

EXTENSIONS OF REMARKS

A POSITIVE PRESCRIPTION

HON. DAN MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. MILLER of Florida. Mr. Speaker, prior to coming to Congress this year, I served on the board of directors of Manatee Memorial Hospital in my district. Through that association, I have not only been able to learn a great deal about health care delivery, but I have also had the benefit of contact with many individuals with direct experience in the health care field.

One of those is Dr. George Thomas who is the newly elected president of the American Association of Physicians from India. He was also the chief of staff of Manatee Memorial Hospital. Dr. Thomas has outlined, in a recent article, the problems which physicians from international schools encounter with the medical system in the United States.

Mr. Speaker, I insert the attached article in the CONGRESSIONAL RECORD. I think any of my colleagues with a direct interest in health care will find his comments of interest.

[From India Today, Mar. 15, 1993]

A POSITIVE PRESCRIPTION

(By Dr. George Thomas)

The first American Nobel Prize winner in medicine was a graduate of a foreign medical school and 18 more International Medical Graduates (IMGs) have followed in his footsteps. Today, one out of every five practicing physicians in this country is an IMG. Yet it is paradoxical that the system in the US still retains elements contrary to their best interests. This also applies to the over 25,000 Indian American physicians actively engaged in health care delivery in the US.

Differences in licensing by reciprocity in the various states remain a major obstacle. As documented by the US General Accounting Office (GAO), the investigative arm of the US Congress, most states have different endorsement requirements for IMGs and US medical graduates. After having fulfilled all licensing requirements and having obtained specialty certification, IMGs are still required to meet unnecessary additional scrutiny. Many states demand longer residency training for IMGs than domestic medical graduates. Some states have instituted a requirement for the English examination only for IMGs, even after they have successfully practiced medicine in another state.

It is critical for physicians in the US to have interstate mobility, for the purpose of education, training, post graduate fellowship, research needs and other health care opportunities. IMGs are subjected to the indignity and inconvenience of the requalification process that US medical graduates do not have to experience. They are faced with the problem of near-impossible old document retrievals, extensive delays, and limited chances for an adequate hearing in applying for licenses by reciprocity. The realization of a national repository for medical graduate records as recommended by the GAO is a positive step in eliminating this problem.

There are flagrant examples of inequities in the filling of residency positions within various institutions. There are repeated occurrences of residency positions left unstaffed even though qualified IMGs have applied. The IMG movement must be encouraged by the provisions of the Health Professions Reauthorization Bill, which recently has become law. It seeks to establish a national advisory council on medical licensure with IMG representation, and denies Federal funding to residency programmes which discriminate against a person on the grounds of the country of medical training.

Other areas which disturb IMGs concern staff appointments and hospital privileges. Many hospital-based appointments bear solid testimony to this allegation. IMGs are often subject to the "glass ceiling". This invisible barrier keeps them from rising to the top despite exemplary qualifications and a commendable performance.

For the most part Indian Americans have been welcomed and are individually successful in many communities across the nation. In spite of this progress and individual success, are we able to be all that we can be in this land of opportunity? As a community we have much to accomplish. There is a real need for more active participation in the civic life of the community where we live and serve. Individual actions need to assume a group perspective to have the maximum influence for good within the community. We bring special gifts as a dedicated and compassionate people and have much to offer our neighbours.

The major challenge facing all of us is: are we breaking down barriers to understanding, or are we erecting new ones? Perhaps there is no clearcut answer. It is very apparent that apathy is rampant in terms of group activity for the community.

Yes, all these challenges do exist. The responsibility is to meet the challenges. Mutual support is the key to finding solutions to effect positive change. Now is the opportunity and time for Indian American physicians to demonstrate their unique quality. It is also a challenge to become fully integrated in the American medical system and in the community.

INTRODUCTION OF THE MIDLIFE WOMEN'S HEALTH RESEARCH CENTERS ACT

HON. MARILYN LLOYD

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mrs. LLOYD. Mr. Speaker, today I am reintroducing, with Representatives PELOSI, COLLINS, MALONEY, MEEK, E.B. JOHNSON, WOOLSEY, and SCHROEDER, the Midlife Women's Health Research Centers Act. This legislation would establish five regional centers aimed at improving medical care, education, and research on menopause and other health concerns specific to midlife and older women.

Menopause marks the end of reproductive fertility for women and usually occurs around

age 50. Every woman will experience menopause if she lives long enough. Despite this fact, and considering that menopause may play a significant role in women's susceptibility to disease in later life, surprisingly little attention and few resources have been devoted to understanding its health effects on women. As a result, women at menopause find themselves asking questions for which there are no decisive answers. This leads to great uncertainty about the most appropriate treatments for menopausal symptoms and preventive measures for disease in later life. The idea for this legislation came from a hearing I chaired through the Select Committee on Aging's Subcommittee on Housing and Consumer Interests, entitled, "Women at Midlife: Consumers of Second-Rate Health Care?" which focused on the lack of quality information and medical care for women's specific health concerns at midlife.

The Women's Health Research Centers Act will work to fill that void through the expansion or development of five regional centers to conduct research on menopause and menopausal health conditions, develop model programs to improve education and information dissemination, and improve the direct medical care provided to midlife and older women.

The research to be conducted at the centers will include both clinical and basic research regarding the natural history of menopause, and the cause, diagnosis, early detection, prevention, control, and treatment of menopausal health conditions.

This research will supplement rather than duplicate the design of the Women's Health Study at the National Institutes of Health, by studying both menopausal women—women whose menses have stopped for more than a year—and perimenopausal women—women passing from a reproductive to a nonreproductive state. The NIH study includes only menopausal women. Medical researchers believe that profound metabolic alterations in the perimenopause occur in different biological systems in the body and may have a profound significance in the health of old women. These include the skeletal, central nervous, urogenital, and cardiovascular systems. Thus an assessment of perimenopausal women will greatly add to our understanding of menopause and its significance.

Women who have experienced surgical menopause through the removal of the ovaries during hysterectomy will also be included. After caesarean section, hysterectomy is the most commonly performed procedure in the United States. While these women are at increased risk of osteoporosis and coronary heart disease, more needs to be known about the long-term effects of both estrogen depletion and replacement. This issue is also pertinent to women experiencing natural menopause.

Other priorities established in the bill include research on both hormonal and nonhormonal

● 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.

treatments of symptoms and menopausal health conditions, and the relationship between such conditions as cardiovascular disease, osteoporosis, bone fractures, bladder conditions and breast and uterine cancers. The research also seeks to understand the menopause experience among various socioeconomic groups, ethnic groups and racial groups.

The Women's Midlife Health Research Act's second aim is also to enhance the knowledge and training of physicians and other health care professionals. Due to the dearth of knowledge on menopause and menopausal health conditions, there are discrepancies regarding appropriate treatment of menopausal symptoms and preventive measures for disease in later life. The bill calls on the NIH and the Agency for Health Care Policy and Research to utilize the research knowledge gained at these regional centers and at the NIH and establish protocols on the prevention and treatment of menopause and menopausal health conditions.

Other provisions contained within the bill are the establishment of continuing education and training programs for physicians and other health care professionals. Information dissemination and outreach to the medical community and to women would also be a priority of the centers.

An important goal of the Women's Midlife Health Research Act is that it strives to improve the delivery of health care and information to women at midlife. Currently, many women at midlife do not know where to turn for information related to menopause. These model centers would have the advantage of offering comprehensive, coordinated care to women with an emphasis on wellness and disease prevention. All medical specialties, including gynecologists, endocrinologists, nutritionists, and psychologists, would be offered under one roof. In addition to clinical care, educational programs, health counseling, screening, and diagnostic services would also be included. Because the care is centralized, it can be more effective by offering group programs and education campaigns.

Why is this issue so critical? The demographics of our Nation provide part of the answer. Older women are the fastest growing segment of our population. The average life expectancy for a woman is nearly 80 years of age. Almost three-quarters of our elderly population over age 85 are women. During the next 20 years, over 21 million women will celebrate their 50th birthdays. These demographics will dictate the future of health care delivery in our country.

Consider the costs of ignoring preventive health for women on diseases associated with postmenopausal women. Heart disease, the leading cause of death for women over age 50 costs our health care system more than \$9 billion per year. More than one-third of hospital stays for women this age are attributed to cardiovascular disease. The cost to women is premature death and disability.

Osteoporosis affects more than 20 million women per year and costs our society \$10 billion in medical bills. The cost to women is frailty, dependence, social isolation, and even death.

The Midlife Women's Health Research Act would address the critical lack of knowledge

we currently have on menopause and related health conditions and improve the way health care is delivered to midlife and older women. I urge my colleagues to cosponsor and support this important piece of legislation.

TRIBUTE TO ST. PAUL'S
LUTHERAN CHURCH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today to honor one of the landmarks of my district: St. Paul's Lutheran Church. St. Paul's, a fixture in the Warren community, is celebrating its 125th anniversary this year, commemorating a long and praiseworthy tradition of serving the community and providing spiritual guidance to any and all.

Since 1868, the church has been tireless in its efforts to improve the welfare of those in the community. The years under current Pastor H. Robert Jewell, have been exceptional as the parish has continued its tradition of service in a variety of programs. Further, the church has provided members of the Warren community with a place to go to seek refuge from modern day life and receive spiritual guidance and enlightenment.

While the church has gone through a variety of changes through its 125-year history, its commitment to improving the parish has remained constant. Initially founded as a church for the German-speaking people of Warren, irrespective of their religious beliefs, the church has grown to become a center for the Lutheran following in Ohio. Over its history, the church has gone through many changes. The location of the building has changed, the name has been altered, and even the language spoken at its services has been switched from German to English. Some things, however, have remained the same. St. Paul's commitment to the community and to glorifying the name of the Lord have been central to the church since its inception and have not changed in the least. As a result, the church continues to be a focal point of community activity and good works.

By committing themselves to these noble pursuits, the church has earned the admiration of the community and has garnered a host of supporters wishing them another 125 years of success. I would be honored to count myself among these well-wishers.

TRIBUTE TO DONALD AND EDNA
HATFIELD

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize two outstanding individuals, Donald and Edna Hatfield, of Remus, MI. On September 3, 1993, Edna and Donald will have the honor of being inducted into the Michigan Farmers Hall of

Fame. They have been cash crop and dairy farmers for 60 years, and are still active today.

Hatfield Farms was established in 1878 by Donald's great grandfather George Hatfield. Donald's grandfather, Justin, began raising and breeding Jersey heifers in 1912, and for the last 80 years their bulls have been sold to the distinguished Michigan Animal Breeders Cooperative. The farm has proudly been passed from generation to generation, expanding to 720 acres. Donald and Edna now share co-ownership with two of their sons, Dennis and Larry.

Donald and Edna's dairy operation has expanded from a few dozen milking cows to the present total of over 125. Milkings have increased from two per day to three with production rising each year. In the Spring of 1992, the stanchion milking operation was replaced by a double six milking parlor. This parlor has state-of-the-art equipment with the capabilities of expanding to a double 8 as the herd grows. In addition, a pole barn was built in the 1970's to house the dairy herd, freeing up the ancestral barn for housing young stock and calving pens.

The Hatfield's and two of their sons, Dennis and Larry, have worked closely with the Mecosta County Extension Agents in developing leadership in No-Till farming for corn and alfalfa crops. Erosion prevention techniques are also used to help save topsoil, and the family may boast being the first to plant asparagus for cannery sales in Mecosta County.

Edna and Donald have honorably raised a family of three daughters and three sons, and also enjoy foster children. The six children all have attended college and earned either 4 year degrees or associate degrees in a variety of fields. Donald and Edna have been very active on school boards, 4-H groups, and Farm Bureau, and have received many awards and their recognition is commendable. Finally, they stress their love for each, religion, and their family as being very important reasons for their success, and the love of their small community is evident in the support they give it.

Mr. Speaker, I know you will join me in congratulating Edna and Donald for the years of hard work and dedication that have merited this award. On the very special occasion of their induction into the Michigan Farmer's Hall of Fame, I would like to bid them congratulations, and wish them success in future endeavors.

INTERSTATE WASTE LEGISLATION

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. CLINGER. Mr. Speaker, my State has a big, big problem. We are not alone with this problem. There are other States that have this same problem. We are worried and scared, and yet there isn't anything that we can do about it.

The problem we have is trash. But it is not our trash. It is the trash from New York, New Jersey, and now even Canada that is flowing now into our State and filling up our landfills. Just last year, Pennsylvania imported an all-

time high of 3.8 million tons of garbage—up from 3 million tons in the previous year. This is more than a 25-percent increase in just 1 year.

Pennsylvania is the largest net importer of municipal solid waste in the country. The bottom line is that this simply can not continue. It is not fair.

What is so upsetting about this situation is that our State, Pennsylvania, is being very responsible in handling its own garbage. Pennsylvania has enacted a State law which requires communities to plan and dispose of their own trash. We now have close to 500 communities that have implemented curbside recycling programs. In addition, we have increased our capacity by building new landfills. The amount we export outside of the State is less than 7 percent of the waste generated in the State.

So what do we get for being so responsible? Nothing in return but other States' trash. In fact, in some respects we are worse off. The landfill space planned for handling our own trash is being eaten up and there is no means to control it. The health and safety of our citizens are endangered with a proliferation of trash trucks on our highways.

In my own district, which is a large rural district spanning several regions of Pennsylvania, we already have plenty of landfills. During the last year, we have had staggering increases of out-of-state waste coming into our landfills.

Rural America is the target for every type of waste facility you can think of, and I would anticipate with the amount of waste coming in from bordering States there will be an effort mounted to build more landfills in my district. Once the landfills are filled up, everyone assumes that new ones can be built. But I can tell you that citizens are no longer taking this sitting down.

I am an original cosponsor of the Interstate Transportation of Municipal Waste Act of 1993 that is being introduced today by Congressman SHARP, along with my colleagues from Pennsylvania, Ohio, and Indiana. This legislation would provide Governors the authority to limit out-of-state waste. We desperately need a mechanism to control this waste flow, and I support that effort.

However, while fully supporting this need to control waste, I would like to indicate that I do have some concerns about the bill; namely, the lack of local government input. I am concerned that the bill provides control only to Governors and does not allow for input or control by local jurisdictions. This is an issue which needs to be addressed in the legislation, and I fully intend to work with my Pennsylvania colleagues on this issue.

Mr. Speaker, I would just ask that we seriously consider and pass interstate waste legislation this session. Frustrated citizens are beating the drums loudly. We need to listen and act accordingly. We need to make sure that we reduce the amount of waste we generate, recycle what we can, and then dispose of what is left over in a more equitable manner.

