

## EXTENSIONS OF REMARKS

HIGHER EDUCATION TECHNICAL  
AMENDMENTS

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. FORD of Michigan. Mr. Speaker, I am pleased to introduce today the Higher Education Technical Amendments of 1993. These amendments would make technical and clarifying changes to the Higher Education Act. The committee has been working for a year on compiling these amendments, necessitated by the reauthorization of the Higher Education Act in 1992, with input from the higher education community, Members of Congress and the Department of Education.

Changes to the Higher Education Act included in this legislation fall into one of two categories: First, corrections in punctuation, grammar, spelling, cross-references and typographical errors; or second, clarifications of the intent of Congress regarding the Higher Education Amendments of 1992. At the end of my remarks I will include a detailed section-by-section analysis of this legislation. However, I would like to draw to your attention a few of the clarifying changes that are included in this legislation.

Representative KLUG brought to the attention of the committee that while the Higher Education Amendments of 1992 authorized the Byrd scholarship recipients to receive 4-year awards, no provision was included for insufficient appropriations. This legislation includes Representative KLUG's correction of this oversight.

Representative DE LUGO suggested a clarifying amendment to prohibit the insular areas from consolidating Byrd funds with other funding and thereby not giving students their scholarships.

Representatives SCHROEDER and GOODLING requested a clarification of the loan limits for students attending institutions that require an associate or baccalaureate degree for admissions. I had engaged in a colloquy on the House floor with Representative SCHROEDER during consideration of the Higher Education Amendments of 1992 to clarify congressional intent. However, the Department of Education has determined that a technical amendment is necessary to achieve congressional intent.

At the request of the lending community and Representative FRANK, this legislation includes a provision clarifying the requirement of the Higher Education Amendments of 1992 that both the seller and purchaser of a loan must notify the borrower of the sale of the loan. This clarifying provision would allow a joint notification to the borrower.

Representative GUNDERSON, the Department of Education and the National Association of Student Financial Aid Administrators requested a clarifying amendment to the College

Work Study program. This amendment would allow the institution of higher education and the community service agency to determine how the non-Federal share of the student's College Work Study award would be paid for those students using College Work Study for community service activities.

Representative ANDREWS (ME) asked for Secretarial waiver authority from the requirement that less than 50 percent of an institution's students be enrolled in correspondence courses for 2- and 4-year, degree-granting institutions. The Higher Education Amendments of 1992 already included an exemption from this requirement for vocational and trade schools.

The National Association of Student Financial Aid Administrators and the American Association of Universities requested that the definition of academic year be clarified with respect to the credit hour requirement of a full time graduate student.

Representatives GOODLING and KILDEE requested a clarification of the provision of the Higher Education Amendments of 1992 with respect to less-than-600-clock-hour institutions. I had engaged in a colloquy on the House floor with Representative GOODLING during consideration of the Higher Education Amendments of 1992 to clarify congressional intent. However, the Department of Education has determined that a technical amendment is necessary to achieve congressional intent.

At the request of the Department of Education, we included a 1-year waiver of a provision of the master calendar regarding the effective date of regulations published after December 1. This waiver would effect the integrity provisions in parts B, G, and H of title IV only. This would allow the numerous integrity provisions contained in the Higher Education Amendments of 1992 to go into effect prior to the 1995-96 award year. There has been some confusion as to the effect of this amendment on direct lending or the Omnibus Reconciliation Act of 1993. This amendment does not effect either direct loans or any of the provisions of that legislation. It simply avoids the unnecessary delay of the many important provisions included in the last Congress' reauthorization to address fraud and abuse in the student aid programs. Without this amendment the effective date of these provisions would be delayed by at least 1 year.

Representative BARRETT requested clarification that prepares of student financial aid applications who work for non-profit organizations are able to include employer identification instead of their own personal identification on student aid applications.

The American Dental Association, the American Speech-Learning-Hearing Association, the Liaison Committee on Medical Education and other membership organizations requested clarification of the requirement for accrediting bodies to be separate and independent from their accrediting associations. State-

ments made on the House floor during consideration of the Higher Education Amendments of 1992 clarified congressional intent. However, the Department of Education has determined that a technical amendment is necessary to achieve congressional intent.

The National Association of Independent Colleges and Universities and Representative WILLIAMS requested language clarifying the provision of the Higher Education Amendments of 1992 that an institution that has sufficient financial resources to meet its obligations, including student refunds, in the event of closing would not be required to post a letter of credit.

I have been contacted by Representatives SLATTERY and BALLENGER and the National Commission for Cooperative Education regarding the treatment of multi-year Title VIII Cooperative Education Administrative awards included in the Higher Education Amendments of 1992. The current law does not directly address how the Department of Education should treat grants made to institutions of higher education which have additional years remaining on their multiyear project grant. This bill requires the Secretary to reserve amounts for existing cooperative education programs under a multiyear project award, and also to continue these multiyear awards under the requirements of this section prior to the Higher Education Amendments of 1992.

I have been contacted by Representative POMEROY, WALSH, OLVER, CLEMENT, MACHTELY, BROWN, MCCURDY and SHAW and the congressional sunbelt caucus, regarding a serious problem with the Title IX Patricia Roberts Harris Fellowship program. I have also been contacted by the American Council on Education, the Association of American Universities and the Council of Graduate Schools concerning this title IX problem.

In the Higher Education Amendments of 1992, several changes were made to the Title IX Patricia Roberts Harris Fellowship program. The current law does not directly address how the Department of Education should treat recipients of a Patricia Roberts Harris Fellowship who have received at least 1 year on their award. Seventy-seven institutions currently have Patricia Roberts Harris Fellowship recipients who have received 2 years on their award who have no way of paying for these students third and final year.

This bill provides that such students may be subject to the requirements of the fellowship program in effect prior to date of enactment of the Higher Education Amendments of 1992. This legislation also allows for 1994 appropriations to make continuation awards for those individuals who received at least 1 year on their award prior to the Higher Education Amendments of 1992.

Finally, Representatives KILDEE, MEYERS, SOLOMON and SPRATT requested a clarification that institutions that had been considered to be accredited pursuant to three other institutions accepting their credits for transfer prior to

● 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.

the Higher Education Amendments of 1992 would continue to be eligible for Federal student financial assistance if these institutions achieved accreditation within the next 2 years. Many of these institutions are in the process of becoming accredited.

The following is a detailed section-by-section analysis of the legislation:

#### TECHNICAL AMENDMENTS SECTION-BY-SECTION ANALYSIS

##### SECTION 1. SHORT TITLE; REFERENCES

Section 1(a)—States the title.  
 Section 1(b)—States that this bill references the Higher Education Act of 1965.  
 Section 1(c)—States the effective dates of the bill.

##### SECTION 2. TECHNICAL AMENDMENTS

Section 2(a)(1)—Corrects the indentation of five (5) subparagraphs.

Section 2(a)(2)—Conforms language to proper legislative form.

Section 2(a)(3)—Changes the word "service" to "science".

Section 2(a)(4)—Corrects grammatical error.

Section 2(a)(5)—Corrects grammatical error.

Section 2(a)(6)—Conforms language to proper legislative form.

Section 2(a)(7)—Corrects the indentation of three (3).

Section 2(a)(8)—Deletes a requirement that already exists in current law.

Section 2(a)(9)—Corrects the indentation of two (2) subparagraphs.

Section 2(a)(10)—Capitalizes the letter "A" in the word "an".

Section 2(b)(1)—Deletes a section that the Department of Education informs us is being used by institutions to keep off of the reimbursement method of Pell distribution (this method is only used on institutions who have demonstrated problems in the Pell program).

Section 2(b)(2)—Makes statute more uniform by referencing the new definition of award year.

Section 2(b)(3) and Section 2(b)(4)—Corrects an oversight that excluded associate degree programs from provision that would allow two Pell grants in a single award year in unusual circumstances.

Section 2(b)(5)—Deletes the requirement that Secretary promulgate separate regulations on institutional allowances for books and supplies for the purposes of the Pell grant program (an allowance for books and supplies is already included in part F).

Section 2(b)(6)—Corrects an erroneous reference.

Section 2(b)(7)—Provides that the four-year grant requirement should not necessarily apply to the evaluation or staff development programs in TRIO.

Section 2(b)(8)—Clarifies that prior experience in TRIO awards should be counted as 15 percent of the total consideration for all TRIO programs.

Section 2(b)(9)—Provides that the rank order requirement should not necessarily apply to the evaluation or staff development programs in TRIO.

Section 2(b)(10)—Clarifies of the requirements for documentation of a low-income individual for the purposes of the TRIO programs.

Section 2(b)(11)—Makes a grammatical correction.

Section 2(b)(12)—Makes a grammatical correction.

Section 2(b)(13)—Makes a punctuation correction.

Section 2(b)(14)—Corrects erroneous cross-references.

Section 2(b)(15)—Makes a grammatical correction.

Section 2(b)(16)—Makes a grammatical correction.

Section 2(b)(17)—Corrects erroneous cross-references.

Section 2(b)(18)—Corrects erroneous cross-references.

Section 2(b)(19)—Clarifies that the National Early Intervention Scholarship and Partnership Program is for undergraduate students.

Section 2(b)(20)—Includes a grammatical correction.

Section 2(b)(21)—Clarifies that financial assistance in the early intervention program can cover more than tuition costs.

Section 2(b)(22)—Corrects a spelling error and an erroneous reference.

Section 2(b)(23)—Corrects a spelling error.

Section 2(b)(24)—Makes a grammatical correction.

Section 2(b)(25)—Clarifies the Department is supposed to collect information on student financial assistance.

Section 2(b)(26)—Makes a conforming change to the requirement that 5 percent of an institution's S.E.O.G. allocation be used for non-traditional students.

Section 2(b)(27)—Makes a conforming change to the need analysis changes in the Higher Education Amendments of 1992, which removed a separate Pell Grant family size offset.

Section 2(b)(28)—Corrects punctuation.

Section 2(b)(29)—Amends Byrd scholarships to provide for a contingency plan if the appropriation for this subpart is not increased enough to allow all scholarship recipients to have four year awards.

Section 2(b)(30)—Prohibits insular areas from consolidating Byrd funds and thereby not giving students scholarships.

Section 2(b)(31)—Clarifies that the small state minimum in the Byrd program should not cap D.C.'s and Puerto Rico's allotment.

Section 2(c)(1)—Makes a punctuation correction.

Section 2(c)(2)—Provides that the proration of loan limits for courses of more than one year in length should be determined by the length of the course and corrects punctuation.

Section 2(c)(3)—Clarifies that if an institution requires an associate or baccalaureate degree for admissions, the loan limits should reflect this requirement.

Section 2(c)(4)—Makes a grammatical correction.

Section 2(c)(5)—Clarifies that the interest rate for new borrowers applies to borrowers who do not have an outstanding Stafford or unsubsidized loan.

Section 2(c)(6)—Clarifies that windfall profits are given back to whoever is paying the interest (Federal Government or the student).

Section 2(c)(7), 2(c)(8), and 2(c)(10)—Clarifies the method used in calculating windfall profits provision.

Section 2(c)(9)—Corrects an erroneous cross-reference and clarifies that if borrower is delinquent or in default the Secretary receives the windfall profits.

Section 2(c)(11)—Corrects punctuation.

Section 2(c)(12)—Clarifies that unsubsidized loans can be used to offset expected family contribution.

Section 2(c)(13)—Clarifies the unconsummated loan provision.

Section 2(c)(14)—Provides that the proration of loan limits for courses of more than

one year in length should be determined by the length of the course and clarifies that if an institution requires an associate or baccalaureate degree for admissions, the loan limits should reflect this requirement.

Section 2(c)(15)—Deletes language that was repeated in law.

Section 2(c)(16)—Includes clarifying language with respect to disbursement of loans to students.

Section 2(c)(17)—Corrects punctuation.

Section 2(c)(18)—Moves forbearance provisions to the section of the law where they belong.

Section 2(c)(19)—Clarifies that buyer and seller of a loan can jointly notify the borrower of the sale of the loan.

Section 2(c)(20), 2(c)(21), and 2(c)(22)—Provides that the buyer, not the seller, of a student loan notify the guaranty agency and institution of the sale of the loan, in order to confirm this provision to standard banking practices.

Section 2(c)(23)—Consolidates the definition of repayment for unsubsidized, SLS, PLUS, and Consolidation loans.

Section 2(c)(24)—Clarifies language with respect to disbursement of loans to students.

Section 2(c)(25)—Clarifies a confusing sentence added by the Higher Education Amendments of 1992, which requires guaranty agencies to hold a student loan for at least 270 days but then to file a claim within 45 days of when the agency discharges the loan.

Section 2(c)(26)—Clarifies the skip-tracing provision.

Section 2(c)(27)—Moves forbearance provisions to the section of the law where they belong.

Section 2(c)(28)—Makes a drafting correction.

Section 2(c)(29)—Corrects punctuation.

Section 2(c)(30)—Provides that the proration of loan limits for courses of more than one year in length should be determined by the length of the course in SLS.

Section 2(c)(31)—Clarifies that if an institution requires an associate or baccalaureate degree for admissions, the loan limits should reflect this requirement.

Section 2(c)(32)—Provides that students should exhaust eligibility for the unsubsidized program, as well as the Stafford program, before borrowing under SLS.

Section 2(c)(33)—Makes a grammatical correction.

Section 2(c)(34)—Clarifies where PLUS loan checks are sent.

Section 2(c)(35)—Clarifies the ability of defaulted borrowers to consolidate in order to enter repayment.

Section 2(c)(36)—Makes a conforming amendment to the provision that allows parents to consolidate PLUS loans.

Section 2(c)(37)—Corrects an erroneous reference to the Public Health Service Act.

Section 2(c)(38)—Corrects punctuation.

Section 2(c)(39)—Makes a grammatical correction.

Section 2(c)(40)—Corrects erroneous cross-references.

Section 2(c)(41)—Corrects erroneous cross-references.

Section 2(c)(42)—Provides that a defaulted borrower may only take advantage of the special rule that restores student aid eligibility once.

Section 2(c)(43)—Clarifies who disburses the loan in the case of multiple disbursements.

Section 2(c)(44)—Provides that the proration of loan limits should only apply to courses of less than one year in length in SLS also.

Section 2(c)(45)—Moves the definition of repayment period for unsubsidized loans to the same section that repayment is defined for all other part B loans.

Section 2(c)(46)—Corrects erroneous cross-reference.

Section 2(c)(47)—Corrects drafting error.

Section 2(c)(48)—Clarifies a cross-reference to the U.S. Code.

Section 2(c)(49)—Makes a grammatical correction.

Section 2(c)(50)—Clarifies the definition of volunteer.

