies—great entertainment in a family atmosphere featuring outstanding Country Music, humor, and fun.

Roy's fabulous career was filled with impressive awards and achievements. Unquestionably, he left an indelible mark on Country Music for all time. He was a multi-talented individual as a singer, recording artist, songwriter, musician, pioneer music publisher, star of movies, television and radio, and a three-time candidate for Governor of Tennessee. He was widely loved, respected, and universally popular. Yet despite his lofty accomplishments, Roy remained the model of country sincerity and humility.

It was at the Grand Ole Opry that Roy was most happy and content. Here he entertained with eloquent simplicity. He truly loved Opry audiences and the SWM Radio listeners. Like a great speckled bird, he flew into the home of millions of Americans bringing songs of comfort, hope, joy, and sadness. Each weekend he steamed across the airwaves like the Wabash Cannonball—strong, dependable and passionate. Roy was a true American original, a legend whose mere presence on stage brought us all together, if only for an instant, and stoked us with his blazing fire for life and treasure chest of memories from the past.

In a 1988 interview, Roy recalled the early days: "When I appeared on the Opry, February 19, 1938, I was a very nervous person and I didn't do good. My fiddling wasn't any good. But I sang the 'Great Speckled Bird', and the audience applauded. I got four or five encores on it the first time. My voice was new to the public," he said. "They had never heard someone that reared back and sang with an open voice. Most people back then were crooners. I was different, but the public accepted me."

When asked about the high spots in his career, Roy replied: "I enjoyed all my trips overseas to entertain the boys and girls in the armed services all during the war years. I started back in about 1948 in Germany and followed 'em all the way through the Vietnam War. I thoroughly enjoyed traveling with the boys then because I feel that Coun-

try Music was a good pick-up for them," he said. "I spent a lot of Christmases over there. I never spent a Christmas at home for, I guess, 10 or 12 years."

When questioned about being an Opry member for over 50 years he stated: "I wanted to be on the Opry. Oh yes! That was my desire. I love this stage. You can let the curtain fly back and I'm ready. This Opry is a part of me, and I hope that I'm a part of the Opry," he said. "You know, I don't think anything could hurt me as bad as if I couldn't ever work the Opry again. It has meant everything."

Concerning the Opry audiences Roy remarked: "I'll go down into the audience and sign autographs. I'll eat dinner with them if they want me to. And I'll go to my dressing room and the door is always open to whoever wants to come in. We're trying to let people know that we love them and we want them to come and visit us. It's a great audience. You won't find an audience anymore devoted or friendly. They respond," he said. "Audience—fans—friends—they're appreciated and always welcome. I've thanked the people for coming from hundreds of miles away and I've told them, 'If it wasn't for you being out there tonight they wouldn't have me here.'"

Well, we don't have Roy Acuff here anymore and the Grand Ole Opry will never be the same. Roy's passing marks the passing of an entire era of Country Music. The Grand Ole Opry will, of course, carry on in the grand tradition of which Roy was so much a part. But his absence will be keenly felt. For over one-half a century, the living symbol of the Opry has been Roy Acuff. Now he is gone. Thankfully, his music and memories will live on.

In 1991, President George Bush personally presented Roy the National Medal of Art and the Kennedy Center Honors for a lifetime of extraordinary contributions to American culture. He was the first Country Music entertainer to receive these awards.

On hearing the news of Roy Acuff's death, President Bush expressed the sentiments of many Americans when he stated: "Barbara and I mourn the death of our longtime friend and the King of Country Music. He helped the Grand Ole Opry become America's heirloom of the heart. Often Barbara and I visited him and heard Roy sing 'The Great Speckled Bird' or 'Wabash Cannonball'. We marveled at his talent. Even more, we cherished his kindness, modesty, love of life and loyalty to friends."

HAZARDOUS WASTE COMMUNITY INFORMATION STATEMENT

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CLINGER. Mr. Speaker, today I am pleased to introduce the Hazardous Waste Community Information Statement Act together with my colleagues, Mr. SYNAR and Mr. HOBSON. This bill is a revised, and improved, version of H.R. 4212 which was a similar bill I introduced in the 102d Congress.

The legislation I am introducing today reflects the changes that were adopted by the Energy and Commerce Committee during the full committee markup of the Resource Conservation and Recovery Act [RCRA] for municipal waste. I would like to commend and thank Chairman DINGELL, Chairman SWIFT, Con-

gressman SYNAR, and others, including key Republican members, on the committee in working together to see that such a provision was included in the RCRA legislation.

Hazardous waste is one of the most pressing and contentious environmental problems facing us today—the solutions are not easy ones. But one thing that seems certain is that rural and minority communities will continue to be disproportionately burdened with disposing of society's waste. This bill would simply require that a community information statement be prepared during the permitting process of any new hazardous waste facility. The statement would provide objective information about how a hazardous waste facility will affect the community before the facility is built—a critical need which is not now addressed.

The intent of the bill is neither to help nor hinder construction of facilities but to fully examine the potential effects, including benefits and costs. The host community as well as the State would know in advance any changes which may be necessary prior to the construction of a facility. For example, the community would know whether emergency preparedness systems need to be strengthened or any necessary road improvements. In simple terms, this is called good planning.

The community information statement would be prepared by an independent contractor selected jointly by the community and the permit applicant 30 days after a permit application is filed; if not, then the permitting authority would select the independent contractor. The statement would identify and describe the effects of such facility on the host community including effects on the local economy and employment, housing, public safety and emergency preparedness systems, transportation systems, and recreational amenities and tourism in the area. The statement would also address the types of wastes expected to enter the facility as well as any releases expected and any associated human health impacts. Finally, the statement would describe the demographic characteristics of the host community, the presence of existing waste facilities or a Superfund site in the community, and the permit applicant's record of compliance. The costs of the study would be covered by the permit applicant. To facilitate implementation, EPA is required to promulgate regulations 1 year after enactment.

The main goal of the legislation is to provide information. The statement would be available to the public no later than 1 year after the selection of the independent contractor or 60 days prior to a public hearing. I was very surprised to learn that there is no requirement like this under current law. In fact, under current law, only public hearings are required. In some cases, States already collect some of this information as part of the permit application but it is not disseminated to the community. What good is a public hearing if there is not sound information available to discuss issues that affect the future of the community?

Mr. Speaker, I ask that a copy of the legislation be inserted into the RECORD. I urge my fellow Members to seriously consider this bill and I look forward to working on a bipartisan basis with members of the Energy and Commerce Committee to secure passage of the legislation.

Public participation is the thread with which the fabric of our country is woven. This legislation will help allow citizens to more fully participate in the decisionmaking process. It is clearly in the public interest to do so before a hazardous waste facility is built rather than after.

H.R. —

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

SECTION 1. COMMUNITY INFORMATION STATEMENT.

(a) AMENDMENT OF SUBTITLE D.—Subtitle C of the Solid Waste Disposal Act is amended by adding the following new section at the end thereof:

"SEC. 3021. COMMUNITY INFORMATION STATEMENT.

"(a) REGULATIONS.—Not later than one year after the enactment of this section, the Administrator shall promulgate regulations to require the preparation of a community information statement as part of the permitting processes under this subtitle for any new off-site hazardous waste treatment or disposal facility. Each such statement shall be made available for public review. The final statement for any facility shall be available for public review before the earlier of (1) 60 days before a public hearing is conducted by the permitting authority regarding the proposed issuance of such permit or (2) the date one year after the date on which an independent contractor is selected under subsection (b). The permitting authority shall take the community information statement into account in making any final decision regarding the issuance of such permit and in establishing any conditions to be imposed in such permit. Such statement shall be a part of the record on which the permitting decision is based.

"(b) SELECTION OF INDEPENDENT CONTRACTOR TO PREPARE STATEMENT.—The community information statement required under this section shall be prepared by an independent contractor selected jointly, after consultation with concerned citizens, by the applicant for the permit and the chief elected official of the affected host community. If the applicant and chief elected official do not agree on the selection of any independent contractor within 30 days after the date on which the application for a permit under this section is filed, the permitting authority shall select the independent contractor to prepare the statement required under this section.

"(c) COSTS.—The permitting authority shall impose and collect a fee on the submission of each application for a permit for which a statement under this section is required. The fee shall cover the reasonable costs of preparing the community information statement.

"(d) REQUIREMENTS.—A community information statement meets the requirements of this section if such statement identifies and describes each of the following—

"(1) The effects of such facility on the host community, including the effects on the local economy and employment, housing, public safety and emergency preparedness, transportation systems, and recreational amenities and tourism in the area.

"(2) The types of wastes expected to enter the facility and the types of releases expected from the facility and any human health impacts associated with such wastes and with such releases.

"(3) The options or alternatives for mitigating any such impacts on the affected community.

"(4) The demographic characteristics of the affected host community according to race, ethnic background, and income.

"(5) The presence in the affected host community of any—

"(A) existing solid waste treatment, storage, or disposal facility, or

"(B) site in which a release of hazardous substances (within the meaning of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980) has occurred and the extent to which such site has been remediated.

"(6) Permit applicant's record of compliance with State and Federal environmental regulations and laws, and the record of such compliance by any firm engaged to operate the facility or any firm which controls or is affiliated with the applicant, including any serious violations thereof.

The community information statement prepared in connection with any facility shall not be subject to judicial review in any proceeding other than a proceeding brought to challenge the issuance of a permit for such facility. In any permitting proceeding respecting such facility the permitting authority shall take the statement into account, and in any such proceeding the statement shall be treated as satisfying the requirements of this section unless the statement contained material misstatements or omissions which affected the permitting authority's decision.

"(f) DEFINITIONS.—As used in this section—

"(1) The term 'new off site hazardous waste treatment or disposal facility' means a hazardous waste treatment or disposal facility which—

"(A) accepts for treatment or disposal hazardous waste that is not generated at the site of such treatment or disposal, and

"(B) for which a permit is issued by a State agency under this subtitle after the date of promulgation of regulations under this section.

Such term shall not include any facility existing on such date but shall include an expansion of such an existing facility if a new permit is required after such date for such expansion and if such expansion, together with all other expansions constructed after such date (or after the preparation of the last statement under this section with respect to such facility, whichever is later) increases the capacity of the facility by more than 50 percent.

"(2) The term 'affected host community' means the county, municipality, or township or other general purpose unit of local government which has primary jurisdiction over the use of the land on which a facility is located or proposed to be located.

"(3) The term 'independent contractor' means a person who has no financial or other potential conflict of interest in the outcome of a proceeding to determine whether or not a permit should be issued for a new off site facility for the treatment, storage, or disposal of hazardous waste."

(b) TABLE OF CONTENTS.—The table of contents for subtitle C of such Act is amended by adding the following new item after the item relating to section 3020:

"Sec. 3021. Community information statement."