DOCTORS PROTECT \$1 MILLION BY TURNING DOWN EMERGENCY ROOM PATIENTS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. STARK. Mr. Speaker, managed care can mean managing not to care for patients in order to make more money for doctors.

Following is a memo from Managed Care Systems, Inc. of Sacramento, CA. This company manages the bills and paperwork for Sacramento Physicians Medical Group Network, Inc. [SPN].

The memo reminds SPN doctors that if they "just say no" to emergency room treatment, they can divvy up \$1 million among themselves. All they have to do is turn down, over the phone, sight unseen, emergency room requests for authorization to treat their plan's patients.

Mr. Speaker, Americans are too quick to use emergency rooms and many of our emergency rooms are clogged with people who should instead try to use their primary care doctors during regular hours. But look at this memo: "make money, doctor, deny service." In most cases, no harm will be done—but the pressure by the Network on the emergency room doctors will push the whole 'system' toward underservice.

Someday, sometime, somewhere, a person in pain, a person who is seriously ill, will be turned away—and die.

Count on it.

Those who would build the brave new world of health reform on managed care need to explain how this kind of underservice incentive can be controlled.

EMERGENCY TREATMENT AUTHORIZATION

SPN physicians are frequently contacted by hospital emergency departments (E.D.) seeking "authorization" for a patient that has presented to the E.D. for evaluation and/or treatment. The exact definition of a medical emergency varies by HMO, but all have certain things in common. The presenting condition must be threatening to life or limb, likely to result in permanent disability, or include severe pain, and the appearance of the illness or injury must be unforeseen.

SPN recommends that, when you take a call from an emergency department requesting authorization to see one of your patients (or one for whom you are on call), and you are concerned that the condition does not meet the above definition, give the following response:

"Authorization is not being granted for the visit. The claim will be reviewed later, and will be paid if retrospective analysis shows that the care was for a bona fide emergency."

With this response, the E.D. is required by law to evaluate the patient and treat if medically indicated. SPN will pay for care given if a genuine emergency existed, but will be able to deny the claim if it was for a non-emergency situation. The emergency department will ask the patient to sign a waiver informing the patient that he/she will be financially responsible if upon review a genuine emergency was not found to have existed.

A \$1,000,000 of your SPN dollars a year are at stake—thank you for your cooperation.

INTRODUCTION OF ASYLUM LEGISLATION

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. BROOKS. Mr. Speaker, today I am introducing legislation recently transmitted to the Congress by President Clinton, titled the "Expedited Exclusion and Alien Smuggling Enhanced Penalties Act of 1993." I applaud President Clinton for his quick and decisive action as reflected in this legislative proposal to address a growing immigration problem.

Our shores can no longer be an appropriate landing point for all the ships or planes carrying the people of the world simply seeking a better economic life for themselves. The real problem leading to the proliferation of bogus asylum claims has not been the system's fairness—which has been left intact by the legislation—but its delays. The President's proposal short-circuits undue delay by providing that aliens will receive hearings immediately—at the airport or seaport at which they enter the United States. If their asylum claim is not credible, they will be returned—immediately.

This workable proposal will return our asylum system to its original intent. I intend to assist in every way for the earliest possible enactment of the President's legislation and to work with him as he develops other proposals to further the integrity of our border.

INTRODUCTION OF LEGISLATION REGARDING EMPLOYMENT DISCRIMINATION

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mrs. SCHROEDER. Mr. Speaker, today, along with Representative OLYMPIA SNOWE and Delegate ELEANOR HOLMES NORTON, I am introducing legislation to reform the way Congress handles employment discrimination complaints. The goal of our legislation is to ensure that congressional employees are fully protected under civil rights laws by a process that is both fair and impartial and meets constitutional muster.

A recent GAO report requested by the Congressional Caucus for Women's Issues found that House employees are simply not using the Office of Fair Employment Practices [OFEP], which was established nearly 5 years ago to handle discrimination complaints. We believe one of the reasons is that congressional employees do not believe they will receive a fair hearing.

Our legislation proposes creating an independent Office of Congressional Compliance that would subsume both the existing House and Senate Offices of Fair Employment Practices. This Office would be governed by a Board of Directors chosen on the basis of their expertise in employment law. None of the Board members could be Members of Congress or Senators. Congressional employees who have been the victims of employment discrimination would file a complaint with the new

Office and would go through a period of counseling and mediation, followed by a hearing conducted by members of the Board of Directors.

Decisions by the hearing board could be appealed to the U.S. Court of Appeals for the Federal Circuit—a right currently granted to Senate, but not House, employees. To ensure that employees will have a meaningful right to appeal, the legislation also provides that if judicial review is found to be unconstitutional, employees would still have the right to appeal to the General Accounting Office's Personnel Appeals Board, which since 1980 has been charged with hearing appeals of discrimination complaints brought by GAO employees.

The bill also requires the Office to provide active education and outreach to Members and their staff and to provide statistics about the number and types that are being filed. However, the Office would maintain strict confidentiality regarding individual names and cases.

The bill immediately makes existing civil rights laws—such as title VII of the 1964 Civil Rights Act and the Americans With Disabilities Act—as well as the Fair Labor Standards Act and the Family and Medical Leave Act, applicable to both the House and Senate, with enforcement through the new Office. In addition, the Board of Directors of the Office would be charged with reviewing other laws—either those that already exist or that Congress might pass in the future—to determine whether Congress should be covered. Congress would be required to vote within 45 days on the Board's recommendations.

Our legislation will ensure that Congress abides by the same laws as the private sector, while at the same time recognizing Congress' unique congressional status. It is time to restore the faith of the American public and of our own employees in Congress. I urge my colleagues to cosponsor this important legislation.

TRIBUTE TO PAUL HENRY

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today to pay tribute to our colleague, Paul Henry. Paul came to Washington with me in 1985 as a freshman from the Midwest. I was a political novice having only served as a county sheriff. Paul served in both the Michigan State House and Senate and I respected and envied his experience.

Mr. Speaker, Paul Henry served his constituents with their true interests in mind. During the past 10 years, Paul has served the people of the Grand Rapids area with distinction. A member on the Education and Labor Committee, Paul never played the partisan politics game. He always voted with his people in mind; this was a quality of his that I always admired.

Mr. Speaker, Paul Henry and I did not always see eye to eye philosophically, but we were both devoted to our country. His death is a tragic loss to the progress of America. The

people of Grand Rapids, MI, have lost a true friend and ally. I cannot imagine replacing someone like Paul Henry. Who could take his place? Fighting cancer to the very end, Paul showed the tough, fighting spirit that the people of Michigan are well known for. His strength was his faith in God, and his faith in himself.

Mr. Speaker, I know I join my colleagues from both sides of the aisle in passing our condolences along to the Henry family. I want them to know that they are in my prayers. Mr. Henry was a fine man without equal. I know that he is without pain and in the hands of God.

UNDERSTANDING THE BOSNIAN CONFLICT

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. CRANE. Mr. Speaker, recent headlines reveal that the administration is considering United States air strikes against Serb Militia Forces in Bosnia. As the United States contemplates a more active role in the war-torn region of former Yugoslavia, it is important that the conflict be understood in the context of international law. To my colleagues, I offer the following legal treatise by Dr. Edward McWhinney, a Canadian barrister and professor of international law, who presents a comprehensive interpretation of the legal issues arising from the civil war in former Yugoslavia. In addition to the aforementioned credentials, Dr. McWhinney has authored a score of books and is a member of the editorial advisory committee of the Encyclopedia Britannica. Being thus qualified, I am confident you will find his remarks valuable to the discussion of expanding the United States role in securing a lasting peace in Bosnia and Herzegovina.

THE INTERNATIONAL LAW OF STATE SUCCESSION AS APPLIED TO YUGOSLAVIA, WITH PARTICULAR REFERENCE TO BOSNIA AND HERZEGOVINA

(By Edward McWhinney)

An earlier Legal Opinion that I wrote on the Yugoslav break-up, "International Law and the Current Conflict in Bosnia-Herzegovina", dated 30 July 1992, was entered into the U.S. Congressional Record of 12 August 1992 (E2542/2543: Congress of the United States) by Congressman Philip Crane. That legal opinion was written before the London Conference on the former Yugoslavia, and before the Vance-Owen Peace Plan and the collapse of related United Nations-based initiatives for a peaceful resolution of State Succession problems of the former Yugoslavia.

In essence, the Legal Opinion of 30 July 1992 suggested that, in contradistinction to many other multi-ethnic states of the contemporary era that were put together, variously, by political-military conquest or by post-Colonial succession from a former Imperial power, Yugoslavia had its juridical source (Grundnorm in Kelsen's term) in an international contract between states—between the more important of the Principal Allied and Associated Powers of World War I, (the United States, the then British Empire, France, Italy, and Japan), the then sovereign

state of Serbia, and "the Serb, Croat, and Slovene peoples of the former Austro-Hungarian Monarchy".

This, the Serb-Croat-Slovene Treaty, or Treaty of St. Germain-en-Laye of 10 September 1919, has its own autonomous, self-contained disputes-settlement mechanism, insofar as the Compulsory Jurisdiction of the International Court of Justice (formerly Permanent Court of International Justice) may be successfully invoked, unilaterally, by any one of the original signatories, if necessary without the consent of the respondent state. Within the then British Empire delegation to the St. Germain-en-Laye Treaty negotiations, Canada took part in pursuance of its then novel assertion of an International Law sovereignty in its own right. Canada was a signatory to the resultant treaty and must be considered, legally, as full party to it and to the legal rights and duties flowing from it, including the right unilaterally to invoke the Compulsory Jurisdiction of the International Court.

The failure of the various United Nations-based attempts at peaceful resolution of the conflict in Bosnia-Herzegovina must be attributed, in some measure, to failure to pay due heed to well-established and politically well-tested International Law norms as to recognition of new states resulting from civil wars or other break-up of existing multi-ethnic states.

1. In particular, the diplomatic recognition extended by the German Foreign Ministry to Slovenia and Croatia in December, 1991, before their territorial frontiers (including Irredentist claims on neighbouring regions) had been clearly defined or generally accepted, would appear to fall in the category of legally inadmissible "premature" recognitions identified by the then Professor (and later Judge of the International Court of Justice) Hersch Lauterpacht in the Spanish Civil War context of the late 1930s. The differences among the leading Western European states on this point, with Germany, Austria, and Hungary on the one side, and France and Great Britain on the other, mirror their political conflicts of interests in the Balkans, pre-1914 and thereafter.

2. Within the United Nations, the same legal ambivalence or equivocation can be seen in the approach to credentials and the continuity of State membership, and to admission of new States. The political justification for accepting Russia's claims to automatic continuance of the former Soviet Union's membership in the United Nations and the seat, as Permanent Member, in the Security Council, and yet, at the same time, for rejecting the rump Federal Republic of Yugoslavia's claims to be successor to the Socialist Federal Republic of Yugoslavia, (See Security Council Resolution 757, 30 May 1992), may have been clear enough to U.N. members deciding on the issue. But the legal grounds for making such a distinction and differentiation have not been persuasively established.

3. While the U.N. General Assembly admission of Slovenia and of Croatia, on 22 May 1992, (General Assembly Resolutions 46/236, 46/238), may flow, logically enough, from the political facts accomplis of the earlier recognition of those two breakaway states by other European states, the admission on the same day of the republic of Bosnia and Herzegovina does not (General Assembly Resolution 46/237). Unlike Slovenia and Croatia which, at least as to their original administrative-regional boundaries within the old Austro-Hungarian Empire, could claim a certain historical identity and continuing

legal personality, Bosnia-Herzegovina could not. The Congress of Berlin of June-July 1878 and the resultant Treaty of Berlin had provided for the occupation and administration of the then Turkish provinces of Bosnia and Herzegovina by Austria-Hungary (Article 25); but it was not until 1908 that Austria-Hungary, seeking to counter Serbian pressures for a larger union of south Slavic states under its own authority, had formally annexed Bosnia-Herzegovina, with the annexation being recognized by all the European powers without a fresh Congress in follow-up to the original Berlin Congress.

The decision by the U.N. General Assembly to admit Bosnia-Herzegovina to membership would appear to have been made for political reasons, without regard to the legal criteria for membership spelled out in Chapter II (membership) of the U.N. Charter and in the International Court jurisprudence (ICJ Reports 1948, p. 57; ICJ Reports 1950, p. 4) on the general issue, and without prior study, in depth, of the underlying plural, ethno-cultural realities in the region. By the same token, the Vance-Owen Peace Plan, with its proposal to divide Bosnia-Herzegovina into ten separate, widely dispersed territorial units, based upon ethnic-religious classifications and often without common frontiers between the same ethnic communities, offered something that would have been completely sui generis in comparative, federal constitutional law terms and that all the United Nations' own experience with complex, plural-constitutional solutions for multi-ethnic societies, suggested would be bound to fail. Neither of the Plan's two Western co-authors had had any direct personal knowledge or experience in constitution-making for plural societies, and it is the more surprising, therefore, that, right from the outset, they eliminated, without argument, alternative legal solutions of the nature, for example, of a territorial partition of the Bosnia-Herzegovina entity among its three main constituent ethnic communities, accompanied or preceded by a U.N. supervised voluntary relocation and transfer of civil populations.

With the failure of the Vance-Owen Peace Plan, and the obvious unwillingness of the main outside powers to commit themselves to the massive-scale military-logistical support necessary for any imposed U.N. political solution not having the endorsement of the main local protagonists, the search for alternative, more moderate solutions not involving recourse to armed force and proceeding upon the consent of the main local parties—Serbia-Montenegro, Croatia, and the Muslim community in Bosnia-Herzegovina—becomes paramount. This points, logically and inevitably, to third party settlement procedures—whether involving the International Court of Justice in its Compulsory Jurisdiction, under the terms of the Treaty of St. Germain-en-Laye of 1919, as already referred to; or by special agreement or compromise between the parties to that end, or even by Advisory Opinion reference from the U.N. General Assembly or Security Council. An alternative mode of third party settlement would be recourse to international arbitration, either under the aegis of the Permanent Court of Arbitration or else through a special, ad hoc arbitral tribunal established for that purpose by the parties themselves. In either case, a principal function of the tribunal finally chosen would be to define and delimit territorial frontiers between the local parties, with those historical demarcations made under the Treaty of St. Germain-en-Laye being taken as the authoritative start-

ing point, and with the tribunal relating its conclusions and recommendations as to territorial boundaries to the only two available political-legal options—a plural, federal constitutional system for a multi-ethnic state of Bosnia-Herzegovina; or else division and partition of Bosnia-Herzegovina into the three autonomous units—Serbian-Montenegrin, Croatian, and Muslim—and their assimilation and integration, if so consented to by the local populations concerned, into existing neighboring, sovereign independent states. It is to be noted that both of the two alternative modes of third party settlement would necessarily involve participation by the three local parties in the actual membership of the tribunals concerned, quite apart from the actual processes before those tribunals.