Section 2(c)(51)—Provides that cancellation applies for year of service, not academic year.

Section 2(c)(52)—Makes a grammatical correction.

Section 2(c)(53)—Provides that cancellation for service is on a first-come first-served basis and that borrowers will qualify for forbearance during year of service.

Section 2(c)(54)—Corrects punctuation.

Section 2(c)(55)—Provides for multiple common deferment forms to conform to different deferments for different programs under part B.

Section 2(c)(56)—Changes the mandatory disclosure time line to provide for disclosure to SLS borrowers before they enter repayment.

Section 2(c)(57)—Makes a grammatical correction.

Section 2(c)(58)—Makes a grammatical correction.

Section 2(c)(59)—Corrects the indentation.

Section 2(c)(60)—Corrects erroneous cross-reference.

Section 2(c)(61)—Includes unsubsidized loans in the calculation of cohort default rate.

Section 2(c)(62)—Corrects drafting error.

Section 2(c)(63)—Makes a grammatical correction and clarifies the intent of provision regarding loans discharged in bankruptcy.

Section 2(c)(64)—Provides for the discharge of PLUS loans if a school closes.

Section 2(c)(65)—Clarifies that a canceled loan should not be counted as income.

Section 2(c)(66) and 2(c)(68)—Strikes the specific authorization for the Debt Management Options/Income Contingent repayment program.

Section 2(c)(67)—Corrects punctuation.

Section 2(c)(69)—Corrects an erroneous cross-reference.

Section 2(d)(1)—Makes a conforming change to the need analysis changes in the Higher Education Amendments of 1992, which removed a separate Pell Grant family size offset.

Section 2(d)(2)—Conforms College Work Study to the other campus-based programs by providing that if an institution returns more than 10 percent of its allocation, its funding is reduced in subsequent years.

Section 2(d)(3)—Makes a grammatical correction.

Section 2(d)(4)—Clarifies the institution/community service organization match in the Federal College Work study program.

Section 2(d)(5)—Clarifies the use of community service work-study jobs at proprietary institutions.

Section 2(e)(1)—Makes a grammatical correction.

Section 2(e)(2)—Makes a conforming change to the need analysis changes in the Higher Education Amendments of 1992, which removed a separate Pell Grant family size offset.

Sections 2(e)(3) and 2(e)(4)—Changes the indentation.

Section 2(e)(5)—Makes a conforming amendment to the change in Perkins default rate calculation in the Higher Education Amendments of 1992.

Section 2(e)(6)—Modifies the bureau reporting requirement to be annual reporting.

Section 2(e)(7) and Section 2(e)(8)—Moves two subsections that were erroneously added to the section on Perkins loan disclosures to the section on institutional agreements in the Perkins loan program.

Sections 2(e)(9), 2(e)(10), 2(e)(11) and 2(f)(12)—Makes spelling corrections.

Section 2(e)(13)—Makes a grammatical correction.

Sections 2(e)(14) and 2(e)(15)—Changes the indentation.

Section 2(f)(1)—Inserts a missing "\$".

Section 2(f)(2)—Makes a grammatical correction.

Section 2(f)(3)—Inserts a missing parenthesis.

Section 2(f)(4)—inserts a missing row in a chart.

Sections 2(f)(5) and 2(f)(6)—Includes two definitions in need analysis which were left out during merging of Pell and Part F need analysis during reauthorization.

Section 2(f)(7)—Clarifies that base year used for updating need analysis tables.

Section 2(f)(8)—Makes a spelling correction.

Section 2(f)(9)—Makes a grammatical correction.

Section 2(f)(10)—Clarifies Congressional intent that simplified needs test applies to students who are not required to file income tax returns.

Section 2(f)(11)—Corrects computational error.

Section 2(f)(12)—Makes a punctuation correction.

Section 2(f)(13)—Clarifies references to the U.S. Code.

Section 2(f)(14)—Clarifies that students who were wards of the court are considered independent students.

Section 2(f)(15)—Includes three definitions in need analysis which were left out during merging of Pell and Part F need analysis during reauthorization.

Section 2(g)(1)—Provides the Secretary with the ability to waive the requirement that less than 50 percent of an institution's students be enrolled in correspondence courses for two- and four-year institutions.

Section 2(g)(2)—Makes grammatical correction and provides the Secretary with the ability to waive the 50 percent ability-to-benefit cap for institutions which need to exceed that cap because of the terms and conditions of another Federal, state, or local grant or contract.

Section 2(g)(3)—Clarifies that if the corporate owner of an institution declares bankruptcy, the institution will be ineligible for Title IV.

Section 2(g)(4)—Clarifies that semester hour, quarter hour and clock hour requirements apply to undergraduate students.

Section 2(g)(5)—Clarifies the eligibility for institutions of less than clock hours.

Section 2(g)(6)—Clarifies the definition of servicer to include servicers contracted by individuals.

Section 2(g)(7)—For the 1994-95 academic year, allows regulations effecting parts B, G and H of title IV of the Higher Education Act to be published after December 1 and go into effect prior to the 1995-96 award year.

Section 2(g)(8)—Corrects a cross-reference.

Section 2(g)(9)—Clarifies that fee-forms cannot be used to collect data to complete a free-form.

Section 2(g)(10)—Clarifies that if an institution or a state shares student financial aid data with another entity, the other entity is subject to the same requirements with respect to that data as the institution or the state.

Section 2(g)(11)—Allows those who prepare student's financial aid forms to give employers i.d. numbers and addresses, instead of their own social security numbers and addresses.

Section 2(g)(12)—Clarifies that students who are ineligible for social security numbers or unable to obtain them are eligible for Title IV assistance.

Section 2(g)(13)—Clarifies an INS provision.

Section 2(g)(14)—Requires students to apply for unsubsidized loans before receiving SLS loans.

Section 2(g)(15)—Allows students who are taking remediation courses necessary for postsecondary education and are currently eligible for part B loans to be eligible for part D loans.

Section 2(g)(16)—Requires 100% verification for student aid.

Section 2(g)(17)—Corrects punctuation.

Section 2(g)(18)—Makes a grammatical correction.

Section 2(g)(19), 2(g)(20), and 2(g)(21)—Corrects erroneous cross-references and deletes a reference to a section which no longer exists.

Section 2(g)(22)—Makes a grammatical correction.

Section 2(g)(23)—Clarifies the student's ability to correct his/her social security number if submitted wrong.

Section 2(g)(24)—Provides that income already earned by students under the work-study program need not be refunded to students.

Section 2(g)(25)—Corrects an erroneous cross-reference.

Section 2(g)(26)—Makes a grammatical correction.

Section 2(g)(27)—Makes a punctuation correction.

Section 2(g)(28)—Provides that income already earned by students under the work-study program need not be refunded to students.

Section 2(g)(29)—Makes a punctuation correction.

Section 2(g)(30) and Section 2(g)(32)—Postpones effective reporting date of student-right-to-know data.

Section 2(g)(31)—Makes a grammatical correction.

Section 2(g)(33), 2(g)(34), 2(g)(35), and 2(g)(36)—Includes direct loans in the national student loan data bank.

Section 2(g)(37)—Deletes reference to a report that no longer exists.

Section 2(g)(38)—Makes a grammatical correction.

Section 2(g)(39)—Corrects an erroneous cross-reference.

Section 2(g)(40)—Corrects an erroneous cross-reference.

Section 2(h)(1)—Rewrites the state review section to provide that if an institution which has to undergo state review only because it is new to one of the Title IV programs, will not have to undergo this review for a second year if no problems were found in the first year.

Section 2(h)(2)—Makes a grammatical correction.

Section 2(h)(3)—Clarifies this clause pertains to accrediting organizations with institutional membership.

Section 2(h)(4)—Clarifies that the separate and independent criteria should apply

only to those accrediting bodies that accredit for the purposes of title IV.

Section 2(h)(5)—Makes a punctuation correction and provides that accrediting agencies must examine tuition charges, clock hour/credit hour conversions, completion and placement rates, default rates and compliance with Federal student financial aid regulations only if they accredit institutions for the purposes of title IV assistance.

Section 2(h)(6)—Clarifies that required operating procedures apply only to accrediting bodies that accredit institutions for the purposes of title IV.

Section 2(h)(7)—Corrects spelling mistakes and clarifies that the limitation, suspension and termination provisions for accrediting bodies apply only to those bodies that accredit for the purposes of title IV.

Section 2(h)(8)—Provides that the Secretary, at his or her discretion, can do site visits at member institutions as part of the accrediting body review.

Section 2(h)(9)—Clarifies that the Secretary may consider institutions to meet the financial responsibility standards if they have sufficient resources to protect students and the Federal Government if the institution closes.

Section 2(h)(10)—Allows the Secretary to establish priorities for site visits and to coordinate ED site visits with site visits by accrediting bodies and states.

Section 2(h)(11)—Clarifies conditional certification provision.

Section 2(h)(12)—Provides institutions under provisional certification with an appeal opportunity before their eligibility is withdrawn.

Section 2(h)(13)—Clarifies change of ownership provision.

Section 2(h)(14)—Clarifies death of an owner provision.

Section 2(h)(15)—Clarifies branch campus provision.

Section 2(h)(16)—Makes a punctuation correction.

Section 2(i)(1)—Corrects punctuation.

Section 2(i)(2)—Clarifies the waiver provision.

Section 2(i)(3)—Clarifies time periods of when teacher shortage areas are designated and also an ED. Clarification of teacher categories for the shortage areas.

Section 2(i)(4)—Corrects grammar.

Section 2(i)(5)—Corrects grammar.

Section 2(i)(6)—Corrects grammar.

Section 2(i)(7)—Includes conforming language.

Section 2(i)(8)—Corrects section reference.

Section 2(i)(9)—Corrects word order.

Section 2(i)(10)—Deletes the letter (A).

Section 2(i)(11)—Deletes the letter (A).

Section 2(i)(12)—Corrects legislative form.

Section 2(i)(13)—Corrects numbering of paragraphs.

Section 2(i)(14)—Strikes the words "(a) IN GENERAL.—"

Section 2(i)(15)—Corrects the indentation of two (2) paragraphs; strikes "(1) STATE GRANTS.—" because there is only one paragraph; redesignates the subparagraphs.

Section 2(i)(16)—Adds an enforcement mechanism to Title VII Part B program.

Section 2(i)(17)—Corrects reference.

Section 2(i)(18)—Includes conforming language.

Section 2(i)(19)—Clarifies language.

Section 2(i)(20)—Includes conforming language.

Section 2(i)(21)—Removes comma.

Section 2(i)(22)—Pluralizes the word "student".

Section 2(i)(23)—Clarifies language that provides priority funding to currently funded

multi-year project grants; provides that currently funded multi-funded project grants receive the Federal share that was in effect at the time of the original award.

Section 2(i)(24)—Strikes the word "data".

Section 2(i)(25)—Corrects grammar.

Section 2(i)(26)—Clarifies language.

Section 2(i)(27)—Clarifies the institutional payment schedule for Patricia Roberts Harris Fellowship Program.

Section 2(i)(28)—Clarifies language to provide an additional period of study for Patricia Roberts Harris Fellowship master degree recipients.

Section 2(i)(29)—Provides for an additional period of fellowship study under the Patricia Roberts Harris Fellowship doctoral degree program; clarifies Congressional intent that the institution's support shall come after the Federal predissertation support; removes the specification of when the doctoral student shall receive supervised training in instruction.

Section 2(i)(30)—Clarifies language to provide that Patricia Roberts Harris recipients who received fellowship support prior to enactment of the Higher Education Amendments of 1992 may be subject, at the discretion of the institution, to the requirements of this section that were in effect prior to the date of enactment of the Higher Education Amendments of 1992.

Section 2(i)(31)—Allows FY '94 appropriations to be used to make continuation awards to individuals who would have been eligible for awards in FY '93.

Section 2(i)(32)—Permits students pursuing a master's degree in those fields in which the master's degree is commonly accepted as the appropriate degree for a faculty position in a baccalaureate degree-granting institution to be eligible for these awards.

Section 2(i)(33)—Changes the word "doctoral" to "graduate".

Section 2(i)(34)—Changes the word "doctoral" to "graduate".

Section 2(i)(35)—Clarifies the institutional payment schedule in the Jacob K. Javits Fellowship program.

Section 2(i)(36)—Corrects grammar.

Section 2(i)(37)—Changes "or" to "and".

Section 2(i)(38)—Clarifies the treatment of institutional payments in the GAAN program.

Section 2(i)(39)—Clarifies the institutional payment schedule in the GAAN program.

Section 2(i)(40)—Includes Pacific Islanders as an underrepresented group for the Faculty Development Fellowship Program.

Section 2(i)(41)—Clarifies language.

Section 2(i)(42)—Clarifies language.

Section 2(i)(43)—Corrects section reference.

Section 2(i)(44)—Clarifies language.

Section 2(i)(45)—Provides missing word.

Section 2(i)(46)—Corrects section reference.

Section 2(i)(47)—Reauthorizes a section that was not reauthorized last year; deletes authorization of appropriation.

Section 2(i)(48)—Includes conforming amendment.

Section 2(i)(49)—Includes conforming amendment.

Section 2(i)(50)—Inserts complete legislative reference.

Section 2(i)(51)—Includes conforming amendments.

Section 2(i)(52)—Corrects grammar.

Section 2(i)(53)—Corrects section designation.

Section 2(i)(54)—Provides closed quotation marks.

Section 2(j)(1)—Clarifies the exact location of an amendment.

Section 2(j)(2)—Makes a grammatical correction.

Section 2(j)(3)—Makes a grammatical correction.

Section 2(j)(4)—Makes a grammatical correction.

Section 2(j)(5)—Provides that the effective date of new PLUS deferments is for new borrowers after July 1, 1993.

Section 2(j)(6)—Clarifies the intent that the provisions regarding less than 600 clock hour programs take effect when final regulations have been promulgated.

Section 2(j)(7)—Eliminates a duplicate section.

Section 2(j)(8)—Clarifies that the 50 percent limitation is removed from Perkins Chapter 1 cancellation.

Section 2(j)(9)—Clarifies that provision regarding ability of students to receive College Work Study and Perkins loan funds for courses necessary for a certificate should be effective on December 1, 1987.

Section 2(j)(10)—Corrects an erroneous cross-reference.

Section 2(j)(11)—Clarifies the intent that the provisions regarding less than 600 clock hour programs take effect when final regulations have been promulgated.

Section 2(j)(12)—Clarifies a cross-reference to the U.S. Code.

Section 2(j)(13)—Makes a grammatical correction.

Section 2(j)(14)—Makes a conforming correction.

Section 2(j)(15)—Makes a grammatical correction.