FEDERAL EMPLOYEES LIVING BENEFITS ACT, H.R. 512

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GILMAN. Mr. Speaker, life insurance is something we routinely provide for our loved ones who survive us. It is ironic, however, that those most in need of the financial benefits provided by a life insurance policy are often those who are the insured and not the beneficiaries. Today I am introducing legislation that I sponsored in the 102d Congress designed to ease the financial burden on those facing a terminal illness. H.R. 512, the Federal Employees Group Life Insurance Living Benefits Act, provides that a Federal employee diagnosed as terminally ill with a life expectancy of 9 or less months may elect to receive his or her basic life insurance amount as a "living benefit."

It is regrettable that this important measure failed to receive floor consideration during the previous Congress, but I am optimistic that this deserving and cost-efficient legislation will receive favorable consideration during this upcoming legislative session.

Facing a terminal illness is morally and emotionally difficult in and of itself. However, the depletion of one's financial resources often compounds the already serious ordeal facing the patient and his or her family. Living benefits help ease the financial burden placed on the insured while providing a needed source of income in order to allow the insured to live the rest of his or her life with dignity and comfort.

Private sector life insurance companies first began to offer this humane benefit in the late 1980's. Some insurance companies offer a lump sum payment while others impose lower limits on pay-outs to people who were over 65 years old when the policy was purchased. Most require a written statement from a certified medical authority that the policy holder has a life expectancy less than a specified period of time, usually 6 to 12 months.

Benefits can be used at the discretion of the insured. However, most often these funds are used for providing care and medical treatment in the remaining period of life. While not substituting for the need for a comprehensive long-term care policy, living benefits can help ease the financial burdens of nursing home and/or home care for the terminally ill.

H.R. 512 provides a comprehensive framework for the Office of Personnel [OPM] to issue regulations in designing a living benefits program for the Federal employees group life insurance program. A participant in the Federal group life insurance program [FEGLI] facing a terminal illness may elect to receive an accelerated insurance amount equal to his or her basic insurance amount, as adjusted actuarially. The application shall contain certification by the appropriate medical authorities that the insured has a life expectancy of 9 or less months. OPM may issue regulations governing procedures for the insured to submit to an independent medical examination at the direction of the employing agency or Office of Employees Group Life Insurance, which shall be of no expense to the insured.

Employees may make a partial election of the basic insurance amount in multiples of \$1,000. In return for electing the living benefit, the policyholder severs, to the extent an election was made, all rights any beneficiaries may have in the proceeds of the policy. H.R. 512 only affects the basic insurance amount and does not negate beneficiary rights in optional FEGLI amounts. The living benefits election is irrevocable and the policyholder is no longer liable for monthly premiums on the basic insurance amount. H.R. 512 is intended to result in no costs to the FEGLI insurance fund.

In an age where complex problems demand even more complex, expensive solutions, this legislation provides a needed benefit at a nominal charge. This legislation also allows a terminally ill patient the opportunity to access a source of funds which could finance needed medical treatment and care in order to allow the individual to live his or her remaining days in comfort and dignity. It is not often that this Body has the chance to enact humanitarian legislation with such a reasonable price tag. I hope all my colleagues will join with me today in supporting this legislation.

I insert the full text of the legislation in the RECORD at this point in addition to the following section-by-section analysis of the legislation:

FEGLI LIVING BENEFITS ACT

SECTION BY SECTION ANALYSIS

Section 1. Bill is entitled the "FEGLI Living Benefits Act".

Section 2. Amends chapter 87 of title 5, United States Code, by adding a "living benefits" section:

Subsection (a) establishes a new section 8174d entitled "option to receive 'living benefit'". Subsection (a) defines a "terminally ill" individual as one who has a medical prognosis that his or her life expectancy is 9 months or less.

Subsection (b) directs the Office of Personnel Management to issue regulations under which an individual who is enrolled in the Federal Employees Government Life Insurance Program can elect to receive a lump-sum payment if such individual is terminally ill. The lump-sum payment is the insured's basic insurance amount (or portion thereof) as actuarially adjusted under regulations issued by OPM.

Subsection (c) provides if the benefit is elected, no insurance (to the extent the amount was elected) is payable based on the insured's death. Insurance deductions and withholdings are terminated to the extent applicable. Individual electing this benefit remain eligible for optional insurance benefit amounts if previously elected.

Subsection (d) directs OPM to issue regulations regarding the form and manner in which an application is made. An application must contain a certification by an appropriate medical authority as to the nature of the illness and a prognosis that the individual is not expected to live more than 9 months. Regulations may include procedures for an insured to submit to a medical examination at the direction of the employing agency or Office of Federal Government Life Insurance. The insured is not liable for the expense of such examination. Any decision by the reviewing agency or entity is not subject to administrative review (i.e. the insured may go directly to federal court). An individual making a partial election must designate a portion as of the basic insurance

amount as a multiple of \$1,000. Annuitants and those on workmen's compensation are not allowed the option of choosing a partial lump-sum payment (i.e. these individuals must choose the full basic insurance amount). OPM is directed to issue regulations addressing the situations where the insured electing the full benefit reach age 65 during the benefit period.

Section 3. Subsection (a) sets the effective date as 9 months following date of enactment.

Subsection (b) requires OPM to issue regulations not later than 9 months after enactment, to enact a FEGLI open season and to take such actions as to ensure that all eligible individuals are notified of the event.

H.R. 512

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "FEGLI Living Benefits Act".

SEC. 2 OPTION TO RECEIVE "LIVING BENEFITS".

(a) IN GENERAL.—Chapter 87 of title 5, United States Code, is amended by inserting after section 8714c the following:

"§ 8714d. Option to receive 'living benefits'"

"(a) For the purpose of this section, an individual shall be considered to be 'terminally ill' if such individual has a medical prognosis that such individual's life expectancy is 9 months or less.

"(b) The Office of Personnel Management shall prescribe regulations under which any individual covered by group life insurance under section 8704(a) may, if such individual is terminally ill, elect to receive a lump-sum payment equal to—

"(1) the full amount of insurance under section 8704(a) (or portion thereof designated for this purpose under subsection (d)(4)) which would otherwise be payable under this chapter (on the establishment of a valid claim)—

"(A) computed based on a date determined under regulations of the Office (but not later than 30 days after the date on which the individual's application for benefits under this section is approved or deemed approved under subsection (d)(3)); and

"(B) assuming continued coverage under this chapter at that time;

reduced by

"(2) an amount necessary to assure that there is no increase in the actuarial value of the benefit paid (as determined under regulations of the Office).

"(c)(1) If a lump-sum payment is taken under this section—

"(A) no insurance under the provisions of section 8704 (a) or (b) shall be payable based on the death or any loss of the individual involved, unless the lump-sum payment represents only a portion of the total benefits which could have been taken, in which case benefits under those provisions shall remain in effect, except that the basic insurance amount on which they are based—

"(i) shall be reduced by the percentage which the designated portion comprised relative to the total benefits which could have been taken (rounding the result to the nearest multiple of \$1,000 or, if midway between multiples of \$1,000, to the next higher multiple of \$1,000); and

"(ii) shall not be subject to further adjustment; and

"(B) deductions and withholdings under section 8707, and contributions under section 8708, shall be terminated with respect to

such individual (or reduced in a manner consistent with the percentage reduction in the individual's basic insurance amount, if applicable), effective with respect to any amounts which would otherwise become due on or after the date of payment under this section.

"(2) An individual who takes a lump-sum payment under this section (whether full or partial) remains eligible for optional benefits under sections 8714a–8714c (subject to payment of the full cost of those benefits in accordance with applicable provisions of the section or sections involved, to the same extent as if no election under this section had been made).

"(d)(1) The Office's regulations shall include provisions regarding the form and manner in which an application under this section shall be made and the procedures in accordance with which any such application shall be considered.

"(2) An application shall not be considered to be complete unless it includes such information and supporting evidence as the regulations require, including certification by an appropriate medical authority as to the nature of the individual's illness and that the individual is not expected to live more than 9 months because of that illness.

"(3)(A) In order to ascertain the reliability of any medical opinion or finding submitted as part of an application under this section, the covered individual may be required to submit to a medical examination under the direction of the agency or entity considering the application. The individual shall not be liable for the costs associated with any examination required under this subparagraph.

"(B) Any decision by the reviewing agency or entity with respect to an application for benefits under this section (including one relating to an individual's medical prognosis) shall not be subject to administrative review.

"(4)(A) An individual making an election under this section may designate that only a limited portion (expressed as a multiple of \$1,000) of the total amount otherwise allowable under this section be paid pursuant to such election.

"(B) A designation under this paragraph may not be made by an individual described in paragraph (1) or (2) of section 8706(b).

"(5) An election to receive benefits under this section shall be irrevocable, and not more than one such election may be made by any individual.

"(6) The regulations shall include provisions to address the question of how to apply section 8706(b)(3)(B) in the case of an electing individual who has attained 65 years of age."

(b) TABLE OF SECTIONS.—The table of sections for chapter 87 of title 5, United States Code, is amended by inserting after the item relating to section 8714c the following:

"8714d. Option to receive 'living benefits'."

SEC. 3. EFFECTIVE DATE; OPEN SEASON AND NOTICE.

(a) EFFECTIVE DATE.—The amendments made by section 2 shall take effect 9 months after the date of the enactment of this Act.

(b) OPEN SEASON; NOTICE.—(1) The Office of Personnel Management shall prescribe regulations under which, beginning not later than 9 months after the date of the enactment of this Act, and over a period of not less than 8 weeks—

(A) an employee (as defined by section 8701(a) of title 5, United States Code) who declined or voluntarily terminated coverage under chapter 87 of such title—

(i) may elect to begin, or to resume, group life insurance and group accidental death and dismemberment insurance; and

(ii) may make such other elections under such chapter as the Office may allow; and (B) such other elections as the Office allows may be made.

(2) The Office shall take such action as may be necessary to ensure that employees and any other individuals who would be eligible to make an election under this subsection are afforded advance notification to that effect.

PRESIDENT'S ACTION MERITS PRAISE, NOT CRITICISM

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. DUNCAN. Mr. Speaker, the Iran-Contra investigation conducted by Lawrence Walsh has been a tremendous waste of U.S. taxpayer money.

It has helped no one but the people who have been employed by investigator Walsh.

Underscoring this point is a column by James J. Kilpatrick, which ran in newspapers across the country.

I would like to call this article to the attention of my colleagues and other readers of the RECORD, as well as an article by Fred Barnes, which appeared in the January issue of Readers Digest:

PRESIDENT'S ACTION MERITS PRAISE, NOT CRITICISM

(By James J. Kilpatrick)

Zealotry always wears an ugly face. The ugliest face around Washington these days is the ugly face of Lawrence Walsh, the vindictive special prosecutor in the case of the Iran-Contra affair. This vulture has been deprived of his prey.