TRIBUTE TO CARLETON AND MILDRED HATFIELD

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to recognize two outstanding individuals, Carleton and Mildred Hatfield, of Remus, MI. On September 3, 1993, Mildred and Carleton will have the honor of being inducted into the Michigan Farmers Hall of Fame. This special honor is in recognition of their work as cash crop and dairy farmers for over 50 rewarding years.

The story of Hatfield Farms proudly began back in 1878 when Carleton's grandfather, George E. Hatfield, brought his family to Mecosta County and settled on the 160-acre site which is Mildred and Carleton's current home. Through hard work and strong family support, they expanded their farm to 700 acres. For over 50 years they endured the forces of nature. Through it all, hard work and patience prevailed, and Carleton and Mildred's efforts are truly a success story. Mildred and Carleton have been a model of tenacity and values to their family and community. Laboring long hours, they worked the soil to reap many bountiful harvests, and contributed immeasurably to those lives they touched—whether through their work on the farm or community service.

Mildred and Carleton proudly boast a daughter and 2 sons, which have given them 12 grandchildren. One son, Donald, and two of Donald's sons continue the dairy operation today. Their other son, Robert, is on the faculty at Michigan State University, and their daughter, Lucille, retired in June after more than 30 years as a home economics teacher.

Mr. Speaker, I know you will join me in congratulating Mildred and Carleton for the years of hard work and dedication that have merited this award. On the very special occasion of their induction into the Michigan Farmers Hall of Fame, I would like to bid them and their family congratulations, and wish them success in future endeavors.

HOW WE'RE WINNING THE WAR ON DRUGS

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. GALLEGLY. Mr. Speaker, during the past 10 years or so, we have seen a major shift in public attitudes the use of illegal drugs. One of the major reasons, I believe, has been the emphasis placed on educating our young people on the dangers of using these substances.

One of the best programs, developed by the Los Angeles Police Department and now used around the country, is the DARE Program. DARE stands for Drug Abuse Resistance Education, and it helps elementary school students learn how bad drugs are, and how they can just say no.

As part of the program, students are asked to write an essay about what they have learned. I would like to share with the other Members of this House the essay of one of my young constituents, Rachel Gonzales of Casitas Springs, CA.

Rachel is a bright young girl who was the student of the year at Sheridan Way Elementary School in Ventura. Rachel wants to be a veterinarian—or maybe President of the United States. I know she has a bright future at whatever field she finally decides to pursue, and after reading this essay, I am confident she will not use drugs.

Mr. Speaker, here is what Rachel wrote:

WHAT I LEARNED IN D.A.R.E AND HOW I USE IT

(By Rachel Gonzales)

I learned that a drug is a substance other than food or drink. Different people use drugs. The doctor gives you drugs, but those kinds of drugs help you get better if you are sick. You should not abuse drugs, even if they help you get better.

Here are some examples of drug abuse: A person has a stomachache and he goes to the doctor. The doctor gives him some medicine and when he got home he reads what it says. "Two teaspoons a day". If he follows directions he'll probably be better in five to six days, but he goes and drinks it all thinking that he'll be better by tomorrow.

A girl is at her friend's house and she gets a headache. She tells her friend, and her friend goes into the bathroom and finds something her mother uses for her headaches, which was prescribed for her mother. She gives her friend the medicine. Her friend takes it and uses it. The first person was using drug abuse by drinking all of the medicine when it said take two teaspoons a day! The second person was abusing drugs by taking another person's medicine. I am never going to use drugs, unless a doctor prescribed it for me! I would never be a person to do drug abuse.

I also learned in D.A.R.E. that a gang is a group of people who break the law. Gangs can be of any race or age. Gangs just make you feel like they're going to save you if you get shot or something like that happens to you. Gangs make you feel that your family doesn't love you. They really just think you're stupid. Gang members have very low self-esteem. They are chickens. They are chickens because they are always ganging up on people instead of fighting one on one, but

they shouldn't fight anyway. I will never be in a gang because gangs just fight and kill people.

I learned that the media is all newspapers, radios, t.v.'s, and billboards. The six advertising techniques are the bandwagon approach, the snob appeal, personal testimony, sex appeal, having fun, and comparison. You should never buy cigarettes because they have carbon monoxide in them. Carbon monoxide comes from the exhaust of cars. I also learned to do the alternative. That means that if someone wants you to do something that you don't want to do; that you shouldn't do; do something else. Unless of course your parents tell you to do something like clean your room. A definition of alternative is different choices on what to do in a bad situation.

I also learned about my rights. Some of my rights are that I have the right to say no, a right to be heard and to listen, I have a right to learn about myself, and a right to be safe.

In my D.A.R.E. class our D.A.R.E. officer taught us about consequences. There are two kinds of consequences, good kinds and bad kinds. A good consequence is like doing your chores and having your friend spend the night. A bad consequence is like not doing your homework and getting grounded.

You should always have high self-esteem. One way of raising your self-esteem is by giving compliments. You should give compliments to people, like your family or relatives, and to yourself.

There are eight ways to say no. Number one is saying "no thanks". Number two is giving a reason or excuse. Number three is broken record or saying no as many times as necessary. Number four is walking away. Number five is changing the subject. Number six is avoid the situation. Number seven is the cold shoulder and number eight is strength in numbers.

Our D.A.R.E. officer talked to us about pressure and peer pressure. Pressure is like when's person pushes you to do something. Peer pressure is almost the same as regular pressure, but peer pressure is done by kids the same age as you or near your age.

I learned about stress and stressors. A definition of stress is any strain pressure, or excitement felt about a situation or event. Stressors are almost the same thing as stress, but the definition of stressors is situation or events that produce stress. You should never let stress take over your body if someone asks you to drink some beer or try a cigarette.

There is a cartoon in my D.A.R.E. book and it shows a fish giving another fish named Leonard stress. I feel sorry for Leonard because he has all that stress on top of him, that shouldn't happen to him or anybody else.

You should have a support system. A support system is a group of people working together to help one another. Some of most people's support systems are family, relatives, friends, and teachers. There is one more kind of support system, that is a gang. If a person has a gang for it's support system the other stuff dies away.

The way I use what I learned in D.A.R.E. is that I will never use drugs a gang member gives me, I would only use stuff that was prescribed for me by a doctor. I will try to help gang members, (if I know any) to get out of the gang they're in. I would never buy anything the media tells me to buy unless I really want it, but the I'd save my money. I would never buy any type of alcohol though. I am going to do that alternative in a bad situation. I will stand up for my rights while

I respect others. I am going to raise my self-esteem until I'm the happiest person in the U.S.A. I will try not to use the eight ways to say no, unless I have to. I would never use them on my parents. I also would never do something a person pressures me to do. I will keep my support system like it is now, family and friends. I would never let a gang be my support system.

Mr. Speaker, as I'm sure we all agree, Rachel Gonzales, at the age of 11 years, has a keen grasp on the dangers of drug abuse, gang membership, and how to say no to both. I ask my colleagues to join me in saluting her for her outstanding essay, and in honoring the teachers and law enforcement professionals around the country who do such a great job of helping our young people learn how to avoid drugs.

HOUSING COALITION HELPS TO MAKE HOME OWNERSHIP POSSIBLE IN PHOENIX

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. PASTOR. Mr. Speaker, in this day of the shrinking Federal dollar, I am pleased to see the private sector joining forces with community-based organizations to make things happen in the area of affordable housing in southwest Arizona.

Home ownership, of course, is part of the American dream. Regardless of income, we all aspire to own our own home; but the aspirations of home ownership are often the most intense among lower income and minority groups. Recently in my district, Fannie Mae, the Nations largest source of home mortgage funding, and a housing coalition that includes the National Council of LaRaza announced an aggressive pilot program to help low- and very low-income people turn these home ownership aspirations into realities in Arizona. The program, called "Home to Own," set a goal of generating \$10 million in mortgages over the next 2 years. It will serve as a model for other affordable housing programs nationally.

A unique aspect of this program is that it targets borrowers earning about half of the median family income, whereas other affordable housing programs target borrowers with incomes at or just below the area median income. For instance, a typical family of four earning 60 percent of the median family income in Phoenix would have an annual income of \$24,950. It's tough to make ends meet with that level of income, let alone contemplate buying a home; but now home ownership may be possible for some of these families.

Mr. Speaker, under the Home to Own guidelines, borrowers can purchase a home with as little as \$1,000 or 3 percent from their own funds. The additional 2 percent required for a down payment can come as a gift, grant, seller contribution, or secured second mortgage. Fortunately, the Arizona Housing Trust Fund will provide \$300,000 to help with down-payment costs. Public or private assistance can be counted as income. Continuation of income over a 2-year period is emphasized,

rather than specific job titles or jobs, and credit worthiness can be established using utility, insurance, and rent payments.

I would like to commend LaRaza, Fanny Mae, and the housing coalition members who have worked to design this pilot initiative. Coalition members include the First Interstate Bank of Arizona, Local Initiative Support Corporation [LISC], Chicanos Por La Causa [CPLC], ACORN Housing Project, Community Development Agency of Maricopa County, Community Housing Partnership, Devcon Associates, Hansen, Kivior and Meade Ltd., Housing for Mesa, the Office of Housing Development within the Arizona Department of Commerce, and the Phoenix Community Housing Resource Board [CHRB].

This combination of public and private initiative and funding will enable several hundred families to share in the American dream.

INTRODUCTION OF CONGRESSIONAL ETHICS REFORM ACT OF 1993 AND SUNSHINE FOR LOBBYISTS ACT OF 1993

HON. ERIC FINGERHUT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. FINGERHUT. Mr. Speaker, I rise to bring to your attention the introduction today of two bills by my colleague, KAREN SHEPHERD, and myself which will go a long way toward restoring the public's trust in the Members of this body. The Congressional Ethics Reform Act of 1993 and the Sunshine for Lobbyists Act of 1993 both seek to limit the explosive growth of special interest money and to ensure that the money remaining in the system will be fully reportable.

Many of us campaigned last year on a message of change. The public's trust in Congress was at an historic low, and the demand for political reform was high. It seemed as though Congress was more responsive to special interests than to the interests of average Americans.

Recently, the Senate took action to address this credibility gap by passing legislation that would strengthen current lobbyists' registration laws, Senator LEVIN's bill, and require lobbyists to disclose on a Member-by-Member basis the financial benefits they provide to Members of Congress and their staffs, Senator WELLSTONE's amendment. Also included in this legislation was a sense-of-the-Senate resolution that its gift policy should be substantially similar to the executive branch's, Senator LAUTENBERG's amendment.

I commend my colleague, JOHN BRYANT for introducing the Lobbying Disclosure Act of 1993 which would clarify and strengthen the definition of who must register as a lobbyist and require disclosure of an aggregate figure of the total amount spent on lobbying. I look forward to working with Congressman BRYANT to enhance H.R. 823 as it seeks to bring accountability to the activities of registered lobbyists.

Today, KAREN SHEPHERD and I, along with original cosponsors MARIA CANTWELL, XAVIER BECERRA, HERB KLEIN, EVA CLAYTON, LYNN

SCHENK, CAROLYN MALONEY, TOM BARRETT, and BERNIE SANDERS are introducing two bills that go even further than Congressman BRYANT's bill to limit the growing influence of special interest groups.

SUNSHINE FOR LOBBYISTS ACT OF 1993

Requires lobbyists to file semi-annual reports with the Attorney General listing gifts, meals, entertainment, local or long-distance transportation, lodging, contributions made to a third party in lieu of an honorarium, loans, and other financial benefits provided to a covered legislative branch official exceeding \$20 per occasion or amounting to more than \$50 in a calendar year from one source. An aggregate figure must be filed for expenditures made for a conference, retreat or other events benefiting a covered person, and for widely attended receptions.

Exempts from the reporting requirement expenditures for modest items of food or refreshments, for items of little intrinsic value such as plaques or certificates, for financial benefits given under circumstances which make it clear that the benefits are motivated by a family relationship rather than the position of the recipient, for financial benefits which are not used and which are promptly returned to the donor.

Requires lobbyists to supply Members of Congress with advance copies of their reports 2 weeks prior to filing.

This legislation is an interim step toward conforming congressional gift rules to the executive branch's more stringent treatment of gifts from special interest lobbyists. Until and unless such a ban is enacted, we must require full disclosure of the financial benefits that lobbyists provide to Members.

CONGRESSIONAL ETHICS REFORM ACT OF 1993

Prohibits Members of Congress and their staffs from accepting gifts, that is, gratuities, favors, discounts, entertainment, donations to charities in lieu of honoraria for speaking engagements, hospitality, loans, services, local travel and lodging, meals, of more than \$20 at any one time with an aggregate value of \$50 from one source in a calendar year.

Members of Congress and staff may accept gifts that are motivated by a family relationship or personal friendship rather than the position of the Member or employee.

Members and staff may also accept: modest items of food and refreshments; greeting cards, plaques, certificates, trophies intended solely for presentation; loans and commercial discounts generally available to the public; pensions, or informational materials; honorary degrees; free attendance at widely attended gatherings in the District of Columbia; free attendance as part of a conference; travel related to official duties that are approved in advance by the Ethics Committee; items of minimal value intended primarily for free distribution to visiting constituents.

Mr. Speaker, I encourage my colleagues to support both of these important bills.

EXTENSIONS OF REMARKS

WORKER HEALTH AND SAFETY PERFORMANCE AT VULCAN

HON. DAVID R. OBEY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. OBEY. Mr. Speaker, I rise to note a coming milestone for Vulcan Chemicals and its Port Edwards plant in my Seventh Congressional District. On August 12 of this year, it will reach an industrial milestone, 25 years of operation without a single lost-time accident.

I am told that is the longest period of time for any chlor-alkali chemical manufacturing plant in North America to have operated without a single lost workday injury.

This plant is Wisconsin's only producer of chlorine, caustic soda, caustic potash and hydrochloric acid. These chemicals can be hazardous if not handled properly.

As the Representative of Wisconsin's Seventh Congressional District and as a person who worked with asbestos products many years before I knew they were a health hazard, I am always gratified anytime the importance of worker health and safety is being respected. The village of Port Edwards and Vulcan Chemicals should be pleased about this episode in the quest for worker safety.