Section 2(j)(16)—Clarifies that the Peace Institute's authorization coincides with the authorization of the Higher Education Act.

Section 2(k)—Makes a punctuation correction.

Section 2(l)—Provides that institutions that had formerly been considered accredited pursuant to the transfer of credit rule will still be considered to be accredited as long as the institution applies for accreditation within 6 months of enactment of technicals and is in candidacy status or is accredited within 2 years of enactment of technicals.

## CONGRATULATIONS TO ROBERT M. BLATT

HON. DAVID MANN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. MANN. Mr. Speaker and Members of the House, please join me in recognizing Robert M. Blatt as he is being presented with the Hebrew Union College-Jewish Institute of Religion Distinguished Leadership Award. He is being honored for his outstanding public service leadership and devotion to the Hebrew Union College. Mr. Blatt has been a tremendous influence in the Jewish community of the Queen City, especially in the areas of education, business, and the arts.

Mr. Blatt focused his career on real estate. He is the president of Community Management Corp. and was elected chair of both the Cincinnati Apartment Association and the Ohio Apartment Association. After earning his MBA degree at the University of Minnesota, Mr. Blatt began his military tour of duty in Oklahoma where he taught marketing. Mr. Blatt was sent to Japan the following year where he received an award for placing first in a select officer training program. He was one of the youngest unit commanders in the Far East.

Mr. Blatt has been a long-time supporter of higher education. He cochairs Hebrew Union College's board of overseers and is a constituent of HUC's national board of governors. He is a three-term president, campaign chair, and governance committee chair of Jewish Federation of Cincinnati. He was also a former president of the American Jewish Committee. Other institutions that have benefited from Mr. Blatt's leadership are the Boy Scouts of America, Isaac M. Wise Temple, the Cincinnati Opera, Jewish Vocational Service, and the Cincinnati Art Museum.

Please join me in offering Mr. Blatt wholehearted congratulations on receiving the Hebrew College Jewish Institute of Religion Distinguished Leadership Award.

#### CUTTING GOVERNMENT SPENDING

##### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, October 20, 1993 into the CONGRESSIONAL RECORD:

#### CUTTING GOVERNMENT SPENDING

I am often contacted by constituents who are concerned about the deficit and suggest possible ways to cut government spending. I share their commitment to getting federal spending under control. Several steps have already been taken this year to help achieve this goal, and Congress will act on additional measures.

#### DEFICIT REDUCTION LAW

The deficit reduction law recently approved by Congress and President Clinton is estimated to cut the large projected federal budget deficits by about \$500 billion over five years, reducing the deficit as a percentage of gross domestic product (GDP) from 4.3% to 2.5%.

The new law includes a hard freeze on discretionary spending—reducing discretionary spending by \$102 billion over five years compared to a continuation of current policies. This freeze will reduce discretionary spending as a percentage of GDP to 7%, a decrease from the 9% level under President Bush and the 10% level under President Reagan.

The package also mandates \$88 billion in net entitlement cutbacks in such programs as Medicare and Medicaid; curbs spending by another \$65 billion through debt service savings and changes in debt management; and, unlike earlier deficit reduction proposals, identifies spending cuts in specific programs, such as peanut and sugar supports and retirement benefits for government workers. The plan also includes enforcement mechanisms to ensure that these savings will be achieved.

#### ADDITIONAL DEFICIT REDUCTION

The deficit reduction law moves us in the right direction, but additional steps can, and should, be taken. As part of the agreement on the new law, the President and the congressional leadership agreed to have votes later this year on as many as five separate pieces of deficit reduction legislation. First, the White House will submit a package of additional spending cuts. Second, the Senate Majority Leader has promised the Senate an opportunity to consider a constitutional

amendment requiring a balanced federal budget. The House will consider the amendment if it is approved by the Senate. Third, Senate leaders have signaled they will allow the full Senate to debate a proposal to give the President a modified line-item veto. The House passed this proposal earlier in the year, but the measure has yet to be considered in the Senate. Fourth, Congress may again consider a measure to require the President to propose ways to reduce spending should total entitlement spending exceed specified targets. A similar proposal was approved earlier by the House, but rejected by the Senate. Fifth, Congress may vote on a procedure to require offsets for spending on disasters such as the Midwest flood. Currently, such funding can be added to the deficit if Congress and the President agree that it constitutes emergency spending.

Various commissions—both public and private—have studied government waste and have offered their recommendations on how to reduce it. Their recommendations should be seriously considered, and Congress has often acted on them. For instance, many of the Grace Commission's recommendations were adopted administratively, and others have been included as part of omnibus spending bills approved by Congress.

#### WHITE HOUSE AND CONGRESSIONAL SPENDING

The first place to start cutting spending is in the White House and Congress. We need to get our own houses in order, and we are taking steps to do so. President Clinton has announced his plans to cut the White House staff 25%, reduce the federal work force by 100,000 jobs, and cut administrative overhead by 14% over the next four years. I support these efforts, and voted earlier this year to reduce the federal workforce by 100,000.

In addition, on September 7 the President and Vice President announced their "re-inventing government" initiative, a plan aimed at streamlining and improving the efficiency of government. Among other things, the initiative recommends reducing the federal workforce by 252,000 positions—152,000 over and above the 100,000 already promised by President Clinton.

Congress is cutting its budget as well. Since 1992, legislative branch spending has been falling, with reductions of several percentage points in 1993 and 1994, after adjusting for inflation. Further cutbacks are planned for the next several years. For instance, Congress recently approved a measure to eliminate some 1,500 legislative branch jobs by 1997 and reduce administrative overhead. In addition, Congress has already saved \$100 million from the 1990 reforms in the House franking system, and these savings will continue to grow.

#### VOTES TO CUT SPENDING

Over the years I have consistently voted to reduce the size and cost of the federal government. That has included supporting amendments to cut each federal department's administrative overhead by several percentage points year after year to encourage efficiency and lessen the opportunity for waste.

I have cast votes this year to terminate several large federal programs—for example, voting to cancel the Superconducting Super Collider, the Space Station, the Advanced Liquid Metal Reactor, the Advanced Solid Rocket Motor, and the honey program. These votes would collectively save over \$5 billion.

I have also voted to limit funding for former Presidents' staff to five years; cut funding across the board for the construction

of courthouses; reform and cut funding for the Market Promotion Program by \$47 million; cancel cost of living adjustments for members of Congress next year; increase grazing fees on public lands; reduce funding for fossil energy research and development; cut funding for the National Endowment for the Arts; and eliminate funding for the Pennsylvania Steamtown National Historic Site. I agreed with the majority of my House colleagues to provide funding for the wool and mohair program for this marketing year, but only after prohibiting funds from being used for the next marketing year and after being promised an opportunity to vote on eliminating the entire program later this year.

#### CONCLUSION

Going beyond the recently enacted deficit reduction law to make new, deep cuts in spending will not be easy. It will take not only the above steps but some tough decisions on popular entitlement programs, which is where most of the growth in federal spending has been in recent years. I will continue to work with my colleagues to further cut spending, and to ensure that discipline and restraint characterize our fiscal policy.

#### HONORING JOSEPH STERNSTEIN

##### HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my many constituents in honoring Rabbi Joseph P. Sternstein upon his receiving the Max Arzt Distinguished Rabbinic Service Award of the Jewish Theological Seminary of America. Rabbi Sternstein, an outstanding leader and a truly dedicated individual, has served the Roslyn community as Temple Beth Shalom's spiritual leader for 25 years. His contribution to the Jewish community over the past 45 years encompasses a variety of roles on a local, national, and international level that include teacher, author, communal service leader, and scholar.

Upon ordination from the seminary, Rabbi Sternstein applied his diverse talents as a scholar and earned a doctorate in medieval Jewish philosophy at the Jewish Theological Seminary and a doctorate in jurisprudence from St. John's University. He is also a charter fellow of the Herbert Lehman Institute of Talmudic Ethics. His scholarly works have been published in English, Hebrew, Yiddish, and French. Rabbi Sternstein's works are numerous and a good deal of his writings have dealt with Zionist ideology and the relationship between American Jewry and Israel.

His deep commitment to Zionism and his unique leadership abilities led him to chair a group of major national and international organizations. He has served as president of the Jewish National Fund, the American Zionist Federation, and the Zionist Organization of America. At present, he chairs the American Zionist Youth Foundation and serves as vice chairman of the National Conference on Soviet Jewry. He is also a member of the world executive of the World Union of General Zionists.

On a local level, the community has benefited from his many talents in his role as chairman of Task Force on Cults and Missionaries

of the New York Jewish Community Relations Council and chairman of the Bikur Cholim Coordinating Council of the UJA—Federation of New York. In addition, he is past president of Histadrut Ivrit, the Hebrew culture movement.

Mr. Speaker, our local neighborhood as well as the world community has been enhanced by the leadership and service provided by Rabbi Joseph P. Sternstein. I ask my colleagues here today to join together with me in paying tribute to Rabbi Sternstein for all he has accomplished and all he will yet achieve.

## GOVERNMENT IS THE PROBLEM

### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. CRANE. Mr. Speaker, our Founding Fathers did not choose to defend the practices of the free market by whim, but rather because they understood that a *laissez-faire* approach to the market would lead to economic prosperity. Since, then, history has demonstrated that free men and free markets have transformed the experiment of a few 18th century colonists to the most powerful economy in the world.

Unfortunately, Federal legislators have taken it upon themselves to attempt to create Government programs for nearly every ailment of America. In response to falling test scores in public schools, bureaucrats instinctively demand more taxpayer money and increased Federal regulation, rather than allowing parents to have more power to decide how to educate their children. When unemployment goes up, Congress wants to increase taxes on struggling businesses to create programs for the jobless, instead of freeing the private sector of burdensome taxes in order to create more employment opportunities.

In the October 1993 journal "Imprimis," Barry Asmus explains why the private sector contains the solutions to our problems. I commend the remarks of Mr. Asmus to the attention of my colleagues so that they may remember that America was built on the foundation of freedom.

[From Imprimis, October 1993]

#### PRIVATE-SECTOR SOLUTIONS TO PUBLIC SECTOR PROBLEMS

(By Barry Asmus, Senior Economist, National Center for Policy Analysis)

Let's play a "what if" game about public spending for a moment. What if our politicians had said back in 1965: "We won't spend a dime on welfare for the next three decades, but in the early 1990s, we will take the money we would have spent and buy every Fortune 500 company and every piece of farm land in America. Then we will deed these companies and farms over to the poor." That is exactly what politicians could have done with the money—about \$3.5 trillion—that they have spent on welfare since 1965. If they had, what would the problem of poverty be like today? Would there be tens of thousands of Americans who are members of a "permanent underclass" and millions more who qualify as "working poor"?

What if our politicians had said back then: "Instead of spending 14 percent of the GDP—about \$840 billion in 1992—on health care, much of it subsidized government spending,

we will promote free market solutions," that is, health care costs paid by the consumer instead of government and other third parties. Would there be any support today for socialized medicine, for price controls on provider fees and charges, or for adopting what is basically a Third World model for U.S. health care?

What if they had also said: "Instead of spending more money than any nation on earth on centralized, government-run primary and secondary education—currently more than \$200 billion a year or also \$6,000 per pupil—we will strengthen the private, locally-supported schools that were once the backbone of education in the country." Would 40 percent of all high schoolers today be functionally illiterate or reading below the 8th grade level? Would one-quarter of them be dropping out?

This "game" has a very serious purpose: It shows how much our dependence on politicians and public sector solutions has cost us and how little it has achieved. Schemes of top-down economic coordination are a hopeless absurdity whether tried by the U.S. or the former Soviet Union.

#### THE ESSENCE OF MODERN POLITICS

The "public choice" school of economics explains why government solutions to economic problems inevitably fail. First, politicians don't spend our money as carefully as if it were their own. Second, in contrast to the private business firm, the public agency has no bottom line. Prices, wages, interest, profits are not a part of the government calculus. The politician has all sorts of incentives to spend more of our money to "do good" (there is no end to what do-gooders will do with other people's money). It is important that they "care" about a perceived public crisis and "bring home the bacon" to constituents, so as to increase their own political power and influence.

Finally, politicians are motivated to localize benefits and defuse costs. For instance, a few Congressmen can get together in committee and agree to award sugar beet farmers in their districts a whopping \$1 or \$2 billion in subsidies and price supports in exchange for electoral support, knowing full well that since it costs only a few dollars per taxpayer, no one will protest. Every Congressman has supporters who are quite willing to steal from the many to benefit themselves. The Congressman gets reelected and special interests vow their continued support.

Today, government at all levels is spending about \$2.3 trillion of our money every year, in contrast to the \$678 billion, adjusted for inflation, in 1965. Yet we still have the same problems and they are, if anything, worse. Why? It is not because politicians are spending too little. It is because there are inherent flaws in government as a delivery system. When the consumer "purchases" something from government, the good or service appears to be "free." The act of consumption is divorced from the tax payment and excess demand always results. In addition, efficiency suffers. The absence of a profit or loss calculation by government means services such as garbage collection, fire protection, prisons, city management services, and schools, for example, are invariably more expensive than when provided by private industry. Government does a rotten job of running nearly every enterprise it undertakes while simultaneously reducing personal freedom and choice.

#### DEJA VU ALL OVER AGAIN

The Clinton administration continues to stubbornly insist that government is not

spending or regulating enough. Exploiting the politics of envy and class warfare, they suggest that the rich are not paying their "fair share" of taxes, though the top one percent of income earners paid 17 percent of the total federal tax burden in 1980 and 27.5 percent in 1990.

The essence of modern politics, Clinton seems to think, is to keep the populace envious and then to drag out more "experts" and public sector "solutions." That's certainly what is happening now. Health care is a good example. We are the world leader in health care. There is no place on the face of the earth that has a system as successful as ours or can deliver the quality of health care we have come to enjoy. Yet politicians tell us that the current system is falling apart and that only government can "fix things." Stirring the acids of envy, they portray doctors and drug companies as the enemies who need to be controlled when in fact it is government policy and the legal system that need changing. Hillary Clinton warns us that 37 million Americans are uninsured, even though 10 million of these earn more than \$30,000 per year and fully one-half of the 37 million are without insurance for less than four months. To the extent that there is an uninsured problem, it is the result of government's larger role in health care markets—largely made "free" to the patient by Medicare and Medicaid—that has driven medical care costs upward, thereby forcing many individuals out of the market.

#### TAKING FROM PETER TO PAY PAUL

Politicians can't give us anything without depriving us of something else. Government is not a god. Every dime they spend must first be taken from someone else. Unfortunately, stealing money from Peter to give to Paul really makes Peter a "Paul-bearer." The last Republican administration signed off on nearly \$300 billion in increased taxes and regulatory costs during its four years. The current Democratic administration wants to at least match that with its very first round of proposed tax hikes.