By his courageous action on Christmas Eve, President Bush pardoned Caspar Weinberger and five others who had been involved long ago in the trading of arms for hostages. The president's decision was a manifestation of justice at its best. It was morally right in every way.

Prosecutor Walsh, the reincarnation of Victor Hugo's Inspector Javert, is beside himself with anger. Inspector Javert, you will recall, spent his life pursuing Jean Valjean, whose crime was to steal a loaf of bread to feed his sister's starving family. The story of "Les Miserables" was the stuff of magnificent fiction. Walsh's obsession became the stuff of despicable fact.

Weinberger's last-minute escape—he was to go on trial Jan. 5—has infuriated the usual howlers. Anthony Lewis of the New York Times is having hysterics. Democratic majority leaders are venting their rage. On every side we are hearing hypocritical cries that the president regards the defendants as above the law.

What rubbish! In the midst of the uproar, it may not be amiss to focus on the distinction between law and justice. They are not at all the same thing.

In the matter at hand, it is far from clear that Weinberger and the others broke any criminal statute at all. The prosecutor has spent \$31 million of the taxpayers' money in pursuit of his obsession, and he has come up empty. All that Walsh had left were various vague charges of obstructing justice and withholding information from Congress.

At bottom, the charges were never criminal; they were entirely political. President

Reagan, said his Democratic foes, had used his presidential powers in defiance of Congress. In 1986 he had taken matters into his own hands in an effort to enlist Iran's help in freeing American hostages held in Lebanon. He had arranged for Israel to sell certain U.S. missiles to Iran, and he had diverted proceeds to the aid of the freedom fighters in Nicaragua.

That was the substance of the whole affair. Reagan handled the matter badly. He had his own obsession—he wanted desperately to free the hostages—but he failed to ride herd on the operation. The late Bill Casey, director of the CIA, took over. His associates rode off in all directions. Through an excess of loyalty, the thing got out of hand.

The law of 1986 is clouded with doubt. The Boland Amendments were civil statutes, not criminal statutes. Given the complex facts of the covert affair, the Arms Export Control Act may not have applied.

In any event, the only substantive offense finally charged to Weinberger is that, in responding to questions put to him by congressional investigators, he denied having taken certain notes when in fact he had taken them. On this flimsy accusation, far removed from the original uproar, Weinberger has been put to a million dollars in legal expenses. He is 75 years old, in poor health. I know him to be a devoted public servant whose integrity cannot be successfully challenged.

In granting the pardons, Bush risked the contumely he is now receiving. He knew he would be accused by the likes of Lawrence Walsh of attempting to cover up his own involvement as vice president. To perform an act of compassionate justice, Bush put his own reputation on the line.

Bush's reputation will survive. By granting the pardons, he sought to close a wound that has festered for nearly seven years. Presidents must act in what they perceive to be the national interest. When laws are unclear, when lawyers sharply disagree, when justice may be served by decisive action, presidents must invoke their undoubted powers.

This was the reasoning of Thomas Jefferson when he approved the Louisiana Purchase nearly 200 years ago. Jefferson felt uneasily that he might be breaking the law. "There is a difficulty in the acquisition," he said, "which presents a handle to the malcontents among us." But he did what was right.

Malcontents are still among us. Certain posturing defenders of "the law" will always praise Javert and condemn his victim. My own reaction is to condemn Walsh and praise the president instead.

[From the Readers Digest, January 1993]

THE UNITED STATES VS. ELLIOTT ABRAMS (By Fred Barnes)

Elliott Abrams tried to look relaxed, but inside he was numb. What was happening in the U.S. District Court that afternoon in October 1991 was almost unthinkable.

Sixteen years earlier Abrams had come to Washington at age 27, brimming with idealism and passion. For eight years in President Reagan's State Department he had championed human rights, then led the struggle to defeat communist expansion in the Western Hemisphere. And the battle—in Grenada, in El Salvador, in Nicaragua—had been won. Communism had been halted, and now it was practically destroyed.

Abrams had every right to be proud. He had served his country with honor. Yet here he stood, before U.S. District Court Chief Judge Aubrey Robinson, Jr. "Criminal Case

No. 91-575," the clerk began. "The United States vs. Elliott Abrams."

As Abrams stood in the courtroom, he felt the presence of his wife, Rachel, in the front row. She was seething with rage over the unjust persecution of a man whose character she knew so well.

Ordinarily, a man like Abrams had nothing to fear in court. But these were not ordinary circumstances. Abrams's aggressive anti-communism had stirred implacable opposition—particularly in the office of Lawrence Walsh, a special prosecutor appointed as a result of Congressional pressure in the wake of the Iran-Contra scandal five years earlier.

Walsh had a knack for twisting policy disputes into criminal conduct. Now he was trying to convict Abrams for activity that had never, in 200 years of American history, been regarded as criminal. "A prosecutor in normal circumstances would never have brought such charges," says Joseph diGenova, former U.S. Attorney for Washington, DC. "The criminalization of a policy dispute is a monstrous torturing of the criminal justice system." It was the kind of prosecution *The Wall Street Journal* would refer to as a "Walshing."

American Journey. Of all the bright young people I'd covered in Washington over two decades, Abrams stood apart. He was ambitious, but driven more by ideas than by career opportunities. So while most of the reporters in that courtroom appeared delighted, I felt only regret. Here was a man who had always been willing to sacrifice himself for the cause of freedom. And in the end, it now appeared, that's exactly what he was going to do.

Abrams grew up in a middle-class section of Queens, N.Y., the son of liberal Democratic parents. His mother was a schoolteacher, his father an immigration lawyer whose specialty was securing American visas for grateful newcomers.

Abrams attended a high school, Elisabeth Irwin, that had a reputation for sending its graduates to top-flight colleges. It also employed teachers with a strong leftist bent.

Feisty even as a youth, Abrams challenged the school's dogmatic, anti-American tilt. Teachers appeared amused by the youngster's yeasty patriotism. But Abrams was deadly serious—and forever inoculated against radical politics.

As a Harvard undergraduate, he rejected the anti-Vietnam War movement. And he was undeterred by intimidation. At the height of the anti-war protests, when universities were shut down and free speech was threatened, Abrams found himself in a packed dormitory dining hall. As he rose to address the crowd, sustained hissing came from the anti-war militants. It was a standard tactic, but it didn't work. "I thought I'd really arrived," he later recalled, relishing the confrontation.

Still, the subsequent years were painful for those who opposed communist tyranny. The Vietnam War was lost. Marxists, aided by Cuban troops, seized Angola. The Soviet Union invaded Afghanistan. There were Marxist coups in Grenada and Nicaragua. Communist insurgents were operating in El Salvador.

Abrams left a promising law practice in New York to work in government. A Democrat in those years, he was an aide to Sen. Henry Jackson of Washington and then Sen. Daniel Patrick Moynihan (D., N.Y.). But he was having second thoughts about President Jimmy Carter. The final break came during a meeting with Carter at the White House in early 1980. The Soviets had just invaded Af-

ghanistan, and Abrams and a dozen other hard-liners hoped to persuade Carter that he had underestimated the Soviets and needed tough new policies. But Carter was unresponsive, contending that they put too much emphasis on the communist threat. Abrams decided then and there to campaign for the Republican nominee, and eventually changed parties.

Abrams' most passionate convictions concerned freedom and human rights, so it was no accident that in the Reagan Administration he became the State Department's Assistant Secretary for Human Rights. At first he was relatively popular on Capitol Hill, attacking authoritarianism as well as communist dictatorships.

In 1985, Abrams was asked to become Assistant Secretary for Inter-American Affairs, the point man for Reagan's policy of blocking communist expansion in the hemisphere—a policy that the American left denounced as Yankee imperialism. "This would not be going from the frying pan into the fire," Abrams has written, "but from the pantry into a bonfire." Naturally, he said yes.

Abrams spoke forcefully in favor of aid to the Contras waging guerrilla war against the communist Sandinista regime of Nicaragua, and in defense of the anti-communist government of El Salvador.

He was called before Congressional hearings dozens of times and gave hours of testimony, often without notes. The grilling from Democrats was merciless, but Abrams gave no quarter. His critics were particularly annoyed by Abrams' peppery rejoinders. "No, Senator, you are just plain wrong," he once shot back at Sen. Christopher Dodd (D., Conn.). "You're on the wrong committee," he reminded Rep. Michael Barnes of Maryland, who pressed him for secret information. "You want information on covert activity? Get on the Intelligence Committee." Abrams became one of the most resented Reagan spokesmen on Capitol Hill.

He also attracted personal abuse. Once, as he stood in line for a movie with Rachel, a perfect stranger approached, screaming, "Abrams, you've got blood on your hands!" Abrams endured it all stoically. Characteristically, Rachel was angry and didn't hesitate to let people know it.

Then, in 1986, the Iran-Contra scandal was uncovered—a secret scheme for selling arms to Iran and sending the profits to aid the freedom fighters in Nicaragua. Abrams' life became hell. He was interrogated by the Tower Commission and numerous Congressional committees, and cross-examined on national television. Three times he testified before a grand jury. The treatment in Congress could be brutal. Sen. Thomas Eagleton of Missouri said Abrams' testimony made him want to "puke."

Target of Opportunity. Congress also urged the appointment of a special prosecutor, and a three-judge panel named Wall Street lawyer Lawrence Walsh. Walsh and his team made Abrams a prime target. They combed thousands of pages of Abrams' records and testimony, looking for evidence of discrepancies, lies, cover-ups.

Later, one of Walsh's deputies, Jeffrey Toobin, wrote in a memoir, *Opening Arguments*, that he "undertook the investigation of Abrams with an enthusiasm that bordered on the unseemly." Abrams, Toobin decided early on, was one of the "bad guys."

The trouble was, they didn't have the evidence for an indictment. And so, in 1988, one of Walsh's deputies informed Abrams's lawyer that his testimony had been believed. It appeared Abrams was off the book.

Tobbin had "missed his target," Walsh later groused in a Washington Times interview. "He was supposed to get Abrams."

But Abrams didn't know all this. All he knew was that, finally, he could get on with his life, honor intact.

Leaving government at the end of the Reagan Administration, Abrams began writing a book on foreign policy and courted Latin American clients for his consulting business. Then, three years later, former colleagues began reporting that Walsh's staff was asking questions about him again. Newspaper stories, apparently leaked by Walsh's staff, were circulating rumors that Abrams was once more under investigation. The nightmares resumed.

Abrams's lawyer made inquiries. He got an answer from Craig Gillen, Walsh's top assistant. Yes, the investigation was reopened. "And there is movement," Gillen added.

What could they be after? His testimony to Congress, Abrams's lawyer was told. Which testimony? No one would say. Fearing the worst, Abrams now hired criminal lawyers.