TRIBUTE TO BOB KRIZANCIC

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. TRAFICANT. Mr. Speaker, today I would like to honor Mr. Bob Krizancic for his 13 years of dedicated and remarkably successful service as Girard High School's head basketball coach. During his tenure at Girard High, Coach Krizancic took a team that was adrift and downtrodden and turned it into a regional and State powerhouse, culminating in a State championship title at the end of last season. It was through his coaching wizardry that Girard now has the motivated, skilled, and admired squad they now field. Thus, it is not without some sadness that we must now say goodbye to Coach Krizancic as he moves on to take up a new position as the head coach at Mentor High School. While his departure is saddening to the Trumbull community, I wish him well as he moves on to his new post.

Coach Krizancic's record at Girard High has been nothing short of remarkable. After taking over a team that averaged 5 wins and 14 losses a year before his arrival, Krizancic turned the program around and has had 10 winning seasons in his last 11. He has compiled an amazing 170 win and 85 loss record at Girard and has led the team to four Mahoning Valley Conference championships. In recognition of these stunning achievements, Krizancic has been named Coach of the Year six times by his colleagues.

Krizancic's tournament record is no less stellar at 50 wins and 12 losses. His efforts at the helm of his basketball team have yielded 10 sectional championships, 3 district cham-

pionships, 1 regional championship, and 1 State championship. The State title, won this season, marked the culmination of Krizancic's efforts as he helped make Girard High the first team from Trumbull County to ever win a State title. Needless to say, Coach Krizancic has put Girard High School basketball on the map.

I have no doubts that Coach Krizancic will be wildly successful at Mentor High and will likely do for them what he has done for Girard. He leaves Girard's students and parents with fond memories and a determined will to defend their hard-earned title. Coach Krizancic has made an indelible mark on basketball at Girard High and must be recognized for his achievements. I salute Coach Krizancic for his exceptional performance at Girard and wish him the best of luck in all of his future endeavors.

A MOTHER'S LETTER: WHY WE NEED NATIONAL HEALTH CARE REFORM NO. 7

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. STARK. Mr. Speaker, the following letter from a young mother in southern California about the fear and pain that the uninsured face is worth a volume of statistics about the need for health care reform:

DEAR ELECTED OFFICIAL: I am writing this letter to call to your attention the plight that many Americans are facing today, the lack of health care. I realize that statistics are so impersonal, so I wanted to take the time to let you know of my experience.

I am a full time student at San Bernardino Valley College and a mother of two young children ages 3 and 4. My husband works two jobs to try to meet our financial needs. We cannot afford to pay for health care insurance, and we do not qualify for Medi-cal so as you can imagine this puts us in a bind.

Last month I was gardening and was cutting the bushes with an electric hedger, and somehow before I knew it I had cut my hand with that hedger and needed emergency care. My husband rushed me to the local community hospital, we had to pay 100 dollars up front before they would even see me and the bill came to 600 dollars total for what was basically 3 stitches. We are making payments on that bill, but it seems that when it rains it pours. A week later my youngest daughter turned over an oversized plastic planter. She was trying to climb a tree when she lost her balance and landed with her legs open. She had hit the side of the planter causing her to bruise and bleed. I took her to the local clinic and a family practitioner saw her. She said that the injuries seemed to be superficial but that she would like her to see a specialist (Urologist). The doctor had given me a few telephone numbers to call to try to get her an appointment, but 3 specialists would not see her because we did not have insurance. The doctors all told me to just take her to the emergency room, where basically another doctor would see her, not the specialist she needed.

My daughter did recover in two days, but I was sick worrying about her for those 2 days, hoping and praying that she didn't have internal injuries.

I don't fear for myself but for my growing children, whenever they start coughing or have a runny nose, I pray that it's just the common cold, and not a serious disease that they can't recover from. We are hard working responsible citizens that need help to obtain some kind of health plan that is affordable and reliable. Please lobby for this type of bill.

Thank you for all your help.

Sincerely,

MAYRA GOMEZ.

REOPEN GANDER CRASH INVESTIGATION

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. EVERETT. Mr. Speaker, today, I, along with 15 of my colleagues, am introducing legislation to reopen the investigation of the airline crash that tragically took the lives of U.S. servicemen. On December 12, 1985, a chartered aircraft carrying 248 soldiers of the 101st Airborne Division crashed in Gander, NF. The DC-8 was returning the soldiers from a peacekeeping mission in the Middle East when the aircraft crashed shortly after taking off from Gander en route to Fort Campbell, KY.

As many of you may remember, the ensuing investigation of the crash was mired in controversy and criticism for lack of oversight and responsibility. The Canadian Aviation Safety Board conducted the investigation in accordance with international law, and ruled that the cause of the crash was due to excessive wing icing. However, four of the board's members argued with the findings because of the strong possibility that an inflight fire or explosion occurred. This legislation would establish a commission to investigate the circumstances surrounding the crash, including the role of U.S. Federal agencies involved in the investigation, the role of the Canadian Government in the investigation and the possibility that the crash was an act of terrorism.

The United States continues to be asked by the international community to send its men and women in uniform in harms way to perform peacekeeping and humanitarian missions. We still have a presence in Somalia, and now Macedonia. The use of chartered aircraft to transport these troops to the far corners of the world remains a prevalent practice by DOD. We need to know the truth about the Gander crash before we put another soldier on a chartered aircraft.

The recent bombing of the World Trade Center and the plotted assassination attempt on President George Bush illustrate that terrorism is anything but dead; the United States will always be a favorite target among terrorists.

Also, this matter continues to be a topic of great media and public interest. Last month, the NBC program "Unsolved Mysteries" aired a segment on the Gander crash, and provided compelling evidence that this matter is anything but solved. We owe the families of the victims a full and open accountability of exactly what happened; there are too many unanswered questions.

GUATEMALA SHOULD BE WASHINGTON'S THIRD WORLD DEMOCRATIZATION MODEL

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mrs. MORELLA. Mr. Speaker, the recent political events in Guatemala provide United States policymakers with useful lessons to heed as this administration seeks to develop a comprehensive policy for promoting and defending democracy in Latin America. In contrast to the sometimes ineffectual policy pursued with respect to the de facto governments in Haiti and Peru, the precipitous and strong United States response to the illegal self-coup of Guatemalan President Jorge Serrano was clearly influential in contributing to the erosion of his public support and ultimate ouster.

The immediate suspension of Guatemala's economic aid and military training, along with the threats of revoking its GSP and CBI trade benefits and using United States votes in international lending institutions to intensify the country's economic isolation, were cited by prominent members of the influential Guatemalan business community as reasons for their opposition to Serrano's extra-constitutional rule.

Especially in Latin America, where free-market reforms and an orientation toward exported economic growth are predominant, leaders who seek to enhance their authority through anti-Democratic measures are highly vulnerable to economic reprisals.

The following research memorandum, authored by Steven Nish and Elizabeth Chance-Weigel of the Washington-based Council on Hemispheric Affairs [COHA], argues that the events in Guatemala demonstrate that the United States can make an effective contribution to peaceably defending constitutional rule. In addition, the memorandum highlights the importance to maintaining a Guatemala in Washington's focus. I think that my colleagues will find this information of interest.

GUATEMALA SHOULD BE WASHINGTON'S THIRD WORLD DEMOCRATIZATION MODEL

The swearing in last June of Ramiro de Leon Carpio as Guatemala's new president offers that benighted country an opportunity to bolster its chronically flawed democratic institutions, improve one of the world's most atrocious human rights records, and make progress in developing its economy. Following the failure of former president Jorge Serrano's attempted "self-coup," the Guatemalan Congress demonstrated uncharacteristic independence in handing the presidential sash to the country's outspoken former human rights ombudsman. De Leon is now moving ahead on the democratic path, reinforcing civilian rule by reshuffling the military leadership to make it less politicized. Still, it would be premature for the White House and OAS (which also played a role in ousting Serrano) to take their eyes off the country.

It is significant that Serrano's coup was quickly snuffed out and that the country's traditionally predominant military did not insist on filling the resultant power vacuum. The reasons for this should be recalled when the U.S. and OAS seek to constructively influence events in other countries whose

democratic institutions have come under siege.

Although the Guatemalan people may deserve the greatest plaudits for daring to rise up in opposition to their president's autocratic move, the Clinton Administration deserves credit for moving decisively against Serrano's "self-coup," immediately suspending military training and economic aid to the Central American nation. Appropriately, the White House let it be known that, without the speedy restoration of constitutional rule, Guatemala could expect reprisals against its GSP trade privileges, counternarcotics assistance and Washington's future votes on loan applications in international lending agencies. These measures were matched by equally forceful steps by Japan and European Community members; Germany, for example, froze \$78 million in aid to protest Serrano's actions.

This immediate and concerted tough response by the international community was a warning shot that was clearly heard by Guatemala's all-important commercial sectors, which responded by demanding the constitution's restoration. Shortly after economic sanctions were announced, the president of Guatemala's influential Business Chamber called for the government to "re-establish the rule of law" to stave off the possibility of "economic chaos."

Because Latin America is aggressively committed to strategies of export-led growth—in addition to seeking overseas public and private loans and investment—those in the region who assault democratic institutions are particularly vulnerable to economic sanctions. Although budgetary considerations have forced the Clinton Administration to propose slashing U.S. economic assistance to Central America (the executive's request to Congress represents a 36% reduction from 1990 levels), increased private trade ensures continued U.S. political leverage there.

EC member countries, which consistently have increased their aid to Central America since the mid-1980s, should be encouraged by Washington to repeat the strong steps they took in Guatemala if the threat to democratic rule resurfaces in the region.

Guatemala's commercial and agricultural elites, as well as its military, must be made aware that normal economic relations and continued financial assistance are contingent upon the maintenance of representative democracy. There is good reason to expect that the new president's commitment to constitutional rule will be unwavering. But Guatemala's military and its powerful agricultural and financial sectors—elements of which have sponsored the country's infamous death squads for decades—may be tempted to undermine him if he threatens to curb their special privileges.

The growth of Guatemalan democracy would provide an important example for other Latin American countries seeking to ward off would-be autocrats. It would also help tip the Administration's foreign policy scales away from timidity and indecision and toward credible moral leadership. Following some tepid policies in response to the rupture of constitutional democracy in Peru, and a delayed clampdown on the Haitian de facto government, Guatemala stands out as a rare Administration success in the region—or, for that matter, anywhere in the world. If the White House fails to heed Guatemala's lessons and removes the country from its sights, it could lose this one too.

**THE GEISINGER SYSTEM: A
MODEL FOR NATIONAL HEALTH
REFORM**

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. KANJORSKI. Mr. Speaker, Congress and the President are deeply concerned about health care reform. We want to find ways to make health care more accessible and more affordable for all Americans. I am proud to say there is a health care system in my district that has gone a long way toward making our goals a reality for working families throughout northeastern Pennsylvania.

This system is the Geisinger Foundation.

The Geisinger Foundation in Danville, PA, takes a regional approach to health care, with over 500 physicians caring for a large portion of the families in central and northeastern part of the State. The foundation was established in 1915 as the George F. Geisinger Memorial Hospital; today it is a broad network of 530 salaried physicians in hospitals and clinics around the area.

The health plan operating under the Geisinger Foundation is a rural, not-for-profit corporation with roughly 100,000 members. This structure allows enrollees to receive top quality health care at an affordable price. Cost control comes from an emphasis on primary care, preventive medicine, and a professional culture of conservative family doctor medicine. As the New York Times has noted, the Geisinger plan "has the lowest rates in Pennsylvania * * * with monthly premiums this year of \$109.70 for individuals and \$285.22 for families for a plan covering nearly everything but prescriptions."

Accessibility is another key to Geisinger's success: The Foundation has established rural medical practices across the region, and in accordance with its charitable charter, Geisinger physicians provide service to anyone, regardless of their ability to pay.

Dr. Stuart Heydt, president and chief executive officer of the Geisinger Foundation, recently spoke to Pennsylvania's congressional delegation. Pennsylvania's own leader in national health reform, Senator HARRIS WOFFORD, is today inserting into the CONGRESSIONAL RECORD the text of Dr. Heydt's presentation, along with a copy of the New York Times article. Also, the Senator has included in the RECORD an article from Modern Healthcare with the findings of the National Committee for Quality Health Care, which profiled Geisinger's successful cost-containment and quality-improvement strategies. Both articles chart the progress we have made in Pennsylvania.

I believe we can make a difference in health care; Geisinger is helping to show us the way.

**UNITED STATES TRADE REP-
RESENTATIVE SHOULD ACCEPT
FOR REVIEW THE PENDING GSP
PETITION ON WORKER RIGHTS
VIOLATIONS IN MEXICO—PART 3**

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. BROWN of California. Mr. Speaker, are my colleagues aware that Mexico already exports billions of dollars of assorted products duty-free into the United States market every year under the terms of the generalized system of preferences [GSP].

More specifically, do all Members of Congress realize that Mexico is the No. 1 GSP beneficiary country, shipping more than \$3.8 billion of duty-free exports to the United States in 1992?

Do my colleagues realize that the current GSP trade law, if enforced, is supposed to prohibit GSP duty-free privileges to Mexico or any other country that does not afford internationally recognized worker rights such as freedom of association and the right to organize free, independent trade unions and bargain collectively to its own workers.

Are my colleagues aware that in 1991 the USTR dismissed a well-documented petition of worker rights violations in Mexico without so much as one public hearing?

Most people inside or outside of the Congress are unaware of these facts. Quite apart from the negotiations on the NAFTA supplemental agreements, they point toward a more immediate, more direct, and complementary course of action the USTR should pursue on its own violation to promote respect for basic worker rights in Mexico.

Despite these telling facts, USTR is well beyond the deadline prescribed in its own GSP regulations for announcing which of the country and product eligibility petitions will be accepted for investigations and public hearing this fall. July 15th is when those decisions were to have been announced.

Quite simply, the very detailed, 41-page petition that was filed in June alleging extensive worker rights violations throughout Mexico should be accepted forthwith.

Following is the third installment of the pending GSP petition on worker rights violations in Mexico. (The first installment is in the Extensions of July 15th and the second appeared on July 20th.) I recommend a careful reading of the petition in its entirety. I also urge each of my colleagues to cosign a letter I am sending to the USTR to urge formal review and public hearings on this petition.

**GSP PETITION ON WORKER RIGHTS VIOLATIONS
IN MEXICO**

**VI. REPRESSION OF LABOR LAWYERS AND LABOR
LEADERS**

(a) The arrest during labor-management negotiations in January, 1992 of Agapito Gonzalez Cavazos, head of the Matamoros regional CTM union, on three-year-old charges of tax fraud, is well known. The Country Report indicates that "his supporters charged harassment. Mexican government officials denied this." (1992 Country Report at 450) Other interpreters have been somewhat more voluble and detailed.