No wonder Washington, D.C. is so often described as 67 square miles surrounded by reality, an influence-peddling pleasure palace, a warehouse where every four years we get to elect a new piano player. Politicians just don't seem to understand that taxes are a disincentive to people who work, save, and invest. High taxes actually reduce tax revenues from the rich, as they motivate individuals to reduce their taxable income and economic activity. And the problem is compounded by the fact that politicians spend at least \$1.30 for every dollar collected in taxes. Tax rates have gone up and down over the years, but spending continues to rise.

#### THE WEALTH OF NATIONS

The good news is that despite what politicians are doing to damage our economy—and they are doing plenty—we are living in an age when the possibilities to create new wealth and expand the production of goods and services are greater than ever. In today's global marketplace all you need to start a business is a telephone and a fax machine. Labor and capital are more mobile than ever before, going where they are wanted and staying where they are well treated. Annual international capital flows are fifty times greater than all world trade, zooming along fiber optic cables and bouncing off satellites at the speed of thought rather than the speed of things. The earth has become a massive electronic highway.

The world economy is in an epochal transformation from the Machine Age to the Information Age. Brains are replacing BTUs.

The new source of wealth is not material, it is information. Here are two very modest everyday examples: Old-style carburetors used to allow automobiles to run 12 miles on a gallon of gasoline. Now, computerized fuel injectors allow them to run 22 miles on the same amount of fuel, thereby effectively increasing the world supply of gasoline by one-third. It used to take 165 pounds of aluminum to make one thousand cans. Now, it only takes 30 pounds. As we push further into the information age, matter will no longer matter. It is what the mind does with matter that counts. These technological advances, and thousands like them, are not the result of public spending; they are the result of free minds at work in a free market. It is for this reason, says Hillsdale College President George Roche, that "the wealth of nations lies not in material resources but in the minds and hearts of men."

Centralized command is over. Hierarchical, corporate bureaucracies are over. We are mowing from monolithic palace structures to a world of tents—fast, flexible, and immediate response to changing customer demands. "Reinventing government" is not going to work because government is the wrong mechanism to give people what they want. The information economy demands agility and the efficiency of market signals which government does not possess. The speed that Wal-Mart shows in responding to consumer preferences in its markets is simply not possible for the U.S. postal service or the top-heavy, monopolistic public school system. If Marriott believes it must contract out the hotel's parking, then what are the implications for municipally operated parking garages? As GM, IBM, Apple, GE, the Union Pacific, and EDS eliminate bureaucratic rule, decentralize, link their profit centers in partnership, and engage in a continuous process of self-education and assessment, what are the odds that the EPA, FDA, the Department of Agriculture, the Department of Education, and the Tennessee Valley Authority, to name a few, will do the same?

The answer is privatization wherever possible and then some. Public bureaucracies never plan their own demise. We must do it for them, arguing on the grounds that government ownership of property does not promote an efficient allocation of resources but that it actually prevents it.

#### THE MAINSPRING OF HUMAN PROGRESS

Others have said it over and over again: Freedom is the mainspring of human progress. But our politicians apparently choose to ignore this. They are not looking to maximize our freedom; they are bent on limiting it and on confiscating more of what we earn and save. The idea of imposing higher taxes and more regulation on an economy to help it grow is like breaking a man's leg to help him run faster. As with everything politicians do, their timing is awful. Around the world, centralization, industrial planning, and command economies are on the way out. Privatization around the globe continues to be the goal—in the United Kingdom, Mexico, Chile, New Zealand, China, parts of Africa, and in particular in Eastern Europe and the former Soviet Union. Most of these countries are lowering taxes, not raising them.

Ironically, in the midst of this revolution, Clinton's brain trust—in particular Secretary of Labor Robert Reich and intellectual guru Lester Thurow—offers the German "social economy" as a model to be emulated. (Note how they have now soured on Japan.) We are advised to copy Germany's apparent hardening of the arteries, even as Chancellor

Helmut Kohl, recognizing his nation's folly, declares: "A successful industrial nation—which means a nation with a future—doesn't allow itself to be organized as a collective amusement park." Meager job growth in Germany has been mostly in the government sector. Labor unions and "codetermination" in industrial management have produced restrictive labor practices, discouraged new hiring, and limited productivity in German industry. The current German recession and the cost of reunification have simply accelerated the demise of the earlier "economic miracle." It appears that the social welfare state can no longer pay for its foolhardy promises.

It has taken all of the history of the world to reach its current gross world product—about \$25 trillion—and that could very well double in the next 30 years because so many nations in Latin America, Eastern Europe, and Asia have finally begun to throw off the chains of socialism and embrace the free market. We can learn from them as we seek to rid ourselves of the creeping varieties of collectivism that have taken root here in the United States in the last sixty years:

Public sector problems will be resolved best through private sector solutions.

Individuals are the ultimate source of wealth, and economic growth can occur only if people are allowed to better themselves by taking chances.

It is entrepreneurial business that creates prosperity, not politicians. Government cannot create jobs. The miracle of a government summer employment grant is more than offset by the anti-miracle of higher taxes and the private businesses that fail to expand and hire.

The economy is not a machine; it is a living social organism. The beneficial outcomes generated by a spontaneous free market order cannot be known in advance. The self-regulating nature of a market economy is comparable to the interdependent qualities of the biologist's ecosystem, not the mathematical precision wished for by so many economists in their static systems and equations.

The market is not good because it works; it works because it is good. As one economic historian has noted, "It is a plain historical fact that the treatment of man by man became conspicuously more humane side by side with the rise of capitalism."

Freedom and capitalism are inseparable. Capitalism is. The market, like gravity, is.

And finally, freedom is a "virus" for which there is no antidote.

#### IN SUPPORT OF THE SLATTERY/ BLILEY BILL REAUTHORIZING THE SAFE DRINKING WATER ACT

#### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. POMEROY. Mr. Speaker, I rise today urging support for the Safe Drinking Water Act [SDWA] legislation introduced by Representatives SLATTERY, BLILEY, myself, and others. I have visited with mayors and community leaders from across North Dakota who have told me they consider the reauthorization of SDWA to be one of their top priorities. If you've heard the same horror stories as I have, it is no real surprise that they place such a premium on this legislation. Small water systems with as

few as 20 households can face a \$10,000 bill for compliance and ongoing monitoring requirements under SDWA.

Small communities simply don't have the means to comply with the rules and regulations of our current drinking water laws. Many towns must willfully fail to comply with these laws because they cannot afford to meet the requirements. Ironically, by doing so, they open themselves up to the possibility of \$10,000 per day in fines for noncompliance. In fiscal year 1991, over 16,500 community water systems violated drinking water regulations.

I know of cases where this has happened. One midwestern town with 600 residents was fined \$12,000 for noncompliance in 1990. Unfortunately, the town only takes in \$16,000 a year in property taxes. If we continue down this road, we will drive towns like these out of business in no time at all.

Of particular concern to me are the specific arbitrary numbers of contaminants that must be regulated—without regard to the risk they represent. Currently, communities just monitor for 83 contaminants and the EPA will require monitoring for 25 more contaminants every 3 years. Rather than allow communities to focus scarce resources on contaminants that pose a real health threat, they force communities to monitor for chemicals which may never be used in the region, or the State for that matter. For example, one of the 83 contaminants every State must monitor for is a pesticide which is used only on pineapples, which are grown only in Hawaii. This is absolutely ridiculous.

These concerns have led me to join my colleagues in introducing legislation to address the compliance problems facing small communities. Our bill allows for flexibility in setting standards, provides for State-tailored programs which allow communities to focus scarce resources on existing risks, and has a comprehensive variance section which allows water systems to use the best available affordable technology if they are unable to comply with the requirement that they use the best available technology.

Our bill takes into consideration the concerns of rural water systems, Governors, cities, towns, and townships. It will address irrelevant requirements and undue financial burdens, without forgetting the purpose of the legislation: safe drinking water.

In my short time here in Washington, I have found that Congress is all too quick to tell cities and States they must do something, without providing the necessary funds. Unfunded Federal mandates are exhausting resources in communities across this country. Our bill does not undermine the importance of the current drinking water laws. Rather, our SDWA legislation includes provisions which will ensure safe drinking water without bankrupting our communities.

I am hopeful that the legislation introduced by my colleagues and I will have broad support.

IN HONOR OF COUNCILMAN VINCENT LO RE, JR., THE SICILIAN CITIZEN'S CLUB MAN OF THE YEAR

### HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. MENENDEZ. Mr. Speaker, I rise today to offer my congratulations to Councilman Vincent Lo Re, Jr. of Bayonne, NJ, who has been selected by the Sicilian Citizen's Club as their Man of the Year for 1993. The award will be presented at the organization's 66th anniversary dinner dance, to be chaired by Philip Constantino and co-chaired by Michael Senerchia. The event will be held at Maddalena's Villa Nova in Bayonne on Friday evening, October 29, 1993.

Sicilian Citizen's Club president Frank Carine has declared that, "Councilman Lo Re was selected because of his many years of service to the community of Bayonne."

Vincent Lo Re, Jr., was born in Bayonne on February 16, 1947, and has been a lifelong resident, graduating from Bayonne High School, and continuing his education at Jersey City State College. He earned his B.A. degree in the social sciences in 1969, and went on to earn his M.B.A. from the Rutgers University Graduate School of Business.

Mr. Lo Re has been a member of the administration at Jersey City State College for 24 years, most recently serving as assistant to the vice president of administration and finance.

In addition to his service as an administrator, he has been an adjunct professor of business administration at Jersey City State College, Hudson County Community College, and Stevens Institute of Technology. His extensive public service in higher education includes service as a member of the planning commission and the board of trustees of the Hudson County Community College. He was also a Middle States Association evaluation team member.

Vincent Lo Re, Jr., participates widely in community activities and has been vice president of the Rotary Club of Bayonne, city chairman—Bayonne Columbus Committee, president of the Jersey City State College Alumni Association and a member of the executive board of the Bayonne council—Boy Scouts of America. He has also been a member of the Bayonne Visiting Nurse Association, the Occupational Center of Hudson County and the Bayonne Bicentennial Committee. In 1979 he was appointed by Governor Brendan Byrne as the State representative to the board of the Bayonne Housing Authority.

Vincent is currently a member of the Sicilian Citizens Club of Bayonne, the National Conference of Christians and Jews, and the Order—Sons of Italy in America. He is a communicant of St. Henry's Church where he served as a lector, commentator, and council member.

In May 1990, Vincent Lo Re, Jr., was elected to the municipal council in the city of Bayonne where he represents the city's third ward. On March 26, 1993, he received the Civic Award from the Bayonne branch, Na-

## EXTENSIONS OF REMARKS

tional Association for the Advancement of Colored People.

But most important of all, Vincent is a dedicated family man. He is married to the former Janice Kapec, an elementary school teacher at the Vroom Learning Center. They are the proud parents of one son, Vincent III.

Mr. Speaker, I want to wish Mr. Lo Re continued success and offer him my congratulations on this honor. I know my colleagues join me in celebrating his dedication to his community, and in looking forward to many more years of service to come.

### COMMENDING SECRETARY CHRISTOPHER FOR PROMOTING DENUCLEARIZATION IN THE FORMER SOVIET UNION

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. STARK. Mr. Speaker, Secretary of State Warren Christopher deserves credit for his efforts to promote denuclearization in the former Soviet Union. On his trip to the New Independent States of the former Soviet Union, Secretary Christopher gained assurances from Kazakhstan that it will accede to the Nuclear Non-Proliferation Treaty [NPT] and renewed pledges by Ukrainian President Leonid Kravchuk that Ukraine will also give up all of its nuclear weapons.

In return, the administration has pledged aid to both countries if they follow through, \$140 million for Kazakhstan and at least \$330 million for Ukraine, for weapons dismantlement, environmental cleanup, and economic assistance.

This policy is right on the mark. If Ukraine or Kazakhstan become full-fledged nuclear nations it will increase strategic instability in the former Soviet Union and undermine efforts to secure a lengthy extension of the NPT in 1995. We must continue to make nonproliferation a condition for full strategic and economic cooperation with these former Soviet Republics. But we must also hold out substantial carrots to encourage Ukraine and Kazakhstan to carry out their non-nuclear pledges. Some argue that the United States cannot afford to give these countries aid for nonproliferation. What we cannot afford is more countries having nuclear weapons, increasing the chances that terrorists will acquire nuclear know-how.

If anything, we should expand our current policy. Earlier this year, I introduced legislation providing up to \$500 million in leftover Department of Energy funds to the former Soviet republics for environmental clean-up and nuclear safety assistance—but only if the republics joined the NPT. Ukraine recently announced it will continue operating its dangerous Chernobyl reactors, despite widespread anti-nuclear sentiment in the republic. The United States should propose enough aid to Ukraine to set up alternate energy sources—but only if Kiev gives up its nuclear weapons.

The administration deserves credit for its efforts on this important issue and Congress should show strong support.

October 27, 1993

### REAUTHORIZATION FOR THE NEW JERSEY COASTAL HERITAGE TRAIL

### HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. HUGHES. Mr. Speaker, I rise today to introduce a simple funding reauthorization for the New Jersey Coastal Heritage Trail. This measure is similar to legislation introduced in the Senate by my colleague Senator BRADLEY.

The New Jersey Coastal Heritage Trail was established by an Act of Congress in October 1988, to highlight the many points of scenic and natural beauty along the New Jersey Coast, and to identify sites of historic and cultural interest. The trail starts in the North at Sandy Hook and extends South to Cape May, where it swings west into the Delaware Bay region.

The trail includes such resources as wildlife refuges, marine mammal sanctuaries, sailing and fishing communities, historic sites and lighthouses, forts and battlefields, national monuments, abandoned shipwrecks, scenic routes, such as Ocean Drive in Cape May County, and entire communities, such as Smithville, Salem, Bridgeton, Ocean Grove, and Cape May. Many of these sites are of significance not only to New Jersey, but are part of the national heritage of all Americans.

The trail does not require the acquisition, taking, or purchase of property. Its purpose is to identify the famous, as well as the little-known or underutilized attractions for the benefits of residents and visitors to the State of New Jersey. However, some funding is still needed to provide an operation base for the trail, to complete the comprehensive interpretive plan, and for other resources related to the trail's success.

The continued success of the New Jersey Coastal heritage trail will build greater public support for the identification and preservation of important cultural, historical, and ecological treasures throughout the country. I am certain that the small Federal expenditures to maintain this trail will be more than compensated by the return to the public.