After months of cat-and-mouse, Abrams began to suspect that Walsh would charge him with a passel of criminal counts. However worthless they might be, there was a big risk. At trial, juries deliberating over multiple counts often compromise, convicting a defendant on just one or two. And that meant Abrams could go to jail.

As a way out, Walsh dangled a painful bargain. Cop a plea, he suggested—plead guilty to a few lesser counts in return for a minor sentence such as probation and community service. Abrams would have to admit guilt, that he had behaved dishonorably, that he was a criminal.

Abrams brought the news home, finding Rachel bathing their six-year-old son Joey. In his newly published memoir, *Undue Process* (The Free Press), Abrams describes the scene:

I went into the bathroom and gave Joey a happy smile and a kiss. Rachel turned to me with a quizzical look: How had it gone with Walsh? Where were we?

We put the kids to bed and sat on the couch together. I brought her up-to-date on the plea bargain.

Rachel was combative. "Who's talking about pleas? We'll fight this. We'll win."

"Look," she said, "we know what tragedy is. Tragedy is the neighbors down the street, where the father of two girls died of brain cancer at age 40. This is not a tragedy. We will get through this."

Instinctively, Abrams wanted to fight. But he also thought about his family, and a trial could easily cost \$1 million. Prosecutor Walsh had an unlimited budget, from a permanent Congressional appropriation. Abrams figured he was at least \$950,000 short of what he needed.

Davis passed, and he said Rachel continued to talk. Rachel was still not resigned to a plea. "What do you want to do?" she finally asked.

He was silent for a long time. Then he told her he wanted to plead guilty to a lesser charge to get it all behind them.

They held each other. "You're my husband," Rachel said, "and you have to decide this one. Whatever you decide will not change us."

Inventing Crimes. And so, at 2:30 on that afternoon in October 1991, Abrams stood before Judge Robinson and pleaded guilty to two misdemeanors. Both involved unsworn testimony by an official of the Executive branch to Congress—never, before the advent of "Walshing," the subject of criminal prosecution.

One charge involved a day, five years earlier, when Abrams was unexpectedly asked about a newspaper article which had appeared that morning. The article reported allegations that the United States was illegally directing an elaborate private supply system for the Contras. Speaking without notes, Abrams reiterated the Administration's support for this effort, but added that "we don't have conversations, we don't tell them to do this, we don't ask them to do it."

It was common knowledge that the Administration was in contact with private individuals helping the Contras—President Reagan had often said so in public. When Abrams said "no conversations," he obviously meant no illegal conversations or contacts. If his remark had not been understood in context, his Congressional interrogators would surely have pressed him to explain. But now Walsh had wrenched Abrams's words out of context. Taken that way—not the way Abrams meant them—he'd lied.

Walsh also reached back to another moment five years in the past to claim that Abrams was lying to Congress when he denied knowing that foreign countries were helping to supply the Contras. In fact, his statement was literally true. Although he had earlier persuaded the Sultan of Brunei to donate \$10 million, the money hadn't reached the Contras when Abrams was asked the question. (It never did reach them.)

The U.S. government, Secretary of State George Shultz later told Congress, had given Brunei a pledge of absolute confidentiality, "and Mr. Abrams properly felt bound by that pledge." Abrams later sought permission from Shultz and revealed the solicitation. Moreover, there was nothing unlawful about it, because Congress had permitted the State Department to solicit humanitarian aid for the Contras.

Judge Robinson accepted the plea, but did not appear impressed. He sentenced Abrams to 100 hours of community service, imposed only the minimum \$50 fine and said, "I am not suggesting that your life needs rehabilitating." It was a small gesture of vindication, and Abrams was grateful.

When the definitive history of the Iran-Contra scandal is written, the Walsh operation will surely be judged harshly.

Now entering his seventh year, Walsh concedes he's failed to prosecute "the basic operational crimes committed in the course of the Iran-Contra affair due to national security claims." The convictions of Oliver North and National Security Adviser John Poindexter were either reversed on appeal or dismissed. So, to get guilty pleas from supporting actors, he's invented a new category of crime, forcing middle-class defendants like Abrams to plead guilty or spend millions to fight him in court. Instead of looking for crimes and following a path to their perpetrators, he targets individuals and looks for crimes they can be accused of.

For North and especially Abrams, Walsh for the first time applied the false-statement law to unsworn testimony about policy by Executive branch officials. The law had been applied to statements to Congress since 1955, but only in corruption cases, never policy squabbles.

Walsh accused two Contra supporters, Carl "Spitz" Channell and Richard Miller, of using a charitable group to raise funds for "non-humanitarian" purposes. Then-Assistant Attorney General John Bolton called this a "wacko legal theory," but Channell and Miller pleaded guilty anyway.

His latest quarry is former Defense Secretary Caspar Weinberger, who strongly op-

posed the illegal arms sale to Iran. But Walsh has had him indicted anyway, on three false-statements and two perjury charges. Weinberger, now publisher of *Forbes* magazine, has the money to fight. He goes on trial this month.

Meanwhile, Walsh behaves like a potentate. According to the General Accounting Office, his office has spent \$16.5 million in personnel compensation and benefits, and over \$8 million for rent, communications and equipment. For 3½ years he was reimbursed for a room at the Watergate Hotel even on days he did not occupy it.

It's time for the Walsh operation to be closed. He hasn't won a major trial conviction that stood up on appeal. He has only succeeded in turning policy disagreements into criminal cases, hardly the way to promote political debate or consensus.

It's time for President Bush—or President Clinton—to put an end to this era of conflict and get on with the business of the Nation.

FIRST REFORMED CHURCH OF WYNANTSKILL HAS RICH HISTORY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. SOLOMON. Mr. Speaker, The 22d Congressional District of New York, stretching from just north of New York City to just south of the Canadian border, is rich in history, especially the colonial history of America.

Much of that history can be found in the records of the many old churches that can be found everywhere in the district. One of them is the First Reformed Church of Wynantskill, which is celebrating its 200th birthday this year.

Mr. Speaker, there are many things I could say about this great church and its fascinating history, but I could not improve upon the feature story in the January 17 Albany Times-Union, which I proudly place in today's RECORD.

FOR CHURCH, 2 CENTURIES IN NO TRIVIAL PURSUIT

(By Patrick Kurp)

WYNANTSKILL.—On Jan. 23, 1826, the elders of the First Reformed Church of Wynantskill considered the case of Richard Van Dekar and Friedrich Barringer, congregants "given to intemperance and abuse of their families."

According to the minutes of that meeting 167 years ago, the consistory—the governing body in a Reformed congregation—voted to "reclaim them if possible and stir them up to a more holy life."

Subsequent church minutes fail to note the success or failure of that moral reclamation project.

"The church was their whole life back then. If they stepped out of line, it could be real trouble," said Lee Bowman, 75, parish historian and co-author of a forthcoming bicentennial history of the church.

The preface to the book begins: "To be able to state we have kept the faith for two centuries, kept the heritage of building and pews, is not an answer to a Trivial Pursuit question."

In 1793—the year George Washington was inaugurated for his second term as president—77 members of the First Reformed

Church in Albany (organized in 1628) left—were "dismissed," in Reformed Church parlance—to start their own congregation in Wynantskill. Previously, parishioners traveled every Sunday morning by horse and wagon to Rensselaer and crossed the Hudson River by ferry (there were no bridges) to attend day-long services.

"That was the social event of the week. It was a communal announcement, when there were no newspapers. People gossiped. They made eyes at each other," said church elder John C. Hintermaier, 80, who is co-writing the church history (tentatively titled "Witness in Wynantskill") with Bowman.

Also in 1793, the new parishioners erected a boxy, cabin-like church on present-day Route 66—a structure that survives as the modern church's sanctuary. Today, it's the oldest church building in continuous use in Rensselaer County.

The first 77 were mostly farmers, with a leavening of wheelwrights, blacksmiths and tavernkeepers. All were Dutch—services were conducted in Dutch and English—and some of their surnames survive in today's congregation: Sharpe, Coon (now Koon), Barringer (now Berringer).

The young parish's first "Dominie" (minister) was the Rev. Jacobus Van Campen Romeyn, who also pastored congregations in Greenbush and Schodack, and performed his first recorded baptisms in the new church (five of them) on Jan. 24, 1794.

Shared ministry ended in 1815, when the first church-owned parsonage was built for the Rev. Ralph A. Westervelt. During his tenure, a schism over doctrinal matters occurred within the congregation, and a new church, the True Reformed Dutch Church, was organized.

Church records carefully record each congregant's contribution to the minister's salary: Besides cash, he accepted chickens, firewood, bushels of corn and wheat.

The parsonage was occupied until the 1880s, when church minutes report that the living room floor collapsed during a meeting and congregants landed in a sauerkraut barrel in the basement.

Today, the walls, pillars and pews in the sanctuary are white, and the design is stark and unadorned. Color is added by the stained-glass window behind the altar depicting Jesus as the Good Shepherd. It was purchased in 1905 with money (\$950) raised by the Sunday School class.

The pipe organ was installed in 1969. Last week, the organist's hymnal was turned to "Rejoice, My Heart, Be Glad and Sing," and the Bible on the lectern for the reader (still called by the Dutch name "Voorlezer") was opened to Isaiah 20-21.

Two hundred years of church records have been preserved in leather-bound ledgers, some crumbling, some remarkable crisp and legible. The hand-written minutes and accounts are Hintermaier's preserve.

"This is our history," he said, hefting a 180-year-old account book.

For instance, culled from a ledger: On Sept. 14, 1844, the consistory passed a resolution creating a Day of Prayer "to avert judgment so seriously threatening us in consequence of the present drought and send us refreshing showers of rain from heaven."

On Sept. 11, 1879, after decades of dispute, the Consistory approved, "Hereafter, use of unfermented wine at the communion service."

Throughout two centuries of church minutes appears a phrase added, like a valedictory, to the end of each session. Here's the wording from May 21, 1845: "The Constitu-

tional question being put whether any of the members of consistory knew of any disorderly members belonging to this Church? The response was—no."

"That's an important part of our theology," Bowman said.

Today, some 950 Reformed congregations in the United States have a membership of about 200,000. The church in Wynantskill has about 350 active members.

The interim pastor is the Rev. Steve Burt, 43, a free-lance minister and small-church consultant who belongs to the United Church of Christ—a related denomination with, like the Reformed Church, "a basic Calvinist background," he said.

Last Sunday, Burt preached a bicentennial sermon using Luke 19:1-10 (the story of Zacchaeus, the short, Jewish tax collector) as his text and chutzpah as his theme.

Of his 200-year-old church, Burt preached, "We've all got chutzpah, the nerve to stand up to the fixed, the unchangeable, the status quo when it's wrong," and concluded, "May the next 200 years in the life of this church be as exciting as the first 200. And may God bless our work. Amen."