Jerome Levinson, former general counsel of the Inter-American Development Bank, writes of this incident:

"In January 1992, Agapito Gonzalez, head of the Day Laborers' and Industrial Workers Union in Matamoros . . . aggressively tried to negotiate higher wages than the official guidelines sanctioned by the government. Gonzalez was ruining the climate for foreign investment. Shortly thereafter, federal Judicial Police descended on Matamoros to arrest the 76-year-old labor leader."

"In a complaint to the Mexican National Human Rights Commission Gonzalez charged he was held incommunicado by agents who questioned him on tax evasion charges, despite the fact he claimed to have evidence of having paid his taxes. Gonzalez was later transferred to a hospital where he remained under police arrest. Though he was released a few months later, the message to union organizers was clear: aggressive representation of workers that hurt prospects for attracting foreign investment would not be tolerated by the Salinas administration." (Unrequited Toil at 10).

(b) The case of Aquiles Magana, who is the leader of the Union of State, Municipal and Public employees of the State of Tabasco, in southeastern Mexico. On April 29, 1990, Magana led a demonstration of the workers of the municipality of Villahermosa, to demand payment of a wage rise already authorized by the state government. As the workers marched toward the Governor's Office, Magana was arrested without a warrant and was taken to the headquarters of the State Judiciary Police. He was accused of damaging the city's garbage trucks and of causing injuries to one worker, apparently one of those workers who participated in the protest.

After a vicious judicial process, Aquiles Magana was condemned to four years and two months' imprisonment simply on the grounds that, since he confessed to be the leader of the protesting workers, he was responsible for any possible damage caused by any of the workers. This was in spite of the fact that the worker who supposedly was injured by Magana declared that he did not know Magana and that his injuries were caused when he accidentally fell. The identity of those persons who supposedly damaged the trucks feloniously for which Magana was held responsible was never established, or even investigated. The judge refused to allow defense counsel to make an inspection of the allegedly damaged truck, claiming that such an inspection had already been made by the public prosecutor, who had "proved the extent of the damage by his inspection." The prosecutor said that while he could see the damage to several trucks, when Aquiles Magana asked to participate in an inspection, the judge said it was irrelevant and denied the request. When Aquiles Magana attempted to present witnesses to testify that no damage to any trucks took place during the demonstration, the judge refused to allow their testimony on the grounds that they would just try to protect Magana. He was also convicted of causing damages and injuries to a worker's arm. The allegedly injured worker was illiterate and testified in the court that he had been taken to the prosecutor's office and forced to place his fingerprint on a blank sheet of paper. He denied that he had made the statement attributed to him in the court; instead, he testified, his injury had occurred from falling down. Nevertheless, Aquiles Magana was convicted of both charges and sentenced to

four years and two months.⁸ He was found to be "the intellectual perpetrator of the crimes," even though no investigation ever attempted to locate any person physically responsible for the alleged crime.

There were other irregularities. The inspection report on the allegedly damaged trucks was unsigned. It had no date and no detailed description of the trucks that were damaged. The number of damaged trucks was not indicated. Nor was any attempt made to prove the ownership of the supposedly damaged vehicles.

Aquiles Magana, when arrested, was denied bail. After 32 days a Federal judge finally ordered the state government to release him on bail.

(c) The case of the lawyer for Aquiles Magana, Joel Garcia, who also represented the oil workers union in its dispute with Pemex in 1991. While the dispute was underway, he was suddenly charged with fraud by a small group of workers on the basis that he had been paid his contracted fee with the union but that dispute had been settled "politically," rather than as a result of his legal work. Although the government prosecutors were aware there was no legal basis for such charges, they proceeded to carry out a lengthy investigation and to issue a warrant for Garcia's arrest. He was forced into hiding for five months until a Federal judge ruled that the case had no basis. But the state prosecutor reissued his warrant without any alterations, and forced Garcia into hiding for another three months until a Federal tribunal ruled again that the prosecutor's case was without merit.

(d) Estela Rios and Maria Eugenia Meza, lawyers for workers at Siderurgica Lazaro Cardenas, a state-owned company processing metal products, were charged during negotiations with falsifying worker's signatures on the letters requesting them to represent them. They were finally cleared of the charges, but because of the fear of being imprisoned, they spent several months when they could not represent their union adequately. While they were representing about 500 workers they were arrested in Mexico City and held incommunicado for 24 hours.

For lawyers representing workers in disputes with powerful companies or with the state, this type of harassment is all too common in Mexico.

(g) Emilio Miron Isidro, leader of the union of the Tropic Brewery in Oaxaca state, was assassinated on April 30, 1992, by unknown assailants. This assassination occurred during a labor conflict and apparently was conducted under company orders. No investigation has been undertaken and no one has been arrested for the murder.

(h) In Mexico City, the Judicial Police detained Lilia Mejia and Jorge Torres, leaders of the democratic movement of the workers of the Ministry of Agriculture and Aquatic Resources, in March, 1992. They were detained for two days, after which they were reportedly released without charges being filed.

MINIMUM AGE FOR THE EMPLOYMENT OF CHILDREN

In the November 1991 resolution, the Subcommittee noted that the evidence provided by petitioners did not necessarily substantiate that the government condoned this behavior (underaged child employment), and

⁸Source: trial documents, including preliminary prosecutor's investigation, case No. 044/990, Tabasco; Tabasco State Court ruling No. 82/990; State Superior Tribunal Case No. 290/991; Federal Amparo 929/991.

that experts of the U.S. Department of Labor as well as the GAO report that found that the number of Mexican inspectors per capita is roughly comparable with the numbers in the US.

In Mask of Democracy, Dan La Botz cites professor Hector Santos Azuela, who, in an essay titled "Child Labor in Mexico", notes that child labor is widespread. "It is not difficult to find them working with high levels of risk in butcher shops, mills, tortillerias (shops which make tortillas), or in other shops of various sorts." While many legal protections exist for children in both Mexican law and ILO conventions, the problem is exacerbated by the authorities' willingness to look the other way:

Labor inspectors have an important social function which unfortunately they do not fulfill. Their activities are reduced to routinely imposing fines, rather than combating the problem.

Despite the complete suppression of the apprenticeship contract, reminiscent of medieval servitude, the employment of children as labor power, subject to excessively long work days, with low wages and in deplorable and unsanitary working conditions, is frequent.

Nothing has been done in reality to protect the children and prevent this exploitation. Many projects have been designated without any practical results.

Frequent modification and reorganization has seriously damaged labor statutes regarding children, carrying the law ever further away from the extensive protection that is required.⁹

In regard to the effectiveness of the Mexican authorities' enforcement of child labor legislation, the United States Department reported:

"... in the formal sector, enforcement is reasonably adequate for large and medium size companies; it is less certain for small companies. As with employee safety and health, the worst enforcement problem is with the many very small companies. Eighty five percent of all registered Mexican companies have 15 or less employees, and 80 percent have 5 or less employees, indicating the vast scope of the enforcement challenge just within the formal economy.

Illegal child labor is largely found in the informal economy, which includes significant numbers of underage street vendors, employees in very small businesses, and workers in rural areas. The ILO reports that approximately 18 percent of Mexican children aged 12 to 14 work. Often such children work for their parents or other close relatives. In addition, small-scale employers prepared to disregard company registration, social security, health, safety and tax laws are often equally prepared to violate child labor laws." (p. 450)

A progress report of the Tri-National Project on Children's Rights and Economic Integration sponsored by Defense of Children International notes as a result of an extensive field inquiry in the spring of 1993 that:

"... among firms producing for the domestic market, we observed substantial child labor violations, including: (1) the employment of clearly underage children (we observed children who we estimated to be between nine and twelve years old working in several plants); (2) the employment of children in hazardous jobs, including the use of heavy leather and plastic cutting equipment and the application of adhesives to shoes by

⁹"El Trabajo de Menores," in Estudios de derecho sindical y del trabajo (Mexico, D.F.: Universidad Nacional Autonoma de Mexico, 1987) pp. 251 ff.

dipping fingers or whole hands into large cans of glue; and (3) overall conditions likely to be particularly detrimental to children, such as high noise levels, poor ventilation and lighting and inadequate facilities for eating and personal hygiene needs.

The worst conditions were found in San Francisco, a small town several miles from Leon that is the center for the production of athletic shoes. Employment of young children was most prevalent in smaller plants, but at least one very large manufacturer selling an extensive line of higher-quality shoes all over Mexico and possessed a modern plant using advanced equipment had several child workers.

Children working in the San Francisco factories do not appear to attend school at all. When asked if the presence of children working indicated that there was worker turnover from children leaving to return to school, one producer emphasized that his work force is full time, year round with almost no turnover . . .

Although we do not offer any firm conclusions at this point in our investigation, several observations are warranted:

1. While the exploitation of child labor seems not to be prevalent in maquiladoras and plants currently manufacturing for export, young children continue to work under extremely adverse circumstance in firms currently manufacturing for the Mexican domestic market and for growers selling their product to processors for export.

2. Mexican manufacturers of different products who are involved in export or drawback production view the low wages prevalent in Mexico as one of their principle competitive advantages. They expect the NAFTA agreement to increase the significance of this advantage. Manufacturers not now engaged in export or drawback production, and who exploit child labor, are interested in the possibilities that NAFTA will offer them to break into the US market.

3. Economic integration has had effects of families and children that have not been analyzed systematically. Beyond the issue of direct employment of children in plants producing for export lies an important set of issues about the welfare of children whose parents work in such plants."

MINIMUM WAGES, HOURS OF WORK AND OCCUPATIONAL SAFETY AND HEALTH

1. Minimum wages. Structural adjustment in Mexico has wreaked havoc on the living standards of Mexican workers during the past decade. Hundreds of thousands has been dismissed from state owned companies in the course of privatization, while other economic measures have undermined the benefits of a much broader segment of the Mexican workforce. As noted in a forthcoming study, Structural Adjustment in Mexico, to be published by Equipo Pueblo, in Mexico City: "Workers who have kept their jobs have paid for the costs of adjustment through a decrease in their purchasing power, a decrease in benefits, and an increase in prices of basic goods."

Mexico has one of the lowest minimum wages in the world.¹⁰ In November 1992, the minimum wage in Mexico was approximately 13,300 pesos per day (US\$4.42). According to a study by researchers at the National Autonomous University of Mexico (UNAM) the minimum wage capable of providing the basic needs of a family of five is 45,322 pesos per day—over three times the current minimum

¹⁰Barry, Tom (Editor), Mexico, A Country Guide. (The Resource Center: Albuquerque, N.M., 1992) 98.

wage.¹¹ Government figures show that 41.4% of the economically active population receives between one and two times the minimum wage, 46.88% receive more than two times the minimum wage and 4.5% receive no wage.¹² Contractual salaries have grown more than the minimum wage in recent years, but have still been insufficient to regain the purchasing power lost in the eighties. The participation of wage labor in GDP fell from 36% to 22% during the eighties, while that of capital rose from 54 to 62%.

According with the report prepared by the U.S. State Department on Mexico for 1992:

"Wages set by collective bargaining agreements and white collar salaries in the private sector generally kept pace with inflation even though the minimum wage has not. Since the financial collapse of 1982, the minimum wage ceased being adequate. Recent data on urban areas indicate that 14 percent of urban workers earn less than one minimum wage, 41 percent earn between one and two minimum wages and 32 percent earn between two and five minimum wages."

The loss of purchasing power of wages is not only a consequence of the economic collapse in 1981-82, but a part of a wider adjustment carried out by the government. As Jerome Levinson express: it:

"... this policy has caused wage increases to lag behind inflation. The wage policy has been part of a broader agreement, the pact for stability and growth (PECE), orchestrated among representatives of labor, business, and government. As a result of this pact and other government actions to repress labor, real wages remain stuck at half what they were in 1982, despite Mexico's economic recovery under the Salinas administration."

The government's tough wage policy, designed to make Mexico competitive with what it sees as its main competitors in Asia, has been enforced by the Ministry of Labor. Arsenio Farrell Cubillas has been Secretary of Labor for the past seven years (the labor Ministry is formally known as the Secretariat of Labor and Social Welfare). He is the only member of the cabinet to have served in the same position under both the De la Madrid and Salinas administrations. According to a report on Mexican labor conditions prepared by the US Embassy, "Farrell has maintained his reputation as a formidable labor opponent. He has maintained pressure on the labor sector in an effort to hold the line on wage demands..."

The basic problem with labor rights in Mexico, is not, as has so often been suggested, inadequate funding for enforcement. The government has found more than adequate financing for the National Solidarity Program which helped it win congressional and state elections in August 1991.

The problem lies instead with a development model predicated on attracting foreign investment by undercutting wages elsewhere, particularly East Asia. That objective underlines the hostility to effective labor organizing. The worker rights issue in Mexico is fundamentally about government suppression of those rights in pursuit of short term economic gain."

EXTENSIONS OF REMARKS

IN REMEMBRANCE OF FATHER
EDWARD J. KARNIS

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to honor the memory of Father Edward J. Karnis—a man of dedication, achievement, faith; and, a personal friend of mine. Father Karnis lived his life to the fullest and helped make the world a better place.

Father Karnis' dedication was embodied in his 38 years of combined military service. He began his career in World War II, flying 48 combat missions in the southwest Pacific between 1944 and 1946. Father Karnis was even shot down once on St. Patrick's Day, but the luck of the Irish was with him, and he was pulled from the sea unharmed.

After World War II, Father Karnis attended St. Joseph's University in Philadelphia. This is where I first had the pleasure of meeting Father Karnis, who was one of my classmates. I learned that he was a man of great character and integrity. His dedication to academics served him well, earning him the opportunity to attend graduate school at Georgetown University. Later in life, he earned a masters degree in sociology from Long Island University, NY.

After leaving Georgetown, Father Karnis joined the Federal Bureau of Investigation for 5 years. He was a dedicated and well respected agent, working on numerous high profile kidnaping cases during his tenure. However, he soon felt the call of the priesthood and made the decision to attend St. Mary's University and Seminary in Baltimore, where he earned a master of divinity degree.

Ordained in 1960, he spent 6 years as an associate pastor at St. Helena, Belefonte, St. Thomas, and St. Elizabeth, in Wilmington, DE, before he felt compelled to return to the military. Soon after rejoining the Army as a commissioned officer, he was transferred back to the Far East as a chaplain in the Vietnam theater of war. After finishing his tour in Vietnam, Father Karnis spent the rest of his military career serving at posts in the United States, Korea, and Europe, ending his carrier at the St. Sebastian Chapel in Frankfurt, Germany. He retired in 1985 at the rank of colonel.

Throughout his military career, Father Karnis received 33 awards and decorations, including the Purple Heart, the Bronze Star, the Vietnam Cross of Gallantry, the Philippine Liberation Medal, the Philippine Presidential Unit Citation, the Republic of China Defense Medal and the Department of Defense Meritorious Service Medal.