I urge my colleagues to support this legislation.

### HIGHER EDUCATION ACT TECHNICAL AMENDMENTS

### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. GOODLING. Mr. Speaker, today I join with Chairman FORD in introducing legislation making technical corrections to the Higher Education Act. Chairman FORD and I have gone to great lengths to insure that this bill is a purely technical bill making only grammatical corrections and clarifying original congressional intent.

I am especially pleased that this legislation clarifies what we sought to do in the 1992 Higher Education Act Amendments by ensuring that quality programs providing short-term

education and training would retain eligibility for the Federal Family Education Loan Program [FFELP]. This was achieved by amending section 481(e) to require that programs of less than 600 clock hours would have to demonstrate verifiable completion and job placement rates of at least 70 percent. However, our intent, as reflected in a colloquy on the House floor last year, was to preserve eligibility of all short-term programs until regulations detailing these new requirements were promulgated. This bill clarifies that policy.

I am also glad that this legislation clarifies congressional intent with regard to different loan limits for students based upon the year in which they were enrolled in school. Since enactment of the 1992 Higher Education Act Amendments, questions have arisen as to whether undergraduate students who are enrolled in programs requiring an associate's degree for admission are entitled to third or first year loan limits. This bill clarifies that such students are and have been eligible to borrow as third year undergraduates for both Stafford and SLS loans if they have successfully completed 2 years of any postsecondary program and the prerequisites for admission to the new program include at least 2 years of prior postsecondary education. If the prerequisite is a baccalaureate degree, then the new program is considered a fifth year undergraduate program for guaranteed student loan purposes. This bill allows students enrolled at institutions which require an associate or baccalaureate degree to remain eligible for the higher loan limits.

I am pleased to join the chairman in co-sponsoring this legislation so that provisions in the Higher Education Act amendments are clarified and corrected to ensure that congressional intent is clear. I look forward to enacting this legislation soon.

#### TRIBUTE TO AL GUTIERREZ

### HON. CALVIN M. DOOLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. DOOLEY. Mr. Speaker, I rise today to recognize and honor Al Gutierrez of Bakersfield, CA, who served a distinguished 31 years with the Kern County Sheriff's Department.

Al recently retired as sheriff's chief deputy, a short title with a long list of responsibilities. He was in charge of 13 sheriff's substations and served as chief of the department's Volunteer Services Bureau, which includes the Sheriff's Reserves, search and rescue teams, rescue divers, Explorer Scouts, and the Citizen Service Program. Chief Deputy Gutierrez also advised the Kern County Sheriff's Foundation and was a consultant with the Kern County Hispanic Advisory Council.

Al has found time to be active in the Bakersfield community, as well. He is a past president of the Kern County Management Council and a member of the Caledonia Lodge No. 486 of the Masons, the Scottish Rite, the Kern County Shrine Club, Elks Lodge No. 266, the FBI National Academy Associates, the Hispanic Command Officers Association, and the International Footprint Association.

In addition, Al is an avid golfer who plays to a 10 handicap. He is in his third year as president of the Kern River Men's Golf Club and has been chairman of the security committee for three Ben Hogan satellite professional golf tournaments in Bakersfield.

Al is a devoted family man. He is married to Sally Anne, an executive secretary for an oil-field construction company, and is the father of three grown children who have presented him with four grandchildren.

Chief Deputy Gutierrez began his career with the Kern County Sheriff's Department on August 1, 1962, as a deputy sheriff. He served as an investigator I and II from 1967 to 1974; as a sergeant from 1974 to 1980; a lieutenant from 1980 to 1983; and commander from 1983 to 1986.

He was named chief deputy in 1986 and served as chief of detentions until 1990, when he was assigned as bureau chief of the department's substations and manager of the Volunteer Services Division.

Mr. Speaker and my colleagues, please join me in wishing Al Gutierrez, devoted husband, father, and grandfather and active community member, the best of luck during his retirement.

#### REMARKS OF DEPUTY SECRETARY WILLIAM J. PERRY

### HON. JOHN S. TANNER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. TANNER. Mr. Speaker, on Sunday, October 24, 1993, Deputy Secretary William J. Perry and I welcomed our men and women home from their duty in Somalia. His remarks at that time were important to our troops and I wanted to include those remarks for the benefit of my colleagues in the CONGRESSIONAL RECORD.

At this time I wish to insert in the RECORD the text of Deputy Secretary Perry's speech welcoming Task Force 160.

#### REMARKS BY DEPUTY SECRETARY PERRY WELCOMING OF TASK FORCE 160

Soldiers of the 160th Special Operations Aviation Regiment, Night Stalkers, 75th Ranger Regiment, and our hosts from the 101st.

It's a real privilege to speak for Senator Sasser, Congressman Tanner, General Sullivan, Secretary Aspin, and President Clinton, to welcome you back home and to thank you. I especially want to convey a heartfelt "thank you" from President and Mrs. Clinton, who are meeting this morning with your wounded comrades at Walter Reed Hospital.

Thank you for taking on a tough job. And thank you for performing it with great skill and courage.

I also want to express my thanks to the family members. You have endured the separation and the agonizing uncertainty of having loved ones on a hazardous mission in a far away land.

We went to Somalia last December to deliver humanitarian aid. At that time, innocent people were dying on a massive scale. The nation was ravaged by years of brutal civil war and famine. An estimated 1,000 people were dying a day, and 800,000 refugees were forced into exile.

In a few months, we were able to bring order to the country and relieve the famine. We saved untold thousands of lives.

Then, in June, the militia forces under Aideed began attacking U.N. forces in Mogadishu, killing 28 in a few days. All that we had accomplished at that point was in danger of being lost, since the U.N. forces in Mogadishu were unable to deal with the Guerrilla warfare that had begun. So our military commander in Mogadishu asked for help. The mission was a tough one, so we sent in the best—Night Stalkers and Rangers.

You went there to restore security to the city so that humanitarian aid could resume. And you succeeded, but at a heavy price.

That price was exacted when we lost a Blackhawk on 28 September, and again during the firefight in Mogadishu on October 3rd. That fight demonstrated the skill, discipline, and courage of the Night Stalkers and Rangers.

When two of your helicopters were shot down and the crews endangered, you never hesitated. You continued to fly into hostile fire. You gave effective fire support to the Rangers, who were vastly outnumbered.

From this day forward, no one will recite the Ranger's creed, "Never shall I fail my comrades", without thinking of your display of courage in Mogadishu on October 3rd. That day you showed the world that "Night Stalkers don't quit".

And we saw your determination and professionalism in Michael Durant, who braved his captors and bore his wounds with quiet courage. As tough and resolute as Chief Durant was, I was equally impressed by the courage displayed by his wife. Her message on national television to remind her husband of NSDQ reminded us of the dedication and support at home. Her courage provided all of us courage.

Because of your skill, discipline, and courage, you stood firm with your comrades and, although you suffered significant casualties, you inflicted casualties on your attackers many times greater than what our troops suffered. In fact, your actions with the Rangers that day effectively disabled Aideed's militia and led directly to his willingness to call for a cease fire and negotiate a political settlement.

I came here today to pay tribute to your courage and to express my deep personal sense of loss at the death of your fellow soldiers. I especially want to extend my sympathy to the families of the soldiers who gave their lives.

Personal hardship is not a stranger to Fort Campbell, and the Nation joins with you once again in your suffering.

When General Sullivan presented the Purple Heart to Chief Durant last week, and told him that he was proud of him, the Chief replied, "I am proud to be an American". I can tell the Chief and the other Night Stalkers and Rangers, that all Americans are proud of you, and admire your professionalism and skill. And all Americans are grateful for your courage and your service to our country.

God bless you, and God bless America.

#### AMEND THE WAR POWERS RESOLUTION

### HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. DeFAZIO. Mr. Speaker, in March of this year, I wrote to Foreign Affairs Committee

Chairman LEE HAMILTON asking him to attempt to work with this administration to develop a revised War Powers Resolution that fulfills the intentions of the Framers of the Constitution. It seems now that Congress may be ready to engage in this debate. So today I am reintroducing legislation I have introduced in every Congress since my first term that restores Congress' constitutional power to declare war or otherwise introduce U.S. Armed Forces into foreign conflicts.

I have stood on the floor of this House many times during the last 7 years and called for Congress to live up to its responsibilities and obligations under the war powers clause of the U.S. Constitution. I have criticized and fought the lawless use of U.S. Armed Forces by two Republican Presidents. This year, I have also criticized a President of my own party for the same failure to comply with the War Powers Resolution and the Constitution.

The United States is now in the 43d year of a constitutional crisis. The crisis began when President Harry Truman introduced a large American military force into the Korean conflict without any congressional authorization whatsoever. His administration advanced the unheard-of theory that "the President, as Commander-in-Chief of the Armed Forces of the United States, has full control over the use thereof."

For the first time in American history, a President claimed the full share of the war-making powers granted to Congress by the U.S. Constitution. Today, Mr. Speaker, another Democratic President seems to be making much the same claim.

This should not be a partisan issue, though many of my colleagues on the other side of the aisle are making it one. I am frankly amazed at the hypocrisy of those Members of Congress who defended the imperial Presidency when their party held the office, but cloak themselves in a concern for the Constitution when the President is a member of the opposing party.

My sole concern is to defend the integrity of the Constitution and the intent of the Framers when they assigned the power to declare war to Congress and Congress alone.

The Framers of the Constitution clearly intended that the power to initiate war, whether declared or undeclared, should reside in the legislative branch of Government. Not only did they give Congress the power "to declare war, and grant letters of marque and reprisal, and make rules concerning captures on land and water," they also gave Congress the power to "make rules for the Government and regulation of the land and naval forces," the power to "define and punish piracies and felonies committed on the high seas, and offenses against the law of nations," and the power to "raise and support armies \* \* \* [and] a Navy."

If that were not enough, Congress is given perhaps the broadest grant of power in the Constitution, the power "to make all laws which shall be necessary and proper for carrying into execution the foregoing power, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

The President's vaunted power as Commander in Chief of the Armed Forces, according to Alexander Hamilton, who among the

Framers was the champion for a strong Presidency, was limited to "nothing more than the supreme command and direction of the military and naval forces," as opposed to the British King, whose power included "the declaring of war and \* \* \* the raising and regulation of fleets and armies."

The Framers sought to create a chief executive, not another King. The power to lead the Nation into a costly overseas military adventure was a power they explicitly denied to the President of the United States. James Madison spoke for all of his colleagues when he wrote, in a letter to Thomas Jefferson:

The constitution supposes, what the history of all governments demonstrates, the Executive is the branch of power most interested in war and most prone to it. It has accordingly, with studied care, vested the question of war in the Legislature.

Presidents up until Harry Truman by and large honored the constitutional scheme. But since that time, the President has increasingly asserted the power to make war at the expense of the Constitution and the legitimate role of the U.S. Congress. What alarms me most of all is that Congress, the press, and the public seem to have accepted the Imperial Presidency.

The constitutional crisis came to a head with the Vietnam war and the Gulf of Tonkin Resolution. The Gulf of Tonkin Resolution was a loosely worded declaration supporting the President's actions to defend United States Armed Forces in Southeast Asia and deter aggression. Members of the Senate rose to make it clear that the resolution was not intended to authorize a wider war, but two U.S. Presidents read it differently.

Only two Members of Congress opposed the Gulf of Tonkin Resolution. One of them was Wayne Morse of Oregon, and in opposing this resolution today I am proud to echo his words on the floor of the Senate in 1964:

I believe history will record that we have made a great mistake by subverting and circumventing the Constitution of the United States . . . by means of this resolution. As I argued earlier today . . . we are in effect giving the President warmaking powers in the absence of a declaration of war. I believe that to be a historic mistake.

History vindicated the Senator from Oregon.

The War Powers resolution, passed in 1973 over President Nixon's veto, was a response not only to the excesses of the Executive during the Vietnam war, but also to the near-total abdication of responsibility during that period by Congress. The resolution was intended to:

Insure that the collective judgement of both the Congress and the President will apply to the introduction of United States Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.

The resolution requires the President to report to Congress under section 4(a)(1) whenever he introduces U.S. Armed Forces into hostile situations. Congress must act within 60 days to authorize their continued presence, or they must be withdrawn. Unfortunately, Presidential compliance with the reporting and con-

sulting requirements of the resolution has been nearly nonexistent.

The CONGRESSIONAL RECORD is equally dismal. In 1987, when President Reagan used the U.S. Navy to escort reflagged Kuwaiti tankers, both the House and Senate repeatedly ducked the war powers issue. Despite a major military build-up in the gulf—despite the fact that 37 U.S. seamen aboard the U.S.S. *Stark* were killed by an Iraqi missile, the fact that a number of vessels were damaged by mines, and the exchange of hostile fire between United States and Iranian forces, the President did not submit a report pursuant to section 4(a)(1) of the War Powers Resolution and Congress did not demand one.

It was left to a number of my colleagues and I to seek relief in the Federal courts. The courts judged the matter to be a nonjusticiable political question. Today we have arrived at the final and complete unravelling of the War Powers Resolution. The President has once again failed to properly comply with the law, and Congress has done little to fulfill its responsibilities.

I rise today to once again introduce legislation revising the War Powers Resolution to require advance congressional authorization for any use of U.S. troops in hostilities, except in a limited number of emergency situations.

Experience shows that Congress and the public are reluctant to undercut the President's command of U.S. troops once the bullets are flying. That is why the Framers of the Constitution gave Congress the sole power to declare war or otherwise initiate overseas hostilities. And that is what is wrong with the current War Powers Resolution; it implicitly grants the President the power to introduce troops into hostilities for up to 90 days. My bill restores Congress' constitutional prerogatives by requiring statutory authorization before U.S. troops are placed into hostilities, except in the case of clear threats to the territory and possessions of the United States, its troops or its citizens overseas.

As Congress begins the debate over the awesome power to make war, I hope we will not trade away the few remaining shreds of the powers entrusted to us by the Constitution in exchange for a promise by the executive branch to consult with a few congressional leaders. That would be a historic abdication of our responsibility and in my judgment a violation of our oath to protect and defend the Constitution of the United States.

#### HAITIAN HISTORY 101

#### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. CRANE. Mr. Speaker, in the not-too-distant past, an American President dedicated American peacekeeping forces to a humanitarian mission in a foreign country. This temporary deployment became an extended mission, as the American forces remained on foreign soil far longer than anyone intended. While this description might well describe President Kennedy in Vietnam, President Reagan in Lebanon, or President Clinton in

Somalia, it actually refers to President Woodrow Wilson's foray into Haiti in 1915.