TEXAS SENATE CONCURRENT RESOLUTION

HON. BILL SARPALIUS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. SARPALIUS. Mr. Speaker, I would like to bring to your attention the following Senate Concurrent Resolution 10, as passed by the 72d legislature, fourth called session, 1992, of the State of Texas.

Our brave American servicemen who have served in Southeast Asia are to be commended and I urge the President of the United States to declassify all information relating to American military personnel and civilians who remain missing in Southeast Asia, except for that information that would reveal the methods, resources, and identities of intelligence operatives.

Along with the Texas State Legislature, I also ask that any remains returned from Southeast Asia in the future be transferred to the Smithsonian Institution in Washington, DC, for the purpose of identification. The United States should continue its current policy that diplomatic and economic relations with Laos, Vietnam, and Cambodia be normalized only when these countries have helped make a complete accounting of the missing.

All American veterans have sacrificed for the well being of the United States and those still missing should remain in the thoughts of all Americans until we have accounted for every one.

The resolution follows:

SENATE CONCURRENT RESOLUTION 10

Whereas, The Legislature of the State of Texas respectfully concurs with the executive and legislative branches of the United States government in assigning the "highest national priority" to determining the location and status of all American citizens still missing in Southeast Asia; and

Whereas, There are 2,273 American servicemen and civilians whose fates remain uncertain to this day, nearly two decades since the withdrawal of American troops from Vietnam and Southeast Asia; and

Whereas, Of those missing in Southeast Asia, 145 are military personnel from the State of Texas; these men are listed below by name, hometown, branch of service, and date of capture or loss:

NAME, HOMETOWN, BRANCH OF SERVICE, AND DATE OF LOSS

Lawrence Lee Aldrich, Fort Worth, U.S. Army, May 6, 1968.

Terry Lanier Alford, Pasadena, U.S. Army, November 4, 1969.

Samuel Almendariz, McAllen, U.S. Army, July 12, 1967.

John William Armstrong, Dallas, U.S. Air Force, November 9, 1967.

James Henry Ayres, Pampa, U.S. Air Force, January 3, 1971.

Vladimir Henry Bacik, Houston, U.S. Marine Corps, August 27, 1967.

Arthur Dale Baker, San Antonio, U.S. Air Force, April 7, 1965.

Robert Russell Barnett, Gladewater, U.S. Air Force, April 7, 1966.

Rudy Morales Becerra, Richmond, U.S. Army, March 24, 1970.

James Christof Becker, Palestine, U.S. Army, August 15, 1970.

Robert Samuel Bradshaw, 3rd, Lufkin, U.S. Marine Corps, February 12, 1970.

Jimmy Mac Brasher, Canyon, U.S. Army, September 28, 1966.

Ernest Frank Briggs, Jr., Devine, U.S. Army, January 5, 1968.

William Leslie Brooks, Tolar, U.S. Air Force, April 22, 1970.

James William Brown, Maud, U.S. Marine Corps, April 5, 1966.

Michael Paul Burns, El Paso, U.S. Army, July 31, 1969.

Ernest Ray Byars, Houston, U.S. Marine Corps, July 30, 1967.

James Henry Calfee, New Gulf, U.S. Air Force, March 11, 1968.

Virgil King Cameron, McAllen, U.S. Navy, July 29, 1966.

Clyde William Campbell, Longview, U.S. Air Force, March 1, 1969.

William Edward Campbell, McAllen, U.S. Air Force, January 29, 1969.

Donald Gene Carr, San Antonio, U.S. Army, July 6, 1971.

Billy Jack Cartwright, San Antonio, U.S. Navy, December 22, 1965.

John David Cayce, San Antonio, U.S. Navy, November 12, 1967.

James Albert Champion, Houston, U.S. Army, April 24, 1971.

John Clavin Clark II, Brownfield, U.S. Air Force, December 5, 1969.

Eugene Lunsford Clay, Arlington, U.S. Air Force, November 9, 1967.

Isom Carter Cochran, Jr., Houston, U.S. Army, May 23, 1968.

Edwin Ray Conner, Hillsboro, U.S. Navy, May 16, 1970.

Samuel Blackmar Cornelius, Lubbock, U.S. Air Force, June 16, 1973.

Joel Corona, Pharr, U.S. Army, November 8, 1970.

Donald Thorpe Deere, Snyder, U.S. Army, May 17, 1966.

Manuel Reyes Denton, Kerrville, U.S. Navy, October 8, 1963.

Ronald James Dexter, Abilene, U.S. Army, June 3, 1967.

William Young Duggan, Leander, U.S. Air Force, December 31, 1971.

Irby Dyer III, Midland, U.S. Army, December 2, 1966.

David John Earll, Dallas, U.S. Air Force, October 21, 1966.

William Patrick Egan, Fort Worth, U.S. Navy, April 29, 1966.

Carl J. Ellerd, Odessa, U.S. Navy, October 2, 1969.

Julian Escobedo, Jr., San Antonio, U.S. Marine Corps, September 1, 1969.

Clifford W. Fiesel, Lubbock, U.S. Air Force, September 30, 1968.

Ronald W. Forrester, Odessa, U.S. Marine Corps, December 27, 1972.

Marvin L. Foster, Hubbard, U.S. Army, March 16, 1969.

William O. Fuller, Houston, U.S. Air Force, August 26, 1967.

Ricardo Martinez Garcia, Driscoll, U.S. Army, March 19, 1971.

James E. George, Jr., Fort Worth, U.S. Army, February 8, 1968.

Paul F. Gilbert, Plainview, U.S. Air Force, June 18, 1972.

Jesus Armando Gonzalez, El Paso, U.S. Army, April 19, 1968.

Jose Jesus Gonzalez, El Paso, U.S. Marine Corps, June 11, 1967.

Charles B. Goodwin, Haskell, U.S. Navy, September 8, 1965.

Frank Clifford Green, Jr., Waskom, U.S. Navy, July 10, 1972.

Robert Bailey Green, Lampasas, U.S. Air Force, October 25, 1966.

Christopher A. Grosse, Jr., Harlingen, U.S. Army, March 28, 1968.

Hilario M. Guajardo, San Antonio, U.S. Marine Corps, May 1, 1967.

Alan W. Gunn, San Antonio, U.S. Army, February 12, 1968.

Charles David Hardie, Houston, U.S. Navy, July 27, 1967.

Bobby Glenn Harris, Mission, U.S. Army, March 17, 1971.

Gregg Hartness, Dallas, U.S. Air Force, November 26, 1968.

James Arthur Harwood, Dallas, U.S. Army, January 15, 1971.

Edgar L. Hawkins, Lamesa, U.S. Air Force, September 20, 1965.

Barry W. Hilbrich, Corpus Christi, U.S. Army, June 9, 1970.

Rayford J. Hill, Houston, U.S. Navy, October 2, 1969.

Richard Dale Hill, Houston, U.S. Air Force, December 6, 1963.

Cecil J. Hodgson, Greenville, U.S. Army, January 29, 1966.

Tilden S. Holley, Cameron, U.S. Air Force, January 20, 1968.

Lynn R. Huddleston, Ralls, U.S. Army, September 26, 1967.

James Larry Hull, Lubbock, U.S. Air Force, February 19, 1971.

John F. Hummel, Barstow, U.S. Army, March 6, 1971.

John Clark Hurst, Lufkin, U.S. Marine Corps, July 13, 1968.

Juan Macias Jimenez, San Antonio, U.S. Army, May 11, 1968.

August David Johnson, Houston, U.S. Navy, February 3, 1967.

Robert Dennison Johnson, Dallas, U.S. Navy, September 1, 1967.

John Robert Jones, El Paso, U.S. Army, June 5, 1971.

Louis R. Jones, San Angelo, U.S. Air Force, November 29, 1967.

Daniel Edward Jureco, Corpus Christi, U.S. Army, May 8, 1968.

Robert D. Kent, Dallas, U.S. Marine Corps, December 20, 1968.

Arthur William Kerns, El Paso, U.S. Army, December 23, 1966.

Roy A. Knight, Jr., Millsap, U.S. Air Force, May 19, 1967.

Terry T. Koonece, San Antonio, U.S. Air Force, December 25, 1967.

Glenn O. Lane, Odessa, U.S. Army, May 23, 1968.

Charles Allen Levis, Fort Worth, U.S. Air Force, April 2, 1972.

James W. Lewis, Marshall, U.S. Air Force, April 7, 1965.

Harold B. Lineberger, Austin, U.S. Air Force, January 29, 1971.

Danny Leonard Little, Abilene, U.S. Army, April 23, 1970.

Carl Edwin Long, College Station, U.S. Marine Corps, December 20, 1969.

Howard B. Lull, Jr., Dallas, U.S. Army, April 7, 1972.

Donald A. Luna, Houston, U.S. Air Force, February 1, 1969.

Charles Jerome Manske, El Campo, U.S. Air Force, March 24, 1969.

Michael Wayne Marker, Wichita Falls, U.S. Army, March 4, 1971.

Douglas K. Martin, Tyler, U.S. Air Force, April 18, 1973.

Sammy Arthur Martin, Bryan, U.S. Air Force, December 27, 1967.

Donald John Matocha, Smithville, U.S. Marine Corps, April 5, 1968.

James L. McCarty, McLean, U.S. Air Force, June 24, 1972.

R.D. McDonnell, Sweetwater, U.S. Army, March 25, 1971.

John Terrance McDonnell, Fort Worth, U.S. Army, March 6, 1969.

Michael Owens McElhanon, Fort Worth, U.S. Air Force, August 16, 1968.

Homer E. McKay, Shallowater, U.S. Navy, February 6, 1968.

Curtis D. Miller, Palacios, U.S. Air Force, March 29, 1972.

James Dale Mills, Commerce, U.S. Marine Corps, January 29, 1968.

Anastacio Montez, Presidio, U.S. Army, May 24, 1969.

Scott Ferris Moore, Jr., Mesquite, U.S. Navy, February 20, 1970.

Manuel J. Moreida, Harlingen, U.S. Army, December 2, 1967.

Henry G. Mundi II, Abilene, U.S. Air Force, May 8, 1969.

Charles V. Newton, Canadian, U.S. Army, April 17, 1967.

William Clinton Niedecken, Corpus Christi, U.S. Navy, February 15, 1969.

David Esequiel Padilla, Borger, U.S. Marine Corps, May 18, 1968.

Joe Parks, Cedar Lane, U.S. Army, December 22, 1964.

Manuel Rameriz Fuentes, El Paso, U.S. Army, March 25, 1971.

Inzar William Rackley, Jr., Big Spring, U.S. Air Force, October 18, 1966.

Harry M. Rayenna, III, San Antonio, U.S. Army, November 15, 1966.