So I rise today with Father Karnis' friends and family to honor his memory. He spent his life serving his country and sharing his faith with others. His character, integrity, and dedication are an example to everyone.

TRIBUTE TO MARY LOUISE
KRUPPA

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today to recognize Mary Louise Kruppa in celebration of her 80th birthday. Mrs. Kruppa, a native of Youngstown, has been an active force in the community and has inspired us all with her energy and dedication to her family and to the Youngstown area.

Born on June 28, 1913, to Cecilia Burns LaVan and Charles LaVan, Mrs. Kruppa was the oldest of four daughters. After graduating from Ursuline High School in 1931, Mary Louise was employed at Stambaugh-Thompson and also worked at Northside Hospital in the surgery/recovery room.

Throughout her life, Mrs. Kruppa has continually been involved with a host of community groups and organizations. She has been a member of St. Edward's Church since 1956 and was a charter member of both the Goodtimers and Garden Clubs. Her other activities include membership in the confraternity of Christian mothers, the ladies of charity, and volunteering with the literacy program since 1986. This constant activism and involvement in her neighborhood and community have made Mrs. Kruppa a well-respected and admired citizen.

Not only is Mrs. Kruppa blessed with good health, but she is also very fortunate to have an admiring and loving family. At her birthday celebration, six or her seven children were present as were eight grandchildren, three great grandchildren, three sisters, and numerous cousins, friends, and relations.

After nearly a century of involvement in the Youngstown community, Mary Louise Kruppa has become the embodiment of the dedicated citizen and nurturing mother. She should be recognized as an example to us all.

TRIBUTE TO WILFRED AND CAROL
WARDIN

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to two outstanding individuals, Wilfred and Carol Wardin from Hemlock, MI. On September 3, 1993, Wilfred and Carol will have the honor of being inducted into the Michigan Farmers Hall of Fame, as they were dairy and cash crop farmers of up to 1,150 acres for 45 years.

Noted for their contribution to agriculture in Saginaw County, Wilfred and Carol set high standards, and achieved their goals in dairy farming and soil management. Wilfred served in the Korean war, and he and Carol were leaders in their community. They served in leadership positions on many local boards, and were appointed by the Governor to serve on the Michigan Dairy Marketing Commission. Carol and Wilfred also were recognized for

¹¹ El Financiero, November 30, 1992, p. 38.

¹² Ibid. p. 8.

owning 1 of the top 40 farms for best management in the United States.

Mr. Speaker, I know you will join me in paying tribute to and congratulating Wilfred and Carol for the years of hard work and dedication that have merited this award. Although we were all saddened by Wilfred's passing this past April, on the very special occasion of his and Carol's induction into the Michigan Farmers Hall of Fame, I would like to bid the family congratulations, for the Wardins instilled great traditions in their children that will continue on for generations.

**ALASKAN NEIGHBORS RALLY TO
SAVE TENAKEE SPRINGS**

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. YOUNG of Alaska. Mr. Speaker the spirit that built America's largest and greatest state, Alaska, is alive and well. That's the only way to preface a description of the events surrounding the tragic fire that swept through the community of Tenakee Springs, AK, in mid-July.

Tenakee Springs, located on Chichagof Island in the Tongas National Forest in southeast Alaska, is home to around 200 residents, many of them retirees. It is home to a natural hot springs and community bath house. Tenakee Springs is unconnected to the rest of Alaska by road, and its nearest neighbors are the loggers working for Silver Bay Logging at the nearby Corner Bay camp. In the early morning, a fire broke out in an unoccupied vacation house and quickly spread to adjoining houses and the town's only hotel. Recent dry conditions combined with a steady wind to quickly spread the fire out of control. The town is without water mains, and its only fire fighting equipment is a 500 gallon tank mounted upon a four wheel drive vehicle. When the fire started to get away, the local volunteer fire department responded, but the job was bigger than their equipment could handle. The fire threatened the hundred structures which cling to the shore of the town and about the waters of the inlet.

Like the pioneers that they are, the logging crews from the nearby Corner Bay logging camp descended to lend a helping hand to their neighbors at Tenakee Springs. Almost immediately, the camp began ferrying men and equipment by helicopter to engage the battle that threatened to consume the community. Typical of those engaged in the heroic efforts was Richard Smith, a resident of Juneau who lives and works as a timber faller at the Corner Bay. Times are tough in the logging business, as more and more land has been placed off-limits to logging, and the land that remains has been subjected to the strictest environmental standards in the world. But Richard Smith is used to fighting for what is right. After serving his Nation through two tours in Vietnam as a "tunnel rat", Richard moved to Alaska to pursue what he likes the most—living, working in, and enjoying the outdoors. He and his fellow workers are great Alaskans, and I'm proud to say I represent

them. He was one of the first loggers to hit the beach, and lend a hand with the struggle to confine the fire. The loggers of Silver Bay Logging were soon joined by Forest Service personnel and equipment, and the U.S. Coast Guard. Working together for a common goal, they soon had the fire under control in town, and began falling trees around the perimeter of the community to keep the encroaching decadent forest from catching fire, as well. In the end, the valiant efforts of Tenakee's neighbors saved all of the town but 8 houses, the hotel and several pets. No human life was lost, and the inferno that might have consumed all of Tenakee Springs was avoided.

This is the kind of spirit that built Alaska. People working together with whatever resources they have to come to the aid of a neighbor in need. My hat, and the hats of many Alaskans, go off to Alaskans like Richard Smith and the men at Silver Bay Logging, the U.S. Forest Service personnel in Sitka, and the U.S. Coast Guard. For exemplary service in defense of human life and private property, you deserve our thanks.

**TRIBUTE TO ANTHONY FAMILY
REUNION**

HON. W.G. (BILL) HEFNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. HEFNER. Mr. Speaker, I rise today to pay tribute to the descendants of Caddy and Phillip Anthony as they celebrate their first ever family reunion August 14 in Charlotte, NC, and August 15 in Kannapolis, NC.

The Anthony family traces its heritage back some 189 years to Lancaster County, SC, and, through the painstaking efforts of my constituent, Daphne Harris of Kannapolis, NC; as well as Jacqueline Anthony of Baltimore, MD; Ruby Anthony-White of Voorhees, NJ; Mary Anthony Stancill of Capitol Heights, MD; and Sandra Anthony of Washington, DC, the surviving descendants will gather for what will become an annual celebration of rich family history and strong family ties.

I congratulate all the members of the Anthony family for beginning such a fine tradition, and I know my colleagues join me in wishing them many more years of joy and happiness together.

**HONORING THE UNITED JEWISH
Y'S OF LONG ISLAND ON THE
11TH ANNUAL INTERNATIONAL
JEWISH ARTS FESTIVAL**

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to the United Jewish Y's of Long Island on the occasion of its 11th annual International Jewish Arts Festival of Long Island.

The International Jewish Arts Festival will take place on September 5 and 6 on the

grounds of the Young Men and Young Women's Hebrew Association [YM and YMHA] of Suffolk County. The Long Island community will be entertained by the talents of over 200 internationally renowned artists and attended to by a vast array of craftsmen, vendors, and volunteers.

The UJY's of Long Island is the central organization for its six-member YM and YWHA's on Long Island. Created in 1973 by the Federation of Jewish Philanthropies of New York, now UJA-Federation, the UJY's purposes are to raise capital and endowment funds to develop, plan, expand, and coordinate YM and YWHA services and program activities for the people of Long Island.

Since their first formation in Baltimore in 1854, YM and YWHA's have had a long association in fostering the cultural arts for the enrichment and enjoyment of the individual and the community. The UJY's assist its members and agencies in promoting the cultural arts through consultation and fundraising.

This year the International Jewish Arts Festival of Long Island will be honoring the extraordinary heroism of the Jewish resistance in the Warsaw Ghetto, and showcasing the music, art, and literature of the Holocaust era.

Mr. Speaker, I ask all my colleagues in the House of Representatives to join with me now extending our best wishes and special thanks to the United Jewish Y's of Long Island for its 20 years of dedicated community service.

**IN MEMORY OF ABRAM LEON
SACHAR**

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. MARKEY. Mr. Speaker, Massachusetts and the entire Nation are mourning the loss of a great American, Abram Leon Sachar, the founding president of Brandeis University, who passed away July 24 at the age of 94.

Abram Leon Sachar was one of this century's greatest university presidents. In his tenure, he established Brandeis University as one of America's premier institutions of higher learning and research.

Born February 15, 1899, to immigrant parents, Abram Sachar went on to receive an A.B. and a master's degree in history from Washington University. In 1923, he was awarded his Ph.D. from Cambridge University. Upon his return from England, Abram Sachar joined the faculty of the University of Illinois where he remained for 24 years. He then went on to pioneer the Hillel Foundation, an organization for Jewish university students where he served as its national director from 1933-48.

In 1948, Sachar founded Brandeis University as the world's first Jewish, nonsectarian university. With his strength of personality, intellect, and his keen fundraising ability, Sachar provided Brandeis with the strong leadership that was essential to its development. As a builder and leader, his accomplishments distinguish him as one of our preeminent 20th century university presidents.

Sachar opened Brandeis in 1948 with 107 students and 13 faculty members. In the two

decades that he served as the university's president, Sachar saw Brandeis grow rapidly in its size and reputation. The university became the most rapidly accredited institution in America, and the university to most quickly receive a Phi Beta Kappa chapter. Currently, Brandeis is one of the Nation's top liberal arts and research universities, with more than 3,700 undergraduate and graduate students, and a full-time faculty of 360. This success can be directly attributed to the tireless efforts of Abram L. Sachar.

At the time of the university's founding, many Jewish students were excluded by America's elite universities by stringent quotas. Sachar saw Brandeis University as an institution that could provide talented Jewish students with a first class education. However, Sachar's primary motivation for founding Brandeis was sparked by his belief in the sheer magnificence of creating a university.

He was deeply committed to the idea of establishing a world-class, secular, Jewish university open to all scholars. The title of one of his many published books, "A Host at Last," reflects Sachar's desire to welcome non-Jews to a Jewish university, just as generations of Jewish scholars had been hosted by the Christians who founded many of America's great universities. Today, Brandeis has become the host that Sachar envisioned, attracting internationally recognized scholars of all faiths and backgrounds to study and teach the humanities, science, and the arts.

Not only did Abram L. Sachar seek to establish a university with the purpose of training great scholars, he also saw the importance of creating a sense of social conscience and responsibility at the university. This attitude, which continues to thrive today in the Brandeis community, is Abram Sachar's legacy.

DISTRICT TO HOLD PEACE SUMMIT

HON. SHERROD BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. BROWN of Ohio. Mr. Speaker, gang violence is a growing threat in many communities across the country. In my own district, cities like Lorain, Elyria, and Oberlin are plagued by gang-related violence. Now, when our society is overrun with crime and violence, we must take the time to invest in our young people.

On July 31, 1993, community leaders from my district will hold a peace summit. The summit is to be held in one of my district's most violent neighborhoods, the Wilkes Villa housing project, and will hopefully bring rival young gangs from Lorain, Elyria, and Oberlin together to "talk peace."

Fashioned after a recent summit in Cleveland, this event will include rallies, speeches, and workshops on self-esteem, self-awareness, and teenage pregnancies. It is the hope of its planners that the summit will provide positive role models for young people and will teach them the importance and relevance of investing in their own future.

Today, I ask my colleagues to recognize a truly outstanding community effort. Please join

me in commending those who have planned this peace summit and wish them well in their efforts to address the serious problem of gang violence.

INTRODUCTION OF THE HIGH MEDICARE HOSPITAL RELIEF ACT OF 1993

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to introduce the High Medicare Hospital Relief Act of 1993. This measure would provide additional payment under part A of the Medicare Program for the operating costs of inpatient services of hospitals which have a high proportion of patients on Medicare.

Presently hospitals in New Jersey, and in particular Ocean County, NJ, are experiencing a significant shortfall in Medicare reimbursements. Despite being very efficient hospitals—boasting high occupancy and reduced lengths of stays—these medical facilities are not reimbursed at a level which properly reflects their costs. The New Jersey Hospital Association projects a \$43 million shortfall in 1993 for Ocean County hospitals alone. This situation clearly jeopardizes the quality of care provided to senior citizens and may ultimately threaten the ability of these hospitals to remain open.

Congressman JIM SEXTON, who also represents Ocean County, is an original cosponsor of this bill. We have been working cooperatively on the Medicare issue in New Jersey and I am delighted to have his support on this measure.

Under my legislation, Mr. Speaker, those hospitals with not less than 65 percent of inpatient days or discharges attributable to patients entitled to benefits under Part A of Medicare would qualify as high Medicare hospitals and would then be eligible for additional payment.

Mr. Speaker, legislative action is necessary to address the needs of these hospitals since neither the Health Care Financing Administration [HCFA] nor the Office of Management and Budget [OMB] have taken any steps to remedy the situation. In my home State, a change in metropolitan statistical area [MSA] designations would have brought greater equity to the Medicare reimbursement system for our hospitals. However, OMB has reversed its earlier ruling that might have alleviated the shortfall in Medicare funding.

I am already cosponsoring H.R. 953, the Medicare Dependent Hospital Relief Act of 1993, with Congressmen CLAY SHAW and JIM SEXTON. Mr. SHAW's bill is designed to address this same problem. I fully support H.R. 953 but am introducing my new bill to further focus attention on this critical issue from a slightly different perspective.

I urge my colleagues to cosponsor this bill and look forward to our swift consideration of this crucial issue.

CITIZEN COSPONSORS OF THE FAIR ACT

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. MORAN. Mr. Speaker, on March 10, Representative GOODLING and I introduced the Fiscal Accountability and Intergovernmental Reform [FAIR] Act to help State and local governments ameliorate their most crushing financial burden: unfunded Federal mandates.

We feel this legislation is necessary to safeguard against a tendency within our institution and among Federal agencies to resort to more and more Federal requirements without providing the funds to implement them.

Like the National Environmental Policy Act, this measure will require Federal agencies to analyze the economic costs of new regulations before they are adopted.

And, like the 1974 Budget Reform Act, our bill will require that legislation cannot be considered by the full House or Senate without an analysis by the Congressional Budget Office of the cost of compliance to State and local governments and the private sector.

News of this legislation is spreading among those it will help most: Our cities' mayors. Mayors from every State and territory have been writing in support of the Fair Act and urge swift congressional action.

Support for mandate relief is building on numerous fronts. The New York Times recently ran a series of articles focusing on how our Nation's regulatory policies have strayed from their original purpose.