U.S. Marines established control of Haiti beginning in 1915 and did not leave until 1934—19 years later. With American sentiment leaning away from foreign interventions and United States forces already struggling to escape the quagmire in Somalia, President Clinton would be well advised to read the following article, written by Raymond R. Coffey in the October 19, 1993, Chicago Sun-Times.

As a former history professor, I believe the President needs to bone up on his Haitian history and remember the most basic rule of history: Don't repeat the mistakes of the past. Hopefully he will not forget history and repeat Wilson's ill-advised intrusion. If he repeats that mistake, it seems likely that the American people will not repeat theirs.

#### HARD HAITI LESSON ALREADY IN BOOKS

Woodrow Wilson sent the U.S. Marines into Haiti on July 28, 1915, upon the assassination of Jean Vilbrun Guillaume Sam, the sixth president of Haiti to meet violent death there in the space of only four years.

Wilson cited "humanitarian" concerns for his armed takeover of a country that had declared its independence as long ago as 1804.

The marines didn't get out of Haiti until Aug. 21, 1934. In all basic respects, the United States ran the place for nearly 20 tough years. And Haiti, now the poorest country in the western hemisphere, has been a disaster case ever since.

Just thought I'd mention the history, since President Clinton is talking tough again, sending U.S. Navy ships to blockade Haiti, deploying one company of infantry to Guantanamo, Cuba (which is on an entirely different island), to safeguard Americans in Haiti, and refusing to rule out the use of military force in Haiti itself.

All in the name of re-installing Jean-Bertrand Aristide—deposed in a military coup two years ago but alive in American exile—as president of Haiti and, presumptively, establishing democracy there.

Which I suppose is at least as "humanitarian" a motive as Wilson conjured up for sending in the Marines more than 75 years ago.

But did Clinton somehow, I wonder, make it all the way through Georgetown, Oxford and Yale law (while dodging his own generation's war in Vietnam) without ever having acquainted himself with the wisdom of the American philosopher George Santayana (1863-1952)?

"Those who cannot remember the past are condemned to repeat it," Santayana wrote in "The Life of Reason."

I'm sure Clinton wouldn't want American troops stuck in Haiti for 19 years—or even until the next New Hampshire primary.

But then I'm also reasonably confident that Wilson didn't expect either that his Marines would be there through World War I and well into the Great Depression.

Given the hard-learned lessons of our history in Haiti, not to mention our more recently hard-learned lessons in Somalia, wouldn't it be prudent for Clinton to figure how he's going to get out of Haiti before he goes in?

And aren't we as entitled to prudence from our commander in chief as to displays of bravado that serve only to make us look silly, inexperienced, ineffective and out of our league even against a gang of Haitian bully boys?"

A couple of weeks ago we had 18 American soldiers killed and more than 75 wounded

while futilely chasing some alleged "warload" around Somalia—a "warlord" who days later performed in public at a TV press conference.

Only last weekend did Clinton's UN Ambassador Whatshername get around to informing us that, oops, we're not chasing him anymore.

Then last week, Clinton dispatched 200 U.S. soldiers to Haiti on a "nation building" exercise only to have to order them (and their ship) to turn around and turn tail.

Seems the troops were armed only with pistols, which made them no match for the organized hoodlums who refused to let them dock.

Pretty embarrassing with the whole world watching. Didn't it occur to anyone ahead of time that sending soldiers into a potential combat zone armed like cops on the beat was pretty dumb?

The White House was all worked up Monday over a Republican-led suggestion to require congressional authorization for Clinton to commit American troops to Haiti. The president could not accept any restriction eroding his constitutional authority as commander in chief, aides said.

Right, of course. But I have the feeling that a lot of Americans might agree with GOP Senate Minority Leader Bob Dole of Kansas that:

"I wouldn't risk any American lives to put Aristide back in power and try to force democracy on Haiti where there's no real record of democracy in the past—I don't know how long—way back in the 1930s or before."

History can be a hard teacher. But a useful one.

#### CONGRATULATIONS TO EDWIN ARMITAGE

##### HON. DAVID MANN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. MANN. Mr. Speaker, please join with me in recognizing Mr. Edwin Armitage who will be retiring after 25 years as Director of the Cincinnati Baptist Association's Baptist Family Services on December 31, 1993. The Baptist Family Services is the longest-continuing-in-service juvenile rehabilitation ministry in the Southern Baptist Convention. The Cincinnati Community owes a debt of gratitude to Edwin Armitage for helping to make family values a priority and a reality.

As director, Edwin has been credited with making the Baptist Family Services a more effective program. During the last year of service, Edwin attended the world missions conference, led the family and marriage enrichment conference at Memorial, and attended the home mission board task force in Birmingham, AL. He taught at 38 bible schools and visited 21 prisons in and around the area.

Edwin Armitage has dedicated his life to helping others. Many people around the country have been helped thanks to his hard work throughout the years. For example, he helped secure food, furniture, clothing, and shelter for those in need. He provided guidance and inspiration to youth organizations and helped to foster relations between prison inmates and their families.

Please join me in offering Mr. Edwin Armitage my whole hearted congratulations on

his retirement after 25 years as director of the Baptist Family Services.

#### BRANDY BETH HUSE HONORED

##### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. POMEROY. Mr. Speaker, the Veterans of Foreign Wars of the United States [VFW] annually sponsors the Voice of Democracy Scriptwriters Contest. Ms. Brandy Beth Huse of Grand Forks, ND, was the North Dakota winner this year. The State of North Dakota is proud of its young, patriotic writers, and would like Ms. Huse to be recognized for her accomplishment.

Mr. Speaker, Ms. Huse's speech for the RECORD follows:

#### MY VOICE IN AMERICA'S FUTURE

(By Brandy Huse)

The story of America is unlike any other in the history of the world. It's a tale of the men and women who came to a new world, courageous beings who faced hardships and the unknown just to carve a better life for themselves. It's a story of a people who envisioned a world of peace and unity and who secured a future for the United States by adopting the Constitution. Yet, the future has changed in many ways since the forefathers first landed on this continent. Men have landed on the moon, invented powerful weapons, reduced these weapons, and democracy has spread to almost every country imaginable. Amongst all of these changes, my views may seem to be drowned in a sea of a thousand powerful voices. Yet, my voice is America's future, a future that can be as bright and beautiful as our country's founders believed it would be.

In 1941, Henry Luce asked the timeless question, "What can we say and foresee about an American century? How shall it be created?" That same question can be asked in 1992. How will our future be, molded, sculpted, and formed so as to ensure that America will still be the shining star of democracy? And I find that the answer to that question lies with me. I have a responsibility as a youth today and leader tomorrow, to make my voice be heard. To let the United States know that I wish to see a future that holds no racial tensions, sees no young boys and girls handle drugs, and hands every American the opportunity to be whatever they wish to become.

How do I show America that I am serious about my responsibility to her? I can stand up tall and proud when the Stars and Stripes are flown before me. I can continue to be informed of what the U.S. is doing at home and abroad, and most of all I can shout to this great country and its leaders that I have made a difference, can make a difference and will continue to make one. Making a difference is not turning a cheek to adversity or closing eyes and ears to new changes. To do this would be to turn a back on the future. I will embrace any changes that will secure a brighter future for my generation and those after me. When new advances in technology approach America, I will not abandon them. When new medicines are developed, I will not turn up my nose at their usefulness. No matter what hardships these changes encounter, my voice will not waver.

In my early teens I had the wonderful experience of traveling to Europe and seeing

landmarks that are even older than America itself. I felt a certain awe as the great Eiffel Tower loomed before me in Paris, France. And I felt a deep sadness when in Germany I saw a place where hideous acts against a people took place during World War II. Yet, in America we have no ancient landmarks. We do have a woman who welcomes hopeful citizens with a torch and a grin. A smile that says to immigrants, "Before you lies the land of the free, the home of the brave, take pride in her, cherish her uniqueness." We have fields of cotton in the South, rows of corn in the Midwest, and "amber waves of grain" in the North that causes the hearts of Americans to swell with pride. And I'm here to protect that pride. I'm part of a generation that must safekeep the respect in our land and in our people. My voice is a part of a vast number of voices that can rally to keep America strong and independent, hard-working and compassionate. For strongness is what built our country. Independence is what paves the way to a brighter future. Hard work is the quality that keeps America productive, and compassion is what prevents the moral fiber of America from snapping.

A large amount of pride for America comes from her diversity, and the ability to blend all different people and produce one United Nation. But, not only for that reason, I am proud of America because no other place in the world provides as much care for her citizens, no other country holds the lamp of democracy as America does, but most of all because I represent America. My voice is her future and laden with my gift of responsibility and pride to give to the Home of the Brave. I continue to learn from the past, live for the present, and head towards a wonderful future.

**IN HONOR OF JERSEY CITY FIRE-FIGHTER WALTER MILNE, RECIPIENT OF THE SAINT BARNABAS BURN FOUNDATION VALOR AWARD**

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. MENENDEZ. Mr. Speaker, I rise today to recognize the bravery of Jersey City Firefighter Walter Milne, who will be honored on October 28 of this year at the Sixth Annual Valor Awards Dinner to benefit the Burn Center at Saint Barnabas Medical Center.

On January 9, 1993, at 7:06 p.m., Firefighter Milne's District 565 was called on a fire at 41-43 Van Rypen Street, a three-story rooming house. A fire had broken out on the second floor, and was already spreading into the hallway and up the stairs to the third floor.

Firefighter Milne entered the building and climbed the stairs, past the fire, to the third floor. In conditions of extreme heat and thick smoke, he found and rescued a male victim on the third floor. He tucked the victim's head into his turnout coat to protect him, and took him down the stairway to a waiting ambulance.

Firefighter Milne then reentered the building, once again passing the fire, to rescue a second victim. Milne entered the building a third time, this time with the assistance of Firefighter Scott Soriero, where they found a third victim, whom they helped to safety out a win-

dow where a ladder had been placed by Rescue Co. 1.

Firefighter Milne was recognized with a "Class C" award for his "heroic actions which were above and beyond the call of duty in the highest tradition of the Jersey City Fire Department." At this week's Valor Awards, the community bestows its honors.

For his bravery and his dedication to the safety of the people of Jersey City, I commend Firefighter Walter Milne to the U.S. House of Representatives, and ask that my colleagues join me today in honoring his service to the city.

**GOVERNMENT GRIDLOCK**

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, October 27, 1993, into the CONGRESSIONAL RECORD:

**GOVERNMENT GRIDLOCK**

Congress has been scrambling hard to improve its image as the capital of gridlock. It has passed a half dozen major bills and several more are on track for enactment by the end of the year.

Legislative accomplishments: One of the most significant measures approved by Congress has been a major deficit reduction package to reduce the projected budget deficit by some \$500 billion over the next five years. It contains cutbacks in entitlements and a strict freeze on discretionary spending, which should bring the deficit as a share of Gross Domestic Product down from 4.3% to 2.5% by 1998.

A \$6 billion emergency relief package was enacted for the flood-stricken Midwest, and Congress is working on an extension of unemployment compensation benefits and a measure to help U.S. industry bring advanced technology to the marketplace. New laws have been passed to guarantee workers up to ten weeks of unpaid leave for family and medical emergencies, to reform the student loan program, to liberalize voter registration, and to allow civil service and postal workers to participate more in political activities. Congress set up a national service program under which eventually an estimated 100,000 young people would qualify for education assistance of up to \$9450 in exchange for two years of community service. agreement was reached on the question of allowing homosexuals to serve in the military, and with remarkable ease the Senate confirmed Judge Ginsburg for the Supreme Court. Congress has also approved a \$2.5 billion package of assistance to Russia and the other former Soviet republics.

Congress will vote soon on the North American Free Trade Agreement. It has begun to overhaul the nation's health care system, but will not act on that until next year. Next year the Congress will also work on welfare reform and will soon consider a comprehensive anti-crime package.

Far reaching reform bills are on the verge of consideration if not enactment. A reform of the lobbying law would include new registration and disclosure rules for lobbyists and their activities. A bill to overhaul congressional campaign finance laws would curb contributions from special interest groups

and set voluntary campaign spending limits. And a reform of congressional gift rules would strictly limit the acceptance of gifts from lobbyists. A measure giving the President a modified line-item veto has passed the House and is pending in the Senate. Congress is expected to vote early next year on a wide ranging package to reform the organization of Congress to make it work better. Included in the package could be measures to reform the committee system, improve the budget process, cut staff, improve congressional ethics procedures, and require congressional compliance with labor and civil rights laws that others must follow.

Gridlock may not have ended but at least bills are beginning to move. Congress knows that it has a reputation to redeem and that it must prove that it still knows how to legislate.

Single Party Control: It is clear, however, that single party control of Congress and the Presidency has not been a panacea. Many people expected that with single party control in Washington, legislation would breeze through. That has not been the case. It is not now easy, nor has it ever been easy, to pass legislation through Congress. Building a consensus behind a solution to our problems still remains a very difficult job, and longstanding institutional roadblocks to quick action include a complex committee system and the filibuster in the Senate. Many experts on Congress contend that the propensity for deadlock or the difficulty of getting legislation passed was designed as an essential, even desirable, part of the constitutional system of checks and balances. Members often find more compelling the relationships they have established with influential constituencies than their support for their current President, or may simply have basic policy differences with what the President has proposed. Even with a bill the President submits that Congress likes, Congress may still spend significant time adding its own flourishes to the proposal.

In retrospect it is clear that there were unrealistic expectations of a sweet harmony between the executive and legislative branches. There is probably less tension now between the White House and Capitol Hill than during the period of divided government, but not all the tensions have been removed by any means. At the same time, there has been increasing bitterness and partisan warfare within Congress. Even the House Minority Leader said the other day that the public just does not like to see all the political infighting and basically adopts the attitude of "a pox on both your houses".

But the fundamental point is that the business of leading a politically diverse, huge, and complex nation is formidable. With the intense glare of the media on Congress, the public is exposed more and more to the details of how Congress works and how they are governed, and what they see is neither easily grasped nor pretty. The result is that there simply is not much public enthusiasm for the legislative process. Divided government may have been a problem in the legislative process, but it was not the only problem.

Public Perceptions: I notice among my constituents a basic belief that gridlock has not been broken. They still have a skepticism which borders on contempt for the politicians in Washington.

I do find among my constituents a desire to see Congress improve its low status and show it has what it takes to work with the President and make the country work. Members of Congress are keenly aware that if the

public perception of gridlock persists and if the public continues to believe that Congress is not dealing effectively with the problems that affect them the most, then all incumbents are subject to rejection by the voters.

The 1992 voter was angry because government was not making much progress on a series of important national problems. The vote wanted practical people to get the job done, and most Members of Congress understand that we had better get something done. After all, the measure of the work of Congress is how well the public is served.