Ronald E. Ray, Port Arthur, U.S. Army, November 13, 1969.

Terry Michael Reed, Randolph A.F.B., U.S. Air Force, June 23, 1969.

John Will Robertson, Malakoff, U.S. Army, June 22, 1969.

Gerald Ray Roberts, San Marcos, U.S. Navy, December 2, 1965.

Jerry L. Roe, Houston, U.S. Army, February 12, 1968.

Luther L. Rose, Howe, U.S. Air Force, June 3, 1966.

Emmett Rucker, Jr., Wichita Falls, U.S. Air Force, May 24, 1968.

Richard Lee Russell, Snyder, U.S. Air Force, April 26, 1972.

Antonio Ramos Sandoval, San Antonio, U.S. Marine Corps, May 15, 1975.

Kureka Lavern Schmittou, Ringgold, U.S. Navy, May 23, 1967.

Melvin D. Seagraves, Lubbock, U.S. Navy, April 30, 1972.

Michael John Shea, El Paso, U.S. Marine Corps, April 29, 1975.

Warren Parker Smith, Jr., Pasadena, U.S. Air Force, June 22, 1966.

Clarence W. Stoddard, Jr., Corpus Christi, U.S. Navy, September 14, 1966.

Charles W. Stratton, Dallas, U.S. Air Force, January 3, 1971.

James Daniel Stride, Jr., Denison, U.S. Army, October 5, 1968.

Erwin Bernard Templin, Jr., Houston, U.S. Navy, January 22, 1966.

William J. Thompson, Houston, U.S. Air Force, August 1, 1968.

Francis Wayne Townsend, Rusk, U.S. Air Force, August 13, 1972.

Glenn E. Tubbs, Amarillo, U.S. Army, January 13, 1970.

Walter Shelby Van Cleave, Dallas, U.S. Air Force, April 22, 1969.

Bobby G. Vinson, Nederland, U.S. Air Force, April 24, 1968.

Dean Amick Wadsworth, Clarendon, U.S. Air Force, October 8, 1963.

Jerry Mack Wall, Nacogdoches, U.S. Air Force, May 18, 1966.

Neal C. Ward, College Station, U.S. Air Force, June 13, 1969.

Larry Eugene Washburn, San Antonio, U.S. Air Force, June 17, 1966.

Ronald Leonard Watson, El Paso, U.S. Army, February 18, 1971.

Donald E. Westbrook, Sherman, U.S. Air Force, March 13, 1968.

Albert Dwayne Wesier, Terrell, U.S. Air Force, October 5, 1968.

Danny L. Widner, Graham, U.S. Army, May 12, 1968.

Calvin Wayne Wilkins, Waco, U.S. Marine Corps, February 8, 1969.

Clyde David Wilkinson, Mineral Wells, U.S. Army, February 12, 1971.

Roy C. Williams, Woodville, U.S. Army, May 12, 1968.

Harry Truman Wilson, Grand Prairie, U.S. Marine Corps, June 4, 1970.

Murray L. Wortham, San Augustine, U.S. Air Force, December 30, 1967.

Whereas, The majority of information obtained on these missing citizens to date has remained classified, denying the families of these missing Americans, as well as the press and the American public, access to imports of live prisoner sightings, burial site locations, and detained camp locations; and

Whereas, Much of this important could be declassified without compromising the methods, resources, and identities of intelligence operatives; now, therefore, be it

Resolved, That the 72d Legislature of the State of Texas, 4th Called Session, hereby respectfully urge the President of the United States to declassify all information relating to American military personnel and civilians who remain missing in Southeast Asia, except for that information that would reveal the methods, resources, and identities of intelligence operatives; and, be it further

Resolved, That any remains returned from Southeast Asia in the future be transferred to the Smithsonian Institution in Washington, DC, for the purpose of identification and that the United States continue its current policy that diplomatic and economic relations with Laos, Vietnam, and Cambodia be normalized only when these countries have helped make a complete accounting of the missing; and, be it further

Resolved, That the Texas secretary of state prepare and forward official copies of this resolution to the President of the United States, to the Speaker of the House of Representatives and President of the Senate of the United States Congress, and to all members of the Texas congressional delegation, with the request that this resolution be officially entered in the CONGRESSIONAL RECORD as a memorial to the Congress of the United States of America.

EXTENSIONS OF REMARKS

CALIFORNIA DESERT PROTECTION ACT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. MILLER of California. Mr. Speaker, today I join Natural Resources Subcommittee chairman, RICHARD LEHMAN and BRUCE VENTO, and other Members in introducing the California Desert Protection Act of 1993. Nearly identical to legislation which passed the House in the 102d Congress, this bill designates 4.3 million acres as wilderness and creates a new 1.5 million acre Mojave National Monument in California. In addition, the bill expands the existing Joshua Tree and Death Valley National Monuments by 200,000 acres and 1.3 million acres respectively, and redesignates the monuments as national parks.

The California Desert Protection Act overwhelmingly passed the House in 1991 by a vote of 297 to 136. Since 1987, there have been eight hearings in Washington, DC, and California on desert protection legislation. The hearings have demonstrated the widespread support for desert protection from environmental organizations, some mining companies, and utilities. A field poll taken last year showed that 71 percent of Californians favor National Park Service management in the existing East Mojave National Scenic Area.

If the California Desert Protection Act is adopted, all existing uses of the desert will continue, sometimes in different areas under different management prescriptions. But there is no use of the desert land permitted today that will be precluded by enactment of this legislation.

For those who like to backpack, the bill designates 4.3 million acres of wilderness, and there are thousands of trail miles to walk along. All of the areas to be designated wilderness were classified as roadless by the Bureau of Land Management in its desert plan. For those who like to ride in off-road vehicles, the legislation leaves open approximately 33,000 miles of roads, including 18,000 miles of primitive routes and 15,000 miles of paved and unmaintained dirt roads. In addition, approximately 430,000 acres of public land—an area approximately 10 times the size of Washington, DC—will remain open primarily for use as off-road play areas for trail bike and all terrain vehicle users.

For those who presently enjoy the privilege of mining on public land, the legislation allows anyone with valid existing rights to continue operating. Grazing on public lands also will be permitted for approximately 25 years in the proposed Mojave National Monument and existing Death Valley National Monument, and in perpetuity in wilderness areas.

Mr. Speaker, the California Desert Protection Act has been debated in each successive Congress since 1986. And the debate existed as early as 1976 when Congress ordered the first study about future uses of the California desert. It is time to enact legislation so that all desert users—miners, hikers, educators, recreationists and others—will have some certainty about the future of the desert. At the

January 21, 1993

same time as this legislation will preserve natural and scenic areas for the health, enjoyment, and education of future generations, this legislation also maintains off-road vehicle recreational opportunities, and allows mining, grazing, and other activities to continue in specific areas.

I encourage my colleagues to support this legislation.

PRIVATIZE THE POSTAL SERVICE

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CRANE. Mr. Speaker, in recent years the United States has witnessed the collapse of economic systems based on government-owned monopolies around the world. As the people of these nations began the task of reform, the United States was quick to offer advice on the opportunities and efficiencies of capitalism to improve their standards of living. By its example, the United States has proven to the world that a free market economy is the most productive and cost-effective method of providing goods and services to consumers.

Unfortunately, we have not taken our own advice in every instance. An example of a government-owned monopoly in our own country is the U.S. Postal Service [USPS]. As a result of the continued existence of this monopoly, Americans have been forced to accept increasingly slower delivery and higher rates. The precipitous decline of the USPS is evidenced by the fact that rates increased by almost 400 percent from 1969 to 1991, almost 1½ times faster annually than the rates of inflation! At the same time, the USPS admits that the average first-class letter took 22 percent longer to reach its destination in 1990 than it did in 1969. In addition, the USPS has reduced counter hours, eliminated doorstep delivery for new houses, and redefined "on time" overnight first-class delivery from a 100- to 150-mile radius to a mere 50-mile radius in many instances.

The time has come to abolish the postal monopoly and to stop cheating American consumers out of efficient and reasonable postal rates. My solution to improve postal service is simple and straightforward. Under my legislation, H.R. 88, all assets of the post office would be given to a corporation owned by the employees through the creation of an employee stock ownership plan [ESOP] which will transfer stock to the employees. Regulations will assure that rural service and general performance standards exceed current levels. The new firm will be given a 5-year grace period during which it will face no competition, giving it time to get its feet on the ground. Thereafter, the monopoly will be abolished and free competition in all classes of mail will be allowed.

I urge my colleagues to join me in this effort to provide Americans with the quality postal service they deserve and to cosponsor H.R. 88.

CONGRATULATIONS TO THE HONORABLE PAULINE NIGHTINGALE

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in congratulating Hon. Pauline Nightingale, who was recognized on January 9, 1993, by Bet Tzedek Legal Services for her 60th anniversary as a member of the California State Bar Association.

Judge Nightingale earned her bachelor of arts degree from UCLA and graduated summa cum laude from the Los Angeles College of Law. Throughout her career, she has been a key figure in the crusade for women's rights in California and has led the way through barriers to women's advancement in the legal profession. She has also employed her consummate skills as an attorney, orator, writer, and advocate to advance the rights of all of the underprivileged and underserved.

I am delighted that Bet Tzedek Legal Services is honoring Judge Nightingale and I ask my colleagues to join me in recognizing her great achievements and in wishing her many years of good health and happiness.

THE RETIREMENT OF THE DIRECTOR OF CENTRAL INTELLIGENCE, ROBERT M. GATES

HON. DAVE McCURDY

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. McCURDY. Mr. Speaker, this is a time of transition in the Federal Government. As the dedicated men and women who served in the Bush administration take their leave, I wanted to take particular note of one among them, the Director of Central Intelligence [DCI], Robert M. Gates.

On January 20, Bob Gates completed a 26-year career of exceptional service to the Nation. Joining the Central Intelligence Agency [CIA] as an intelligence analyst in 1966, he later served on the National Security Council staff, as Deputy Director for Intelligence at CIA, as Assistant to the President and Deputy Director of Central Intelligence. To each of these positions he brought a keen intellect and capacity for hard work which made him successful, and won for him the respect of those with whom he dealt.

Although his tenure as DCI was relatively short, it contained achievements in numbers disproportionate to its duration. Presiding over an intelligence community that was, and is, seeking to define its role and mission in the post cold war world, Director Gates initiated organizational changes that should enable the community to better respond to the new challenges confronting policymakers. To his credit, Bob Gates saw the need for the DCI to be a facilitator of change rather than resistant to it, and in this important area his leadership will leave a lasting impression on the intelligence community.

His service as Deputy for National Security Affairs during the war against Iraq gave Director Gates an appreciation of the need for accurate and timely intelligence support to the military. When he became DCI, he took steps to ensure the development of a better relationship between the CIA and the Defense Department, and has worked hard to make certain that national intelligence systems are fully capable of supporting military commanders whenever required. In a time of decreasing budgetary resources and a declining U.S. military presence overseas, high quality intelligence support will assume an even greater importance to the Armed Forces.