Mayors from 114 cities in 49 States wrote President Clinton urging the White House to focus on how policy making has gone awry. And finally the National League of Cities has made unfunded Federal mandates one of its top five political priorities in Washington.

In the next several weeks Representative GOODLING and I will be entering into the CONGRESSIONAL RECORD the names of hundreds of mayors from both parties and each State who have agreed to be citizen cosponsors of our fair act initiative.

The time has come to make the Federal Government accountable for the actions it takes on behalf of our cities and States.

Today I am entering in the RECORD the names of 20 citizen cosponsors who are urging us to take meaningful Federal mandate reform action.

CITIZEN COSPONSORS OF THE FAIR ACT, JUNE 10, 1993

NAME, TITLE, CITY, AND STATE

1. Thomas McKnew, Mayor-Commissioner, Gainesville, FL.
2. Ed Martin, Mayor, Warner Robbins, GA.
3. Frank Portusach, Mayor, Agana Heights, Guam.
4. Linda Lingle, Mayor, Wailuku, HI.
5. Al Manning, Waterloo, Mayor, IA.
6. Francis Burke, Mayor, Enfield, CT.
7. Frank Esposito, Mayor, Norwalk, CT.
8. Courtland Collier, City Commissioner, Gainesville, FL.
9. Lillian Eaton, Mayor, Yucaipa, CA.
10. Patricia Castillo, Mayor, Sunnyvale, CA.
11. Clyde Bland, Mayor, Tracy, CA.

12. Quitman Mitchell, Mayor, Bessemer, AL.
13. Robert Tippet, Mayor, Yuma, AZ.
14. Peter Angstadt, Mayor, Pocatello, ID.
15. Verne Hagstrom, Mayor, Quincy, IL.
16. Paul Gordon, Mayor, Frederick, MD.
17. Steve Duchane, City Manager, Sterling Heights, MI.
18. David Dominick, Mayor, Muncie, IN.
19. Michael Capuano, Mayor, Somerville, MA.
20. Michael Albrecht, Mayor, Des Plaines, IL.

JILL LEACH, JAYCEES WINNER

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, today I would like to offer my congratulations to a fine resident my of district, Ms. Jill Leach of Southbridge, MA. Ms. Leach has recently been honored by the Greater Worcester Jaycees with the 1992 Outstanding Leadership Award. This honor traditionally goes to individuals between the ages of 21 and 39 who have demonstrated leadership in community affairs.

Mr. Speaker, the description certainly fits Jill Leach. A graduate of Bridgewater State College and a certified physical education and health teacher, Ms. Leach has dedicated herself to children. She has taught in the Southbridge Public Schools for 16 years, for 10 years as a physical education teacher, and for 8 years as a health teacher. For the past 4 years, she has been the health coordinator for the entire Southbridge school system.

Ms. Leach's efforts do not stop at the classroom door, however. For many years she has coached girls' field hockey and boys' track at Southbridge High School. She has been the chairperson of the Southbridge Alliance Against Drugs since its inception. She has done much for the community, spearheading such community-wide events as Celebrate Life Drug-Free awareness week, a safe home program with families of teenagers, and grad night. She is constantly providing training and informational programs for staff, parents, and the community on health-related topics.

Mr. Speaker, I'm sure my colleagues will join me in paying tribute to this remarkable woman who has done so much to improve the lives of so many.

**HUDSON FALLS CLASS OF '43
HOLDS REUNION, MISSED WASHINGTON TRIP BECAUSE OF WAR**

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. SOLOMON. Mr. Speaker, I'd like to ask you and every Member to join me in expressing greetings that are 50 years overdue.

Fifty years ago, the class of 1943 was the first class of Hudson Falls NY, High School unable to make the traditional trip to Washington, DC. It was one of the many disruptions, large and small, Americans willingly underwent during World War II.

Some classmates lost their lives in that war, and will be missed at the 50th anniversary reunion on August 28. The disappointment of missing the Washington trip and the loss of friends killed in the war partly explain the great solidarity of the Hudson Falls class of 1943. They've already met at six reunions, and I'm sure this year's reunion won't be the last.

Those who survived the war came home to continue their education, to begin careers and families, and to watch the world change in ways they never could have imagined.

Mr. Speaker, in my 20 years as an assemblyman and Congressman I've had the privilege of meeting many members of the Hudson Falls class of 1943. They are some of the finest citizens I've ever met.

That's one of the reasons I take great pleasure in asking this House to join me in saluting, at long last, the class of 1943 of Hudson Falls High School.

TRIBUTE TO JUSTIN WILSON

HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. LIVINGSTON. Mr. Speaker, it is with the greatest of pleasure that I celebrate Justin Wilson's 80th birthday here in Washington. Justin is both an American and a Louisiana treasure, and I am proud that he currently makes his home with his beautiful wife, Jeannine, in my own congressional district.

Justin's many careers include politics, safety engineering, drug prevention, culinary expertise, and entertainer par excellence.

His stories are renowned the world over, his many records have sold millions of copies, and his cooking show has been carried by every public television station in the United States. Justin is a vintage American humorist whose side-splitting Cajun stories can actually be so funny they are painful.

For example, a couple of years ago my friend HOWARD COBLE, Congressman from North Carolina, was in the hospital for appendicitis. When he returned to work, he jokingly told me he was going to sue Justin Wilson. I asked him why, and he said that after the operation, he was lying in his hospital bed watching television, and Justin Wilson's show came on. Justin told a Cajun story that got him laughing so hard, he split his stitches.

Justin is a warm and wonderful human being, and I'm delighted to join his many friends around America in wishing him a very "Happy Birthday!" I garantee.

THE TELEVISION AND RADIO PROGRAM VIOLENCE REDUCTION ACT OF 1993

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. BRYANT. Mr. Speaker, for more than 30 years, the U.S. Congress, the Supreme Court, and the Federal Communications Com-

mission, in addition to numerous private citizens and activist groups, have been seeking ways to reduce violence in television and radio programs.

In 1961, Newton Minnow—then FCC Chairman—called television a vast wasteland. Thirty years later, 1991, he said: "In 1961 I worried that my children would not benefit much from television, but in 1991 I worry that my grandchildren may actually be harmed by it."

To stem the ever-increasing flow of violence on television and radio, I am today introducing legislation—The Television and Radio Program Violence Reduction Act of 1993—to accomplish this goal.

Over-the-air television and radio, cable, and satellite programmers are bringing increasingly violent shows into the American home. Over 25 percent of prime-time television shows contain very violent material, according to the National Coalition on Television Violence.

Prime-time violence tripled during the 1980's, the American Academy of Pediatrics reports.

Programs developed for children are especially violent. A University of Pennsylvania study found that children's programming contains over 30 violent acts per hour.

Before the average child finishes grade school, he or she sees 8,000 murders and 100,000 acts of violence on television.

Numerous academic studies have built up astonishing evidence that children tend to imitate the behavior they see on television. The National Institute of Mental Health finds that violence on television leads to aggressive behavior by children and teenagers who watch violent programs.

Three different Surgeons General, the Attorney General's task force on family violence, the American Medical Association, the American Psychiatric Association, the American Academy of Pediatrics, and other authorities have all found that viewing televised violence is harmful to children.

Americans watch enormous amounts of television, and many children will watch television for twice as many hours—22,000 hours—as they attend school.

Many children watch violent television programs without adult supervision or guidance.

More than 20 years of research has led to a compelling consensus that watching televised violence increases children's aggressiveness and desensitizes them to the effects and implications of violence. The solidity of the agreement among respected scientists that televised violence is harmful nullifies arguments to the contrary by the television industry.

There is a need to limit the harmful influence of television and radio violence and yet maintain our national commitment to free expression.

My proposal, which some may criticize my proposal as content regulation does not in any way violate the first amendment guarantee of freedom of speech. Broadcasting—the profitable use of limited public airwaves—is a privilege that carries with it a tremendous public responsibility.

The courts have held that when there is such a compelling public interest, and everyone does not have access, equal access, to the use of the medium, speech can be regulated.

In his additional remarks to the FCC's 1975 "Report on the Broadcast of Violent, Indecent, and Obscene Material," Commissioner Glen Robinson stated: "Broadcast communications are sufficiently different from other forms of communications to justify a degree of regulation not tolerable for other media. * * * I think we can regulate offensive speech to the extent it constitutes a public nuisance."

The prevalence of televised violence is offensive speech and a public nuisance.

My constituents are offended by much of what is being transmitted into their homes by broadcasters, cable operators, and satellite dish programmer packagers. The increasing violence offered up as normal fare must stop.

I am horrified to find that Congress has been grappling with this issue since 1954 when the Senate Judiciary Committee, under the leadership of Estes Kefauver, first conducted hearings to explore the problem.

In 1969, the report of the National Commission on the Causes and Prevention of Violence, chaired by Dr. Milton Eisenhower, concluded that: "It is reasonable to conclude that a constant diet of violent behavior on television has an adverse effect on human character and attitudes. Violence on television encourages violent forms of behavior, and fosters moral and social values about violence in daily life which are unacceptable in a civilized society."

In 1975, the NAB television board adopted voluntary program standards for their members in order to deal with the growing problem of violence and adult subject matter. However, as a result of an antitrust settlement, the NAB television code was voided. NBC and ABC had adopted their own guidelines that year, and, to this day, I understand that each network and every independent station has its own standards department.

Obviously, from what I have heard from my constituents and what academic researchers have concluded, these voluntary program standards and guidelines are not working.

Therefore, I have drafted legislation to require the Federal Communications Commission to establish standards to reduce the amount of violent programming on broadcast television or radio, and that is also transmitted via cable or satellite systems.

As used in this act, the term "violence" means "any action that has as an element the use or threatened use of physical force against the person of another, or against one's self, with intent to cause bodily harm to such person or one's self." It is violent regardless of whether or not such action or threat of action occurs in a realistic or serious context or in a humorous- or cartoon-type context.

The term "programming" includes cartoons. The Federal Communications Commission is directed to prescribe standards applicable to television and radio broadcast licensees and cable operators, requiring them to reduce the amount of violence transmitted over television, radio, cable, or satellite distribution systems.

If a person violates any rule or regulation issued, the Federal Communications Commission must, after notice and opportunity for hearing, impose on the person a civil fine of not more than \$5,000. Each program in violation constitutes a separate offense.

If a person intentionally violates any rule or regulation issued, the Federal Communica-

tions Commission shall, after notice and opportunity for hearing, impose on the person a civil fine of not less than \$10,000 or more than \$25,000, for each program violation.

If a person repeatedly violates any rule or regulation issued, the Federal Communications Commission shall, after notice and opportunity for hearing, immediately repeal the person's broadcast license in the case of a broadcaster, and immediately repeal the person's satellite license in the case of the cable operator.

The Federal Communications Commission may exempt, as public interest requires, certain noncommercial video programming, including news broadcasts, sporting events, educational programming, and documentaries.

And the Federal Communications Commission must consider in its review of an application for renewal of any television or radio broadcast license, whether the licensee has complied with the standards required under this act.

I invite my colleagues to join me in supporting this important legislation.

H.R. —

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Television and Radio Program Violence Reduction Act of 1993".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Television and radio programming are bringing ever-increasing levels of violent programming into the American home. Over 25 percent of prime-time television shows contain 'very violent' material, according to the National Coalition on Television Violence.

(2) Prime time violence tripled during the 1980's, the American Academy of Pediatrics reports.

(3) Programs developed for children are especially violent. A University of Pennsylvania study found that children's programming contains over 30 violent acts per hour.

(4) Before the average child finishes grade school, he or she sees 8,000 murders and 100,000 acts of violence on television.

(5) Numerous academic studies have built up astonishing evidence that shows children tend to imitate the behavior they see on television. The National Institute of Mental Health finds that violence on television leads to aggressive behavior by children and teenagers who watch violent programs.

(6) Three different Surgeons General, the Attorney General's Task Force on Family Violence, the American Medical Association, the American Psychiatric Association, the American Academy of Pediatrics, and other authorities have all found that viewing televised violence is harmful to children.

(7) Americans watch enormous amounts of television, and many children will watch television for twice as many hours (22,000 hours) as they attend school.

(8) Many children watch violent television programs without adult supervision or guidance.

(9) More than 20 years of research has led to a consensus that watching televised violence increases children's aggressiveness and desensitizes them to the effects and implications of violence, and the solidity of the agreement among respected scientists that televised violence is harmful nullifies argu-

ments to the contrary by the television industry.

(10) There is a need to find solutions that limit the harmful influence of television and radio violence and yet maintain our freedom of expression.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) The term "violence" means any action that has as an element the use or threatened use of physical force against the person of another, or against one's self, with intent to cause bodily harm to such person or one's self. For purposes of this Act, an action may involve violence regardless of whether or not such action or threat of action occurs in a realistic or serious context or in a humorous or cartoon type context.

(2) The term "programming" includes cartoons.

(3) The term "child" or "children" means any individual or individuals under 18 years of age.

(4) The term "person" shall have the same meaning given that term under section 602(14) of the Communications Act of 1934 (47 U.S.C. 522(14)).

(5) The term "cable operator" shall have the same meaning given that term under section 602(4) of the Communications Act of 1934 (47 U.S.C. 522(4)).

(6) The term "cable service" shall have the same meaning given that term under section 602(5) of the Communications Act of 1934 (47 U.S.C. 522(5)).

(7) The term "television or radio broadcast licensee" means a "licensee" as defined in section 3(c) of the Communications Act of 1934 (47 U.S.C. 153(c)) authorized to engage in television or radio broadcasting, including independent television broadcasting.

(8) The term "franchising authority" shall have the same meaning given that term under section 602(10) of the Communications Act of 1934 (47 U.S.C. 522(10)).

SEC. 4. RULEMAKING REQUIRED.

(a) STANDARDS.—The Federal Communications Commission shall, within 60 days after the date of the enactment of this section, initiate a rulemaking proceeding to prescribe standards applicable to television and radio broadcast licensees and cable operators providing cable service under a franchise granted by a franchising authority, requiring such television or radio broadcast licensees and cable operators, including cable programmers, to reduce the broadcasting of all video and audio programming which contains violence.

(b) FINAL STANDARDS.—The Commission shall, within 150 days following the date of the enactment of this Act, prescribe final standards in accordance with this section.

SEC. 5. VIOLATIONS.

(a) VIOLATIONS.—If a person violates any rule or regulation issued or promulgated pursuant to section 3, the Federal Communications Commission shall, after notice and opportunity for hearing, impose on the person a civil fine of not more than \$5,000. For purposes of this subsection, each program in violation constitutes a separate violation.