#### VA HELPING THE HOMELESS

### HON. G.V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. MONTGOMERY. Mr. Speaker, to assist the vast number of homeless veterans, many of whom have mental health and substance abuse problems, the Department of Veterans Affairs [VA] has developed the largest integrated network of homeless treatment programs in the country, complete with extensive community-based outreach and an effective combination of medical treatment, social services, and employment and housing assistance.

Impressively led by Dr. Paul Errera of the West Haven, CT, VA Medical Center and Yale University School of Medicine, VA has distinguished itself in the field of mental health and behavioral sciences and with its initiatives to heighten the self-reliance and self-esteem of the Nation's homeless veterans.

I am pleased to share with my colleagues the observations and comments of Dr. Jonathan Sunshine, a health economist formerly with the VA, on VA's efforts in reaching out to and assisting homeless veterans and on homelessness in general. The following article was published in the October issue of VA Practitioner and explores in depth one of several VA programs aimed at helping homeless veterans:

[From the VA Practitioner, October 1993]

#### VA HELPS THE HOMELESS

(By Jonathan Sunshine, Ph.D.)

Homelessness is a major problem in the United States. According to one well-known estimate (estimates vary widely), there were 500,000 homeless persons in the nation in the late 1980s. About 40% of the homeless are veterans, which translates to 200,000 homeless veterans.

As a large-scale phenomenon, homelessness is relatively recent. Prior to the 1980s, one rarely encountered homeless people except in small numbers in "skid row" areas. I'd judge the number of homeless today to be larger by an order of magnitude—or even more—than it used to be.

#### WHY THE INCREASE?

Why has there been such an upsurge in homelessness? Ask the question, and you'll almost always get an answer focusing on the deinstitutionalization of the mentally ill. That's the answer I've been getting when I ask supposedly knowledgeable people. However, it can't be right for at least two reasons.

First, the statistics on state mental hospitals show that deinstitutionalization took place earlier than the period in question.

Half the decline in the number of institutionalized patients occurred by 1970, and was virtually complete by 1980. With the growth in homelessness a post-1980 phenomenon, it would seem to have taken place too late to be a consequence of deinstitutionalization.

Second, many of the homeless—perhaps half—don't have serious mental illness and thus aren't people who would have been in mental hospitals in earlier decades. Quite apart from any timing issues, then, deinstitutionalization cannot account for large numbers of homeless people who are not suffering from serious mental illness.

I often raised these two objections to the deinstitutionalization theory, but was never able to get a plausible response until I talked with the staff members who direct and evaluate VA's programs for the homeless—namely, those at the Northeast Program Evaluation Center, located at VAMC, West Haven, Connecticut. Their thoughtful and relevant explanations are but one of the reasons they are a very interesting, perceptive, and effective group—a topic to which I'll return shortly.

Let me first offer my version of the staff members' views as to why homelessness has exploded. They cite factors such as:

Decreased availability of low-priced rental housing. (I suspect this is the other side of the coin of the large increase in home values seen in the United States over the past two decades.)

Reduced purchasing power of public support payments. The monthly amount of welfare payments failed to keep up with inflation.

Diminishing purchasing power of typical wages, particularly as high-paying manufacturing jobs (in the steel and automobile industries, for example) have shrunk in number. It's not that the homeless are working, but that relatives or friends who might shelter and support them have less financial ability to do so.

Actions by the Social Security Administration during the Reagan administration to throw large number of the mentally ill off the disability insurance (DI) rolls, which affected both Social Security DI and the disability component of the Supplemental Security Income (SSI) program. The timing of this change does coincide with the growth of homelessness.

Prompted by these thoughts, I'd add a few contributing factors of my own:

Increased unemployment. Twenty years ago, we considered a 5% unemployment rate to be a serious problem calling for major public action. Today, we'd view the reduction of the unemployment rate to 5% as a major accomplishment. A large percentage of the unemployed are not covered by unemployment insurance for lack of an adequate work history, and in any case, benefits run out after six or nine months. Thus, higher unemployment means more people with essentially no income.

Breakdown of families, as evidenced, for example, by greatly increased divorce rates. I think this breakdown probably also indicates substantially decreased willingness to take in relatives who have no income (and often are difficult to live with) rather than leave them to fend for themselves—possibly on the streets.

#### VA PROGRAMS FOR THE HOMELESS

VA has some of the most ambitious programs for the homeless of any government agency. This is largely the work of one person, Paul Errera, MD, who has served as chief of VA's mental health and behavioral sciences service for the past nine years.

Many homeless veterans have mental health or substance abuse problems. According to one set of numbers from the Northeast Program Evaluation Center, more than half of homeless veterans have had serious mental health or substance abuse problems in the past six months, and five-sixths have had these problems in their lifetime.

Given the prominence of "his" patients among the homeless, Errera has striven to create programs to assist them. Perhaps more important, he has recognized that the government's drive to "do something" for the homeless (there was a homeless initiative under President Bush) presented a means of obtaining resources for some of the most needy veterans with mental health and substance abuse disorders.

The longest-running of VA's programs for homeless veterans is the homeless chronically mentally ill (HCMI) initiative, which has been functioning since the mid-1980s. As of 1991, the latest reported period, the HCMI program was operating at 45 of VA's 171 medical centers. As described in the Northeast Program Evaluation Center's report, the two emphases of the initiative are "outreach, to serve veterans who are not currently patients at VA medical centers, but who suffer from serious psychiatric and substance abuse disorders; and contracted community-based residential treatment, provided to rehabilitate veterans who require the structure of a residential program and who are motivated to break the cycle of homelessness."

The HCMI program typically involves two caseworkers at each service site plus contract funds for residential treatment in community-owned facilities. Because the HCMI concentrates on veterans in severe need who are not current VA patients, the caseworkers are directed to carry on their outreach in locations of literal homelessness (streets, shelters, soup kitchens) and to direct their efforts toward veterans with severe mental health or substance abuse problems. As a result, of the approximately 11,000 veterans screened by the program in 1991, the evaluation report indicates that:

More than three fourths were literally homeless, living in shelters or on the streets. The rest generally had only temporary housing arrangements or were at imminent risk of homelessness.

Almost two thirds were contacted through the HCMI teams' outreach efforts or through outreach by other agencies. About 25% had made their own way to VA facilities, including Vet Centers, and entered the program through those avenues.

Nearly half had received some treatment from a VA medical center in the preceding six months.

Eighty-eight percent were suffering from serious psychiatric or substance abuse disorders. Specifically, about half had psychiatric disorders, three fourths had substance abuse disorders, and about one third had both.

The HCMI program supported some 3,000 courses of residential treatment. Of those veterans admitted to residential treatment, 95% had serious psychiatric or substance abuse disorders.

Despite this burden of illness, almost 40% of the courses of resident treatment were deemed successful, with almost the same percentage of those undergoing treatment employed full-time or part-time by the time of discharge. Approximately 33% moved into their own housing. Improvements in substance abuse disorders were noted in almost two thirds of those with such problems, and the conditions of nearly 60% of those with

psychiatric disorders showed improvement. These success rates are similar to the success rates recorded in other programs for the homeless in which persons with less severe problems are served.

#### PROGRAM MANAGEMENT

As impressive as these results are, I'm even more impressed with three other aspects of VA programs for the homeless: their management, the applied research that accompanies them, and the recent development of new initiatives.

To appreciate the achievements of the management of the HCMI program, it's necessary to reiterate how VA program management usually works. Caricaturing only a bit, I'd say that typical VA program management has three features. First, instructions consist of a bookcase-full of directives. Second, because VA Central Office sends the programs a zillion directives, none are followed very well. (If you want people to pay attention to what you tell them to do, you need to tell them only a few things on which to concentrate rather than give them endless instructions.)

Finally, Central Office has little idea of how individual facilities are doing. For example, when I worked at VA headquarters (about a decade ago), there was no information system that could tell which facilities were running well and which weren't. To get such information, one had to nose around among regional and district directors, and even then, the information had to be viewed as very tentative, for each director had his own way of looking at things. (Possibly the problem again arises from the lack of a few, clear priority objectives. Without clarifying what is most important, it is close to impossible to establish a reasonably sized set of useful indicators and a focused information system.)

In contrast, the HCMI program has a few, clear objectives. Indeed, I'd say there are really just two: That of reaching out to and serving the most needy, and that of achieving a fairly high success rate, as defined by veterans obtaining employment and stable housing and improving in their substance abuse and mental health disorders.

With this simple set of goals, clinicians in the program (that is, the outreach workers) know what they are to focus on, and the program obtains a few, simple measures that demonstrate how each facility is doing. (Some of these measures are listed above in the description of results for 1991.) Management functions largely through conference calls in which problems are addressed and through discussions with representatives of individual programs whose measures have strayed from the national average. That the overall program works well is particularly impressive in light of the tension between its two objectives. The goal of a high success rate creates an incentive to take in patients with relatively minor problems, whereas the goal of serving the most needy drives down the success rate.

As I've suggested, the management of the HCMI program seems radically better than that of most VA health programs. It may be harder to design a comparably small and measurable set of basic goals for VA's general health care program than it is for specialized programs such as the HCMI initiative, but I'd sure like to see it tried. Do any of you readers have suggestions for what the few basic goals of VA's general health care program should be, and how they should be measured. Write to me with your ideas at VA Practitioner, 249 West 17th St., NY, NY 10011. I'll reprint the best ideas. We can then joint-

ly hope that VA's top management pays attention and gets out of the traditional "bookcase-full of directives" style of administration.

Next month I'll take up some of the interesting research the Northeast Program Evaluation Center is conducting and describe other programs for the homeless that VA has established in the past two to three years.

#### HONORING MARION HAMMER FOR THE NATIONAL SAFETY COUNCIL COMMUNITY SERVICE DIVISION NATIONAL AWARD FOR THE "EDDIE EAGLE" CHILD FIREARMS SAFETY PROGRAM

HON. KAREN L. THURMAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mrs. THURMAN. Mr. Speaker, I rise today to call to the attention of my colleagues the National Safety Council's annual awards banquet held in Chicago, IL on Sunday, October 3. I am both delighted and proud to report that the National Safety Council presented its 1993 National Safety Council Community Service Division National Award to a fellow Floridian, and a good friend of mine, Marion Hammer.

Some of my colleagues know Marion is an upstanding citizen of Tallahassee, a grandmother several times over, and has been the executive director of the Unified Sportsmen of Florida since 1978. Notably, she is also the first woman to be elected an officer of the National Rifle Association. She serves as NRA's second vice president. The Community Service Award was presented to Marion for her instrumental leadership in developing the NRA's child firearms safety awareness program as "The Eddie Eagle Gun Safety Program."

Mr. Speaker, the NRA is the recognized leader in firearms education, marksmanship, and safety training in the world and should be congratulated for developing and administering this program. But, I would be remiss if I did not highlight the role that Marion has had in its creation and implementation, and offer my sincere thanks for the role the Eddie Eagle Program has played in preventing child-related firearms accidents.

In the late 1980's Marion recognized that the education and firearms safety training our young people have traditionally received from family members needed supplementing. Marion believed that there was a strong need to reinforce to children the basic message that firearms are not toys. It was her belief that many, if not most firearms accidents involving children could be prevented by making just that basic point. Marion's leadership was crucial in gathering a coalition of firearms safety experts, along with teachers, curriculum development specialists, urban safety experts, and clinical psychologists to develop a program to alert children to the dangers inherent in the unsecured firearm. Eddie Eagle was the result.

Relying on children's strong visual association with cartoon figures, Eddie Eagle teaches an easy to absorb, but effective, four-part message to children from preschool through sixth grade: "If you see a gun; Stop! Don't

Touch. Leave the area. Tell an adult." The strength of the Eddie Eagle program is in the simplicity of its message, and the commitment by the NRA to reach every child in America with it.

Eddie Eagle's message has been brought to life through animated video, posters, activities, books, and personal appearances by Eddie Eagle. Instructors can teach the entire program in a single day, or use the lessons over a 5-day period. The flexibility of the program is such that it can, and has been presented in diverse settings from classrooms to summer camps, from community youth programs to day care centers. Since the inception of the Eddie Eagle program, over 4 million children have been reached by the safety message. In addition to the more than 400 law enforcement agencies and 1,250 schools and school systems that use this material, partnerships with the American Legion, Jaycees, 4-H and others have been implemented to expand the outreach.

Mr. Speaker, at a time when others merely stand around and wring their hands and bemoan the tragedy of preventable childhood accidents involving firearms, the NRA rolled up its sleeves and went to work to try to find a solution. I believe the Eddie Eagle program is reaching children with a message that can save lives. I ask each of my colleagues to join with me in extending our heartfelt congratulations to Marion, and to the NRA, for a job well done and the recognition of their continuing commitment to firearms safety. Keep up the good work.

#### COEUR D'ALENE, IDAHO HOSTS INTERNATIONAL HUMAN RIGHTS CONFERENCE

HON. LARRY LaROCCO

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. LaROCCO. Mr. Speaker, in 1987 when glasnost and perestroika were still viewed with considerable suspicion in the world, discussions began among international scholars on the future of human rights.

Later, Russian and American representatives met to develop a 10-year program of policy research to make the year 2000 the dawn of "A Human Rights Century." In 1990, the conference met in Moscow on issues of political and nationality rights, and in 1991 in New York.

This year the conference will be held in my district in Coeur d'Alene, ID, a beautiful city of 25,000 residents nationally recognized for its human rights record. Coeur d'Alene is the only community to receive the prestigious Raoul Wallenberg Civic Award, in recognition of protecting and defending human rights. And, it is the birthplace of a five-State Northwest Coalition Against Malicious Harassment.

This year's conference on "Empowering Women" will be held October 29-31. It will focus on women's rights to freedom from violence, the right to economic security, the right to self-determination, and the politics for change.

Mr. Speaker, I welcome the conference to Idaho and look forward to attending this weekend.

## TRIBUTE TO RUSS SCHWANDT

**HON. DAVID MINGE**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. MINGE. Mr. Speaker, a leader has left us. Russ Schwandt, founder of the Minnesota Agri-Growth Council, passed away at his farm near Sanborn, MN on the morning of July 30. This man lived his life for agriculture. It was in his blood to promote and expand agriculture and to see that agricultural producers were rewarded for their efforts.

Schwandt often stated that his politics were neither Democratic nor Republican; his politics were agriculture. While he ran for Congress in 1960 as a Democrat, he was close to Governors and Members of Congress in both parties. In 1964, he was appointed Minnesota Commissioner of Agriculture by a Democrat, and reappointed by a Republican in 1967.

In his lifetime, Russ Schwandt was a true leader. As a spokesman for agriculture and friend of the farmer, he left a legacy that few others have achieved.