I want to particularly commend Bob Gates for his commitment to effective congressional oversight of intelligence. He understood not only the right Congress has to information about intelligence activities, but the stake that the intelligence community has in providing that information candidly and expeditiously. I found him to be not only responsive to requests made by the House Intelligence Committee but a proponent within the community of the wisdom of being proactive in its dealing with the committee. He led by example in this area and I, as the committee's chairman, appreciated it.

Mr. Speaker, I doubt that any DCI since the creation of the CIA presided over a more tumultuous period in the history of the intelligence community than did Bob Gates. His experience and steady head were of great benefit, and, while the tumult is not over, he has positioned the community well for the future. For that, and for the many sacrifices he and his family have made over the last quarter century, the Nation owes a debt of gratitude. I know that he will be very active in the years ahead and I hope that he may at some point choose again to bring his considerable abilities to bear in public service.

TRIBUTE TO TORREY PINES FOOTBALL FALCONS, SAN DIEGO COUNTY CHAMPIONS

HON. RANDY (DUKE) CUNNINGHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. CUNNINGHAM. Mr. Speaker, as a former teacher and coach, I know first hand what it takes to be a winner. The prize does not necessarily go to the swiftest, or the strongest, or to the most talented, but to the hardest working, least selfish, and most dedicated.

The football Falcons of Torrey Pines High School are champions such as this. By winning the San Diego County high school football championship over El Camino, the Falcons demonstrated the kind of tenacity, teamwork, and strength of will that champions of every age have, and that will serve young people well throughout life.

Recorded herewith, in the permanent RECORD of the Congress of the United States, this day, January 21, 1993, are the names of the fine people who made this championship possible:

Superintendent William Berrier, Athletic Director Anne Meigs, Principal Simeon Green-

stein, Coach Ed Burke, Assistant Coaches Rich Houk, Ted Mahoney, Scott Ashby, Frank Chambliss, Gary Marshall, Jim Ciancimino, John Hamels, and Eric Heffner, players Mike McAdam, Joel Brown, Kevin Winters, Jeff Carlin, Gaven Hamels, Ryan Lynch, Rick Balestri, Ryan Principi, Matt Petree, Chris Carlin, Kevin Christie, Bryon Cook, Bret Marshall, Mike Harrieff, Kaden Koffler, Brad Elkan, Randy Hawkins, Mike Jahries, Matt Davy, Josh Stern, Jeff Jahries, Chad Moore, Kyle Campbell, Paul Harris, Brian McGuire, Joel Kohn, Chris Rodarte, Bill Gravette, Glen Morgan, Jarom Pollock, Simon Terry-Lloyd, Zach Vincent, Shan Dattagupta, Robert Ocegueda, Alex Pogeler, Agustin Lopez, Jon Vance, Brian Batson, Brian Guss, Jeremy Alire, Jordan Leeds, Chris Jahries, Greg Nolan, Matt Wadman, Drew Stabile, Travis Farrell, Colin Brickley, Brody Hefner, Joe Reed, and Brent Mardlan, statisticians Eric Sorensen and Yvette Robitaille, and ball boy Jim Edinger.

TRIBUTE TO JOHN D. HOPPER

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. GOODLING. Mr. Speaker, in 1974, I told a young lawyer that the problem with business people is that they are so wrapped up in their own business that they sometimes forget that the most important business that affects them is government. I encouraged that young lawyer to get involved. I am now recognizing this distinguished citizen, legislator, and friend, Pennsylvania's State Senator John D. Hopper.

John chose to retire from the Senate last November after serving 16 years. His legislative accomplishments are significant, as are his contributions to the community. As chairman of the senate aging and youth committee for 12 years, he was the champion of legislation to protect children. His authorship of Pennsylvania's wiretap legislation will assist in criminal law enforcement efforts.

John Hopper's community involvement makes clear his commitment to others. He has served on the boards of: the Central Pennsylvania Chapter of Multiple Sclerosis, Dickinson College, Pennsylvania Higher Education Assistance Agency, Keystone State Games, West Shore Division of Dauphin Deposit Trust Co., and Holy Spirit Hospital. He is a member of the Pennsylvania Bar Association and the U.S. Air Force Association; is the past president of Camp Hill School Board, the Harrisburg Association of Life Underwriters and the Pennsylvania Association of Life Underwriters. He is also a past trustee of the National Association of Life Underwriters, and is an elder at the Camp Hill Presbyterian Church.

An outstanding college basketball player, John starred on the Dickinson College team, was its youngest player-coach, and was named to the Dickinson College Sports Hall of Fame. In 1973, he was one of five in the United States selected by the National Collegiate Athletic Association's Silver Anniversary Award.

John graduated from Dickinson College, Dickinson School of Law and the American

College of Life Underwriters. He served in the U.S. Army/Air Force as a senior pilot during World War II, and attained the rank of major in the Air Force Reserves. He and his wife Ann are the parents of four children, Steve, Andy, Rick, and Kathy.

I have had the pleasure of working with John to serve the people of Cumberland and northern York Counties since he was elected to the Pennsylvania Senate in 1976, and I must say that his contribution is significant. I join his many friends and colleagues in wishing him the best and continued success in his future endeavors.

TRIBUTE TO JUDGE LEONARD S. HUGHES

HON. ALAN WHEAT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. WHEAT. Mr. Speaker, it is my sad duty to report to my colleagues the untimely death of Judge Leonard S. Hughes, Jr. With the passing of Judge Hughes, a commanding voice for civil rights and social justice has been silenced.

A lifelong resident of Kansas City, Judge Hughes distinguished himself as an influential and trailblazing leader.

After earning his law degree from Washburn University 40 years ago, Judge Hughes established his practice in Kansas City. He went on to serve the citizens of Jackson County, MO in a number of important roles throughout his career—including assistant county prosecutor, assistant county counselor, county magistrate, and, finally, municipal judge from 1977 to 1986. He continued in private practice until his death.

All those who knew and worked with Judge Hughes respected him as a man with a lifelong devotion to social justice. His commitment to civil rights became clear early in his career when, as a young lawyer, he traveled to the Deep South in the unwelcome climate of the 1950's to organize voter registration drives.

Recognizing the critical importance of mobilizing citizens to work collectively for social and economic justice, Judge Hughes helped found Kansas City's Freedom, Inc.—a powerful civil rights organization that has grown to become a dominant force in local, State, and national elections.

Judge Hughes contributed his time, energy, and creativity to build Freedom, Inc. into the influential and highly successful citizen's movement that it is today. For that pioneering role, Judge Hughes leaves behind a legacy that will be felt for generations to come.

In addition to his community activism, Judge Hughes demonstrated an enduring devotion to his work. His passion for his job sparked the interest of his children, four of whom have pursued careers in law. And his success in the profession has helped break down age-old barriers for the young lawyers of today and tomorrow.

Like so many in the community, I am profoundly grateful to Judge Hughes and will fondly remember him for his intellect, vitality,

and never-ending commitment to his profession and to improving the lives of others.

I extend my deepest sympathies to Judge Hughes' loving family. Although his life was cut short, Judge Hughes' work as a tireless leader will continue to live on in the hearts and minds of grateful community.

ETHNIC CLEANSING IN BOSNIA
MUST BE ENDED

HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. SWIFT. Mr. Speaker, the Serbian policy of ethnic cleansing in Bosnia must be ended. I wish I could pin my hopes on the current peace talks stopping Milosevic's killing campaign, but thus far words of both reason and warning seem only to harden his maniacal resolve.

The crimes of the Milosevic regime are crimes against humanity that are tragic echoes of the final solution of Adolph Hitler. When the scope of the Nazi atrocities were fully comprehended, the decent societies of the world promised that never again would they sit by, idle and impotent, as innocent people were exterminated in the name of ethnic cleansing. Today those nations, and the United States in particular, must redeem that pledge.

In attempting to justify our inaction in Bosnia, some have argued that the United States cannot address much of the violence around the world; that we cannot act as the world's policeman, righting every injustice, resolving every dispute. I fully agree with that general concept, but not in these circumstances. What we are witnessing in Bosnia is not simply violence or civil war; it is the systematic rape and destruction of a race of people. The parallels with Nazi extermination of the Jews are stark. Civilized people must act to bring it to a halt.

The United States, as the world's sole remaining superpower, must lead the effort, but it is not our responsibility to go it alone. These crimes should be addressed by the world community, through the United Nations.

This mission is not a simple one and it should not be launched without careful forethought and a clear strategy. Comparing it to our humanitarian mission into Somalia is to compare apples to oranges both in terms of its purpose and its military difficulty. The terrain in Bosnia is difficult and the resistance that forces will meet will not be composed merely of thugs and street gangs.

Despite the complexities of this situation, however, we must stop the raping and murdering in the name of ethnic cleansing taking place in Bosnia. That goal is not optional. The world's military planners and foreign policy experts need to tell us how to best achieve that goal, but they must do it soon.

I, for one, do not want to be remembered as a Member of Congress at the time the world stood by and watched history repeat its most loathsome chapter: this time in Bosnia, this time against Moslems, this time before a world which lost its innocence when it liberated the gas ovens of World War II.

THE NATIONAL WRITING PROJECT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. MILLER of California. Mr. Speaker, today, I, along with 13 of my colleagues, am introducing legislation to reauthorize the National Writing Project [NWP], our only national program in America to improve the teaching of writing.

The National Writing Project is a national network of university-based teacher training programs designed to improve the teaching of writing and student achievement in writing. In operation for 19 years, the NWP has distinguished itself by successfully addressing the need for improved writing skills nationwide, winning honors from the American Association for Higher Education and the Carnegie Foundation for the Advancement of Teaching.

Federal support for NWP began in 1991, and has allowed NWP to expand to reach more teachers and students:

For every Federal dollar spent, the NWP garnered over 5 additional dollars from State, university, school district and other local sources of support;

Last year, 106,423 teachers participated in the NWP summer and school year programs. This brings the total number of teachers who have participated in the NWP to almost 1 million.

Last year, approximately 7,506,500 students, or 18 percent of the Nation's K-12 public school students, benefited from Federal funding at a cost of 26 cents a student.

Through Federal matching dollars, 11 new sites were added to the NWP and two sites were restored to activity, bringing the total number of sites to 150.

As this Congress examines the critical issues of school reform, standards and testing, and the reauthorization of the Elementary and Secondary Education Act, we need to continue our support for the National Writing Project, a program that has proven it makes a difference in the education of our Nation's students and teachers.