(b) INTENTIONAL VIOLATIONS.—If a person intentionally violates any rule or regulation issued or promulgated pursuant to section 3, the Federal Communications Commission shall, after notice and opportunity for hearing, impose on the person a civil fine of not less than \$10,000 or more than \$25,000. For purposes of this subsection, each program in violation constitutes a separate violation.

(c) REPEATED VIOLATIONS.—If a person repeatedly violates any rule or regulation issued or promulgated pursuant to section 3,

the Federal Communications Commission shall, after notice and opportunity for hearing, immediately repeal the person's broadcast license in the case of a broadcaster, and immediately repeal the person's satellite license in the case of the cable operator.

SEC. 6. EXCEPTIONS FOR CERTAIN VIDEO PROGRAMMING.

The Federal Communications Commission may exempt, as public interest requires, certain video and audio programming from the requirements of section 3, including news broadcasts, sporting events, educational programming and documentaries.

SEC. 7. CONSIDERATION OF VIOLATIONS IN BROADCASTING LICENSE RENEWAL.

The Federal Communications Commission shall consider, among the elements in its review of an application for renewal of a television or radio broadcast license, including an independent television broadcaster, whether the licensee has complied with the standards required to be prescribed under section 3 of this Act.

A TRIBUTE TO MARTIN AND PAULINE HUMM

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. POSHARD. Mr. Speaker, in an era when many are concerned with the demise of the institution of marriage and the family unit in the United States, I rise today to honor Martin and Pauline Humm of Hardin County, IL, on the occasion of their golden wedding anniversary. Martin Humm and Pauline Bayne were married August 7, 1943, at St. Joseph's Catholic Church, where their 50 years together will be celebrated with a reception given by their son Michael, his wife Maryl, and grandchildren Spencer, Kate, and Martin of Clifton, VA.

Martin and Pauline have actively contributed to life in southern Illinois, participating in political, social, civic, and religious affairs. Martin retired in 1984 after 24 years of service with Ozark Mahoning Co., and has served as chairman of the Democratic Central Committee in Hardin County since 1960. Pauline worked in a number of positions throughout the years before retiring in 1981.

Although this anniversary may not make national headlines, I believe Americans would benefit by looking to the Humm's for wisdom and guidance. Their marriage is a prescription to cure a lot of what ails us, and I suspect it calls for a dose of respect, humor, and a generous portion of love and affection. I join with the family and friends of this wonderful couple in celebrating this joyous occasion. To Martin and Pauline, my heartfelt thanks for all you have done for all those whose lives you have touched.

INDEPENDENCE FOR ERITREA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. BURTON of Indiana. Mr. Speaker, the people of Eritrea recently celebrated their long

sought-for independence. I am sure that we all wish them the best of success in their nation-building endeavor. Eritrea will, I believe play a very constructive role in promoting the stability of the horn, and of Africa in general.

I would like to commend to my colleagues a recent speech made by Eritrea's president, Issaias Afwerki, at the recent Organization of African Unity [OAU] summit in Cairo. If Africa is to solve its many problems, there will have to be a new serious, sense of responsibility, and accountability on the part of its leaders, President Issaias expresses exactly the kind of vision that Africa so desperately needs.

ADDRESS BY H.E. ISSAIS AFWERKI,
PRESIDENT OF THE STATE OF ERITREA

Mr. Chairman, Your Excellency President Hosni Mubarak, Honourable Heads of State and Government, Your Excellency Salim Ahmed Salim, in the name of the distinguished Heads of the State and Government assembled here, I have the honour and privilege to thank you Excellency and the Egyptian Government for the warm hospitality and cordiality accorded to us. It is fitting for this beautiful and historic city to be the venue for the 29th OAU Summit and its President to be the Chairman of the Organization for the year ahead, May I, at this juncture, congratulate, on behalf of my colleagues, your Excellency for your election as the new Chairman of the OAU and wish you the best success in your endeavours this year.

Your Excellencies, the Eritrean people have today achieved the national independence that was denied to them for a century through a costly liberation struggle and the due process of law. In the event, my pleasure to be amongst you today to reclaim the seat in this august body is boundless.

But this pride and joy does not rest in our mere accession to the OAU. Nor does it derive from a symbolic or spiritual gratification that we feel in rejoining the family from which we have been left out for long.

As your Excellencies will agree with me, this joy and pride rests in and is tribute to the resilience of the Eritrean people. It is a testimony to their tenacity to endure untold sufferings in Africa's longest war for the cause of freedom, justice and the respect of basic human rights in the face of international isolation, including neglect from this very organization. Yet, although Africa and the OAU had chosen to ignore the ordeal and repetitive petitions of our people in the past, they can only rejoice in their current achievement. Because, in the final analysis, this is and remains an African achievement.

Although we dare not claim familiarity with the inner workings and constraints of this organization, we cannot hide—at least on the basis of our observation from without—our disappointment in its track record. To mine our words now and applaud the OAU would neither serve the desired purpose of learning lessons from our past nor reflect positively on our honesty and integrity.

Indeed, the sad fact remains that the OAU has become a nominal organization that has failed to deliver on its pronounced objectives and commitments. In this regard, I must admit that we have sought membership in the organization not because we have been impressed by its achievements but, as a local proverb goes, in the spirit of familial obligation; because we are keenly aware that what is ours is ours.

The critical view that we hold on the performance of the organization has not been measured by the yard stick of its contribu-

tion or failure to act in seeking a solution to our cause. Nor is it based on a lack of reasonable knowledge of the intricacies of the organization.

Indeed, although the OAU has often championed the lofty ideals of unity, cooperation, economic development, human rights and other worthy objectives, it has failed to seriously work for their concrete realization. And thirty years after the foundation of the organization, our continent remains afflicted by growing poverty and backwardness.

The African continent is today a marginalized actor in global politics and the world economic order. Africa is not a place where its citizens can walk with raised heads but a continent scorned by all its partners; a continent that seems to produce endlessly the wrong manuals for economic development, democracy and political management.

That all these problems are not entirely of our making is of course apparent. Much of the blame rests on the legacy of our colonial past and unfair practices that continue to date. However, these justifications cannot offer us consolation or cover up our failures. We must put our act together if this continent is to be relieved from the multiple problems that have devoured it for decades.

The first step in this direction is an honest admission of our past errors and shortcomings. This will require a new vision as well as the political courage to make a sober analysis of why and how we went wrong.

I must stress again, perhaps at the risk of repetition, that we do not find membership in this organization under the present circumstances spiritually gratifying or politically challenging. But whatever the past and however dim the prospects for the near future might be, we shall not shy from praying and doing our utmost, limited and modest as this is, for the betterment of the organization.

Finally, I wish to express gratitude to President Mubarak for his hospitality and express my best wishes to him for success as the new chairman.

FILIPINO VETERANS' EQUITY ACT OF 1993

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Ms. PELOSI. Mr. Speaker, yesterday I introduced the Filipino Veterans' Equity Act of 1993, legislation that will help remedy a half century of injustice to Filipino veterans of World War II, tens of thousands of whom fought and died for America.

Members of the Philippine Commonwealth Army served side by side with members of the United States Armed Forces in World War II. Section 405 of the Immigration Reform Act of 1990, which enables Filipino veterans to apply for naturalization as American citizens, is scheduled to expire on November 29, 1995. Out of approximately 60,000 veterans expected to file for naturalization, less than half have applied. The main reasons for this small number include long delays in the certification of military service records and the lack of dissemination of information about the application process. The Filipino Veterans' Equity Act would extend this deadline for 3 years.

There are reports of problems with the United States Government's recording of the

names of many Filipino veterans who were our allies during the Second World War. Some names were not submitted during the demobilization and processing period and others were destroyed in a fire at the processing center. Many veterans are therefore currently ineligible to apply for naturalization. This bill would allow Filipinos to use military service records authenticated by the Government of the Philippines to certify military service in the Philippines during World War II and enable the veterans to qualify for naturalization.

This bill would also provide for a special immigrant status for the immediate relatives of Filipino veterans. If the Filipino veterans had not been deprived of the naturalization process in 1945, their children would already be United States citizens today. Currently, the veterans must petition to bring their children here, which takes between 10 and 15 years.

The Filipino veterans and their families deserve a meaningful opportunity to apply for naturalization and be together in the United States. The Filipino Veterans' Equity Act of 1993 would give them such an opportunity. I urge my colleagues to support the Filipino Veterans' Equity Act of 1993.

INTRODUCING THE COPYRIGHT ROYALTY TRIBUNAL REFORM ACT OF 1993

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 3, 1993

Mr. HUGHES. Mr. Speaker, joined by Mr. FRANK, I introduce the Copyright Royalty Tribunal Reform Act of 1993. This bill is a separate bill containing provisions of title II of H.R. 897, the Copyright Reform Act of 1993, but with certain minor amendments, described below.

The genesis of the legislation lies, as I noted in my remarks introducing H.R. 897, in President Clinton's efforts to eliminate wasteful bureaucracy and thereby create a more efficient Government. In the past, both political parties have tended to treat the Copyright Royalty Tribunal as a source of political patronage. This has led to a tribunal staffed by individuals who have, at various times, not met the Congress' expectation that the tribunal's Commissioners would be chosen from individuals having a demonstrated professional competence in the field of copyright policy.

President Clinton has challenged the Congress to "make suggestions, be specific" in reducing the size of Government. I applaud the President and am pleased to aid his efforts. H.R. 897 and the bill we introduce today accept President Clinton's challenge. In my opinion, and in the opinion of the majority of the Copyright Royalty Tribunal itself, abolition of the tribunal and its replacement with ad hoc arbitration panels is a good place to start. Abolishing a full-time agency that has an episodic workload and replacing it with ad hoc arbitration panels makes good sense. The expe-

rience we have gained from the section 119 arbitration shows that arbitration panels work. And, by having copyright owners and users bear 100 percent of the Copyright Office's costs of administering of the compulsory licenses and 100 percent of the costs of the arbitration panels established under the legislation, the taxpayers will benefit.

Subsequent to the subcommittee's hearings on March 3 and 4 of this year, the subcommittee has gathered data on the actual workload of the CRT. The data supports my conclusion that the work of the CRT is best handled by ad hoc arbitration panels.

CRT Commissioners enjoy a salary of \$111,800 per year. For this salary, it appears that CRT Commissioners perform very little work. The data provided to the subcommittee by the CRT bears this out.

The Copyright Royalty Tribunal performs only two functions: First, rate-setting and second, distribution of royalties. These functions are fulfilled principally by public hearings and by decisions rendered as a result of those hearings. The CRT has no general regulatory authority or duties. Thus, unlike other bodies or agencies, the number of hearings held or proceedings conducted by the CRT is a fair way to gauge its workload. At the least, it is a good way to gauge how well ad hoc arbitration panels, would handle the workload.

Although the data below are given in the number of days of hearings or meetings, these figures are generous since they count a half-hour hearing as 1 day.

1. SUNSHINE MEETINGS

As requested at the March 3 subcommittee hearing, data on meetings required to be publicly identified by the Sunshine Act were provided by the CRT. The data are for 1987 to 1992. The data include both rate setting and distribution proceedings. 1987: 18 Days; 1988: 8 days; 1989: 18 days; 1990: 11 days; 1991: 36 days; 1992: 5 days; total: 96 days. Average days per year: 13.7 days.

If the jukebox license figures of 13 days are removed from this data since this license is no longer administered by the CRT, the total is 83 days of hearings in 6 years from an average per year of 11.8 days. This reduction might be offset slightly by increased responsibilities under the Audio Home Recording Act of 1992.

2. COMMISSIONER DAUB'S DATA FOR HEARINGS IN 1990-92

Commissioner Daub submitted data regarding the number of days of hearings for 1990-92. According to Commissioner Daub, there were 52 days of such hearings. This results in an average of 17.33 days of such hearings per year.

3. COMMISSIONER DAMICH'S DATA FOR 1978 TO 1992

Commissioner Damich's submitted data for the years 1978 to 1992. Two charts provided by Commissioner Damich, are particularly relevant: First evidentiary hearings and second formal meeting and evidentiary hearings. The second category contains all of the data from the first plus meetings.

HEARINGS

The Damich data reveal to total of 390 days of hearings for the entire 15-year period of

1978 to 1992, for an average of 26 days per year. If jukeboxes are deleted since the license is no longer administered by the CRT, the figure drops to 359 days for an average of 23.9 days per year. Another figure that skews the data upward is the section 115 mechanical license. There has only been 1 year out of 15 in which there was any proceeding under this license, 1980. In that year, there were 47 days of hearings. If this figure is deleted and jukeboxes are deleted in order to better gauge the future, the total for 15 years is 312 days, or an average of 20.8 days per year. This figure might be revised up slightly in order to take into account possible duties under the Audio Home Recording Act of 1992.

The figures per year are: 1978: 10 days; 1979: 0; 1980: 75; 1981: 48; 1982: 74; 1983: 6; 1984: 16; 1985: 57; 1986: 29; 1987: 13; 1988: 4; 1989: 17; 1990: 6; 1991: 35; 1992: 0; total: 390. These figures clearly demonstrate an episodic workload.

FORMAL MEETINGS AND EVIDENTIARY HEARINGS

The figures include all of the days of hearings given in (A) above, plus meetings. The figures for meetings are overly generous because they count any meeting, no matter how short, as an entire day. 1978: 12; 1979: 2; 1980: 91; 1981: 64; 1982: 87; 1983: 13; 1984: 21; 1985: 69; 1986: 39; 1987: 29; 1988: 12; 1989: 30; 1990: 19; 1991: 44; 1992: 14; total: 546. Average number of days per year: 36.4.

If the jukebox license is deleted from this, the total is 477 days for all 15 years, or an average of 31.8 days per year.

Mr. Speaker, however you cut the data, we do not need three \$111,800 Commissioners plus staff to perform the minimal amount of work that comes before the tribunal. I urge my colleagues to join me in abolishing this unneeded agency and replacing it with ad hoc arbitration.

The Copyright Arbitration Panel Act of 1993 is, as is noted above, virtually identical to title II of H.R. 897. A few changes have been made, however, and I would like to note these. First, the Librarian of Congress, acting upon the recommendation of the Register of Copyrights, will be responsible for convening the arbitration panels and reviewing their determinations. The Librarian is also given the authority, before a panel is convened, to make any necessary procedural or evidentiary rulings that would apply to the proceedings conducted by such panel. Second, in reaching its decision, an arbitration panel shall consider not only the written record of the proceeding before it, but also prior decisions of the CRT, prior arbitration panel decisions as well as any procedural or evidentiary rulings by the Librarian of Congress that apply to that panel. This will be of assistance in ensuring greater continuity in decisionmaking.

I also intend to proceed expeditiously with the remaining title I of H.R. 897 following receipt of a report by the Librarian of Congress on September 15 of this year.