TRIBUTE TO JAMES T. CLARK

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. DELLUMS. Mr. Speaker, James T. Clark, 84, who served on the staff of the House District Committee, where he became chief clerk, for about 20 years before retiring in 1981, died of pneumonia January 9 at Bethesda Naval Hospital.

In the early and mid-1930's, he had been a secretary and legislative assistant to Senator David I. Walsh of Massachusetts and had been chief of the Senate Education and Labor, and the Naval Affairs Committees. He practiced law in Washington, DC and Ellicott City, MD from 1936 to 1960.

He then spent 2 years as assistant reporter of decisions for the U.S. Supreme Court be-

fore joining the House District Committee in 1962 to handle its press relations and work on legislative preparations. He also investigated complaints about District agencies.

In 1934, he graduated from Georgetown University law school, from which he also received a master's degree in tax law.

During World War II, he served in the Navy in the Pacific aboard the carrier *Intrepid* and received a Purple Heart. After the war, he remained in the reserves until retiring about 1970 as a commander.

He was an elder of Chevy Chase Presbyterian Church and a member of First Presbyterian Church of Ellicott City.

Survivors include his wife of 46 years, 4 daughters, 2 brothers, 5 sisters, and 9 grandchildren.

TRIBUTE TO THE COLLEGE ASSISTANCE MIGRANT PROGRAM

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. MATSUI. Mr. Speaker, I rise today to honor the College Assistance Migrant Program [CAMP], a program dedicated to helping the children of migrant and seasonal farm workers pursue a higher education.

Since its establishment in 1981, CAMP has helped more than 700 students reach their academic goals at California State University, Sacramento [CSUS]. Funded by a grant from the U.S. Department of Education, CAMP is designed to give students with migrant backgrounds, the most underrepresented group in higher education, the support system necessary to be successful in college and beyond. More than 90 high schools and 20 community service agencies statewide work with CAMP to provide an extensive system of academic, financial, and personal support to CAMP students in their first year of school. The friendships students cultivate through CAMP continue to provide encouragement and support throughout their college careers and into their professional lives. CAMP's success can be measured through its student retention rate of 85 percent which is higher than any other student group at CSUS. Additionally, the program has received local, State and national recognition as a model program in serving the needs of first-year college students.

Over the years, I have had the distinct pleasure of providing internships for CAMP students in my Washington, DC office. They have earned the respect of both myself and my staff through their dedication and interest in learning about the legislative process. Their enthusiastic endorsement of CAMP is a further indication of the program's success in reaching this promising but underserved group of students.

Mr. Speaker, I ask that my colleagues join me in honoring the College Assistance Migrant Program, for their ceaseless dedication to furthering educational opportunities for the children of migrant and seasonal farm workers.

TRIBUTE TO THE BLESSED MARY OF JESUS THE GOOD SHEPHERD, FOUNDESS OF THE SISTERS OF THE HOLY FAMILY OF NAZARETH

HON. ROBERT A. BORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. BORSKI. Mr. Speaker, I rise today in recognition of the 150th anniversary of the birth of the Blessed Mary of Jesus the Good Shepherd, Frances Siedliska, who was born in Poland, November 12, 1842 and beatified on April 23, 1989 by Pope John Paul II, in Rome.

Frances Siedliska was born near Warsaw in Poland. She was endowed with a keen intellect and a burning desire to serve God through serving her fellow men. Taking the Holy Family of Nazareth as the model for her sisters, she highly recommended to them the family apostolate and loyalty to the Pope and to the church. As Frances Siedliska designed it, the Sisters of the Holy Family of Nazareth is an apostolic religious congregation of pontifical rite. The sisters devote themselves to different aspects of teaching, nursing, and social work.

After its foundation in Rome, Italy, in 1875, the congregation spread to Poland, and the sisters were invited to serve in the United States in 1885. In 1892, the sisters began their work in Philadelphia in St. Stanislaus parish.

During her lifetime, Mother Siedliska crossed the Atlantic Ocean three times to visit the convents she established and administered until her death on November 21, 1902. Her love for America is testified by the fact that she became a naturalized citizen of the United States of America on July 20, 1897.

The congregation of the Sisters of the Holy Family of Nazareth is spread over 4 continents, 8 countries, 56 archdioceses and dioceses, 7 provinces, 2 vice provinces and 1 generalate region. There are 1,407 professed sisters of perpetual vows, 270 professed sisters of temporary vows, 113 novices; and 58 postulantes. Convents of the congregation are found in France, England, Italy, Australia, Poland, the Philippines, Puerto Rico, and the United States.

In Philadelphia, the congregation staffs Nazareth Hospital, St. John Neumann Nursing Home, Holy Family College, Nazareth Academy High School and Grade School, and Alpha House, which accepts youngsters to nursery and kindergarten classes. In addition, the sisters teach in St. Hubert, Little Flower, Cardinal Dougherty and West Catholic High Schools.

In Ambler, since 1936, the sisters conduct St. Mary's Villa, a nonprofit residential treatment facility for neglected, dependent and abused children with emotional problems. Children from various counties of Philadelphia of all ages up to 14 years old receive special service.

From its inception the congregation of the Sisters of the Holy Family of Nazareth geared its apostolic endeavors to three major areas: education, nursing, and social work.

The educational apostolate includes teaching in parish schools, academies, diocesan

high schools, colleges, intercommunity programs, C.C.D. classes, summer workshops, and residences for girls. Nursing members staff hospitals, schools for nurses, nursing homes, clinics, dispensaries, and provide home-care for the sick, the aged and the infirm. Social work involves care in orphanages, day-care institutions, foster homes, centers for family services, retreat centers, pastoral ministries and community assistance in rehabilitation centers, and for minority groups and the mentally retarded.

The Sisters of the Holy Family of Nazareth also provided wartime services, including help in provisional hospitals and dispensaries, hospitality to evicted clergy, nuns and refugees, care of orphans, and distribution of food to the homeless and displaced persons.

Although the sisters ministered to victims of war and persecution, they also went through the crucible of suffering and martyrdom themselves. During World War II in Poland, 11 sisters were executed by the Nazis, 28 were exiled to Siberia, 30 were imprisoned, and others were sent to concentration camps or forced labor camps.

In all provinces, whether in the United States, Europe, or Australia, the sisters continue to respond generously to apostolic needs based on the style of the Holy Family of Nazareth. The congregation has dedicated its services to the needs of mankind in whatever age it may be called upon to share in the plans of God through the voice of the Pontiff, the visible head of the Roman Catholic Church.

Mr. Speaker, I join the sisters of the Holy Family of Nazareth in saluting Frances Siedliska, the Blessed Mary of Jesus the Good Shepherd, for a lifetime of charitable work and devotion to her congregation.

A TRIBUTE TO CAPT. DAVID L. PECK

HON. DOUGLAS (PETE) PETERSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. PETERSON of Florida. Mr. Speaker, I rise today to honor an individual who has provided many years of excellent support and dedication not only to myself, but to Congress at large. Capt. David L. Peck, Office of the Secretary of the Air Force, Legislative Liaison, Inquiry Division, will be reassigned from the Pentagon to the Air Force Space Command, Lowry Air Force Base, CO, on December 13, 1992. Many of my colleagues and I have directly benefited from his exceptional service in the Air Force's congressional inquiry office.

As an action officer, Captain Peck's calm, logical, and thorough method of handling unique situations and constituent concerns, some of which were extremely time sensitive, resulted in the successful resolution of over 8,000 cases each year during a 4-year tour. Time and time again, his can-do attitude attained favorable results. A seasoned traveler with a myriad of congressional members and their staffs, Captain Peck was instrumental in escorting large delegations to the South Pacific, Africa, and the Eastern bloc. His thorough, efficient, professional planning assured these trips were completely successful.

Mr. Speaker, I join with many of my colleagues in congratulating Captain Peck for a job extremely well done; and in wishing him, his wife Nancy, and his son Alex, the very best in the future. Captain Peck is a professional among professionals and brings great credit upon himself and the U.S. Air Force.

**TRIBUTE TO FRANCIS G.
CLEVELAND**

HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mr. SWETT. Mr. Speaker, I rise today to pay tribute to Francis G. Cleveland, a longtime resident of Tamworth, NH. Francis Cleveland is the son of President Grover Cleveland, the only President to have served two non-consecutive terms in the White House (1885-89, 1893-97). At 89, Francis Cleveland is the oldest living direct descendent of a U.S. President. But I pay tribute to Francis Cleveland not because of his lineage, but because of all that he has contributed to New Hampshire in his own life.

Francis Cleveland has been very involved in many different community activities. He served as a town selectman in Tamworth for many years and has been very active politically. His interest in theatre prompted he and his wife, Alice, to found a summer theatre company in 1931. For many summers his traveling theatre would literally "barnstorm" throughout New Hampshire, performing in many towns includ-

ing Wolfeboro, Sugar Hill, and North Conway. It was sometime following the end of World War II that Francis Cleveland decided to finally settle his troupe in Tamworth where the Barnstormers Summer Theatre has performed for 8 weeks every summer for over 50 years.

On this inauguration day of a new President, it is, perhaps, well to note that over 100 years ago, President-elect Grover Cleveland—Francis' father—was anticipating his new administration. This historical perspective underlies the continuity our system of government enjoys, even as we look forward to the changes our new President will bring to Washington with him.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Francis G. Cleveland who is known for his kind and generous spirit, active lifestyle, and his sense of humor, all of which continues to enrich the lives of those around him.

TRIBUTE TO J. MICHAEL DAVIS

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1993

Mrs. MORELLA. Mr. Speaker, today I rise to honor J. Michael Davis, departing Assistant Secretary of Conservation and Renewable Energy at the Department of Energy. From the beginning of his tenure in 1989 to the present, Mr. Davis has made significant progress in furthering the role of conservation and renewable

energy in meeting our Nation's energy, environmental, and economic objectives.

Mr. Davis has strengthened the science and technology base for conservation and renewable technologies and was successful in achieving national laboratory status for the National Renewable Energy Laboratory at Golden, CO in 1991.

Mr. Davis has forged new approaches between the Federal Government and industry to develop the key technologies to carry us into the 21st century. His vision has guided a renewed and strengthened commitment to sustainable technologies. Innovation in the way the Federal Government can leverage its resources with the private sector has echoed across a number of diverse programs, including model collaboration to develop electric vehicle technology through the advanced battery consortium and programs to expedite manufacturing capability in the photovoltaic industry.

Internationally, Mr. Davis has created new markets for renewable technologies by establishing partnerships between industry and government groups in lesser developed countries. The end result will be economic development, rural electrification, and an improved lifestyle for thousands of people who had lacked the benefits of electrification.

Mr. Davis has provided outstanding leadership in directing these programs. His stewardship has positioned these technologies at the forefront of the nation's energy options for a sustainable energy future. I ask my colleagues to join me in commending and thanking Mr. Davis for his considerable contribution to the Nation.