## TRIBUTE TO JUSTICE JUDITH A. HILLARY

**HON. HAMILTON FISH, JR.**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. FISH. Mr. Speaker, I rise today to honor and pay tribute to the Honorable Justice Judith A. Hillary, of Dutchess County, NY, my constituent and longtime friend. Through hard work and talent, she has blazed an exemplary path in the Hudson Valley for other women to follow.

Judy's judicial experience began in 1975 when she became town justice for the town of Poughkeepsie. In 1979, she became the first woman to serve as a Dutchess County family court judge. After 4 years of service with the family court, Judy became the first woman to serve as a Dutchess County county court judge. Finally, in January 1992, she began her first term as a Justice of the Supreme Court of the State of New York, again, the first woman from Dutchess County to achieve such a position.

I ask my colleagues to join me in congratulating Judy on her years of tremendous work for Dutchess County, and wish her all the best in the many years to come. She is an inspiration to us all.

## HONORING DR. GARY HAWKS RETIRING FROM MICHIGAN DEPARTMENT OF EDUCATION

**HON. WILLIAM D. FORD**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. FORD of Michigan. Mr. Speaker, I want to call my colleagues' attention to the departure of a respected administrator from the

Michigan Department of Education. On November 2, educators, child advocates, business officials, and lawmakers throughout Michigan are honoring the career of Dr. Gary Hawks. Dr. Hawks has been with the Department for the past 11 years, serving twice, in 1987 and in 1991, as interim superintendent of public instruction for the State of Michigan.

Prior to joining the Michigan Department of Education, Dr. Hawks served at Eastern Michigan University in Ypsilanti, in my congressional district. From the position of director of personnel, he rose in 6 years to become vice president for university relations and secretary to the Board of Regents.

In 1982, when the Michigan Department of Education needed a sound, experienced leader to take over its higher education operation, Dr. Hawks was selected. He became a strong force in the department and an ambassador of compromise and goodwill to educators in K-12 and postsecondary institutions throughout the State.

Dr. Hawks set a high standard of constituent service and, during his interim superintendencies, Michigan was one of the leading States in the Nation in exemplary schools chosen by the U.S. Department of Education for special honors. His affable manner and thoughtful presence made a marked difference in the department.

I join all those honoring him in wishing him the best for the future. I know that he will continue to work for the young people of my home State of Michigan.

## TRIBUTE TO HARRIET MILLER

**HON. JILL L. LONG**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Ms. LONG. Mr. Speaker, I rise today to recognize the outstanding work on behalf of women and their families performed since 1975 by a woman from my congressional district. Harriet Miller, executive director of the Fort Wayne Women's Bureau, concluded her tenure as founder of the Fort Wayne Women's Bureau on October 15, 1993.

Since 1975, more than 100,000 women and their families have turned to the Fort Wayne Women's Bureau to help strengthen the fabric of their lives. Whether they needed the encouragement of peers, job training, help dealing with the effects of violence, or the strength to break free from destructive addictions, the team Harriet has assembled at the Fort Wayne Women's Bureau has quietly and efficiently provided a lifeline.

Thousands of women, men and children have been directly served by the strong net woven by Harriet Miller and the staff and volunteers of the Fort Wayne Women's Bureau: families who otherwise might have shattered after a rape; families who, instead of welfare, are now supported by the mother's new business; families making it day-by-day as a woman transforms herself from "crack addict" into "mother."

The clearly focused services provided by the Fort Wayne Women's Bureau under Harriet's leadership began with one woman,

one family at a time, but reached throughout our community, and our Nation. In the same spirit of leadership in which the Fort Wayne Women's Bureau helped create groundbreaking workplace educational programs to combat discrimination and to empower women, it is now the lead agency in an exciting new Federally-funded pilot treatment program that is showing remarkable success at helping drug-addicted women break their addiction and learn to become responsible mothers.

Harriet and her team at Fort Wayne Women's Bureau have also given the Nation another cause for inspiration through their development of a national network of sports fundraisers called "run, jane, run." These events, which celebrate women's achievements in sports, are now conducted in eight cities from Texas to Maryland, uniting thousands of amateur women athletes in competition and celebration to raise funds for local women's centers and agencies serving women. It was the result of the recognition of the Fort Wayne "run, jane, run," for example, that the remarkable achievements of the Fort Wayne Daisies and other teams of the All-American Girls Professional Baseball League first came to the attention of filmmakers and the Baseball Hall of Fame.

Through her example and work, Harriet has made significant contributions to the well-being of all women and their families. Mr. Speaker, I am proud to honor this remarkable woman for her outstanding work.

## RECOGNITION OF SGT. ROY SMITH OF THE 162d MILITARY POLICE FOR HAVING BEEN SELECTED AS THE NATIONAL GUARD'S SOLDIER OF THE YEAR

**HON. MIKE PARKER**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. PARKER. Mr. Speaker, today I stand in the "people's chamber," the Halls of Congress, to honor an outstanding soldier and citizen from my district, Sgt. Roy Smith of Natchez, MS.

Sergeant Smith is a member of the 162d Military Police in Crystal Springs and was nominated as National Guard Soldier of the Year by his company, which last year had the Soldier of the Year for the 2d Army and in 1993, for the third consecutive year, the Mississippi Soldier of the Year. I commend this unit and the entire Mississippi National Guard for their pursuit of excellence.

Sergeant Smith began his quest last December as he won three different levels of competition in Mississippi. He advanced to Atlanta, GA, in March, where he defeated nominees from Alabama, Florida, Georgia, Kentucky, South Carolina, Tennessee, Puerto Rico, and the Virgin Islands. Representing the Second Army, he then defeated six other nominees in the national competition in Washington to be named Soldier of the Year. To honor Sergeant Smith, his portrait will hang in the Pentagon this year.

I salute Sgt. Roy Smith for his dedication, positive attitude, and State pride. He is a fine

example of the American soldier and the American spirit of competition, fair play, and pride. Sergeant Smith, I congratulate you on a job well done. We are proud of you.

**THE NATIONAL PARTNERSHIP  
SYSTEM OF HERITAGE AREAS ACT**

**HON. MAURICE D. HINCHEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. HINCHEY. Mr. Speaker, nearly all Americans today, regardless of party or ideology, would agree that the establishment of the great national parks, beginning with Yellowstone, was an act of farsighted wisdom. We acknowledge the importance of its mission in preserving and protecting majestic landscapes like Yosemite and the Grand Canyon and historic sites like Independence Hall and Gettysburg. We must recognize that the mission of our park system has always been and must always be one of foresight. It must protect not only the places we all treasure now, but the places we will all treasure in the next century. The story of the family heirlooms tossed out with the trash because no one knew their value at the time is a familiar one. It is our responsibility to see that the Nation's heirlooms aren't similarly discarded.

Any of us who have worked for inclusion of a historic site or a significant landscape that we value in the national park system know the barriers. In some cases, we are at fault: the places we love may not deserve to be called national treasures, they may not meet the properly high standards that have been set. But unfortunately, even the most worthy sites face practical barriers. The National Park Service does not have the funds for acquisition or management of many new properties. Even if it did, it would be impractical and even undesirable for the Park Service to take over ownership and management of some important sites, sites that don't fit the traditional definition of park properties.

Can we find a way to protect these places, just as Congress found a way to protect Yellowstone over a century ago? I believe we can, and I have introduced legislation to provide a framework for doing so: the National Partnership System of Heritage Areas Act.

There are two concepts behind my bill. Neither of them is new. The first is that it is not only the most sublime landscapes and the scenes of high historical drama that deserve our attention. Younger parks like Gateway, Golden Gate, and Cuyahoga Valley illustrate the intersection between landscape and history, people, and nature. The Lowell National Historic Park demonstrates that our history is not just a record of famous men and women and memorable dates. These parks are not just single buildings or blocks of land: they tie together several sites. It is the fabric that matters rather than just the individual threads.

The second concept is that protection need not mean ownership or even management. My bill relies on partnership—the National Parks Service working together with States, communities, multiple public, and private owners and managers, toward the shared goal of conserv-

ing our heritage. It is certainly a far less expensive approach for the Federal Government than acquisition and management, but that is not its only merit. Partnership brings a range of approaches and ideas to the tasks of protection and conservation. Partnership emphasizes cooperation: it does not require disruption of private land ownership, and it emphasizes working with State and local governments and not overriding them.

As I said, the idea of partnership is also not new. Several States, among them New York, Pennsylvania, and Massachusetts, have established heritage areas programs based on these principles. During my years in the New York State Assembly, I played a role in establishing and developing New York's system to urban cultural parks, and I am proud of what it has accomplished. The urban parks it includes, including sites in my district in Binghamton and Kingston, help to illustrate how those communities developed, what is unique about them, how their ordinary citizens lived and the contributions they made to the American experience. A number of similar projects and programs have been started around the country by grassroots community organizations, and many of those organizations in turn have joined together in the private National Heritage Areas Coalition to support this approach.

My bill would establish a new system of heritage areas within the National Park Service. It would establish a process for designating and managing units of this new system. States, local governments, or private organizations could submit grant proposals to the Interior Department for studies of heritage areas. Completed studies would be reviewed by a new Heritage Area Advisory Board, and the Secretary of the Interior would then recommend heritage areas or State systems to Congress for designation. Areas would be managed by States or local entities. The role of the National Park Service would be to provide general support, technical assistance, and help in interpreting the national value of the area.

I believe the establishment of this system will mark a renewed commitment to the Service's original mission, and that it will provide new opportunities for educating, inspiring, and delighting the public.

**TRIBUTE TO CHILDREN'S HEART  
FUND VOLUNTEERS**

**HON. JIM RAMSTAD**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. RAMSTAD. Mr. Speaker, I rise today to pay special tribute to the Children's Heart Fund volunteers in Minnesota.

Last Monday, I was honored to be the keynote speaker at the annual meeting of this important group.

As I told the Children's Heart Fund volunteers, their spirit of volunteerism is truly an example for the rest of the country. There is no higher form of public service than their work to provide the gift of life to young children in need of corrective heart surgery.

We all know our country has big problems. That is why the work of the Children's Heart Fund is more important now than ever. We must work together to address the problems of children's health. Volunteers like these are truly leading the way.

Today, I would like to especially applaud those volunteers who were presented certificates of special congressional recognition at the annual meeting for their outstanding contributions to the Children's Heart Fund.

Rudy Luther has been especially instrumental in building the Children's Heart Fund over many years through his tenure on the board of directors and his continued financial support.

David Green and David LaCoursiere have organized several special fundraising events for the Children's Heart Fund over the last 3 years.

Dr. Bruce Merry and his staff have seen every single Children's Heart Fund patient who has come to Minneapolis since 1990, donating all of their time and service.

El Roy Nerness has served as treasurer for 1½ years and as the 1993 chair for the Children's Heart Fund golf invitational, which raised \$30,000.

Sheila Olson has been a Children's Heart Fund volunteer for almost 20 years, giving tirelessly of her time and love.

Tonya Puckett has helped raise \$300,000 over the past 2 years through her tireless efforts in developing and organizing the annual Kirby Puckett 8-Ball invitational.

Dr. Hugh Westgate has volunteered more than 579 hours of service as a regular part-time Children's Heart Fund staff member.

These distinguished Children's Heart Fund volunteers represent the progress Minnesota has made and continues to make on behalf of our children, our future.

Mr. Speaker, I am extremely proud to represent a district which has such committed volunteers who are willing to donate their time and energy to better the lives of children. I heartily applaud them.

**MARCH AFB—A GLORIOUS PAST—  
AND FUTURE**

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. CALVERT. Mr. Speaker, on Saturday, October 30, March Air Force Base in Riverside, CA, will celebrate two significant anniversaries—the 75th anniversary of the base, and the 50th anniversary of the 15th Air Force.

The history of March Air Force Base has been the history of aviation and its role in the protection of a free nation. Officially opened on March 1, 1918, March was used initially to train World War I "Jenny" pilots, but has since served as a flying and antiaircraft training school, tactical bomber and pursuit training base, aircraft test base, and a key installation of the Strategic Air Command.

By 1931, March Field began to look like a permanent Army post, and by 1934 a number of buildings, including hangars and housing units, were completed for the growing number of personnel assigned to March Field. In 1938

March became the central base for West Coast bombing and gunnery training, and in 1940 the National Guard units from California and Illinois were assigned to March Field to train in anti-aircraft protection, thus doubling the personnel strength to almost 4,000 officers and enlisted men.

Following World War II, March AFB retained its role as an operational fighter base until the Strategic Air Command—including the 15th Air Force—took over control in 1949. The 22d Bombardment Group arrived at March from Smokey Hill AFB, KS, flying B-29's, later converting to B-52's in 1963.

March AFB and the 15th Air Force both played a heavy role in the Southeast Asia conflict in the 1960's and early 1970's. March served as a staging area for bomber and tanker aircraft enroute to the Pacific, and the wing received five Air Force Outstanding Unit Awards during the 1967-1972 period.

The wing was redesignated an air refueling wing in October 1982 when the wing's B-52 bombers were retired, and the 22d Air Refueling Wing embarked on yet another era when it accepted delivery of the wide-bodied KC-10A Extender in August 1982. Still another milestone was marked in December 1989 when the wing's KC-135 squadron was inactivated and all of the KC-135A Stratotankers were transferred to other active and Reserve components throughout the Air Force for conversion to the KC-135E aircraft.

The year 1990 was another major chapter in wing history as the men and women of the 22d Air Refueling Wing set the standard during the Phase II Inspector General inspection and went on to answer every challenge of Operation Desert Shield as thousands of Marines staged through March in August, enroute to the Middle East. Wing members worked long hours giving the Marines everything from logistical support to preparing meals, and when it was the wing's turn to deploy maintenance and aircrews put in twice as many flying hours as in peacetime, and with half the people. The result—the wing won top honors again for the third straight year as the best air refueling wing in the 15th Air Force.

As a result of recent Base Realignment and Closure Commission recommendations, March AFB will soon be realigned to reserve status and the 15th will operate as a tanker command. In spite of these changes, one thing is for certain—the men and women of March Air Force Base and the 15th Air Force will continue to serve this Nation proudly.

In recognition of these special anniversaries, on behalf of a grateful Nation and the citizens of Riverside County, I would like to thank all of the men and women of March Air Force Base for their 75 years of defending freedom, and men and women of the 15th Air Force for 50 years of protecting the peace.

**TRIBUTE TO EDNA D. PINCHAM**

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

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. TRAFICANT. Mr. Speaker, I rise in honor of Ms. Edna D. Pincham, a woman

whose outstanding public service in my 17th Congressional District in Ohio has earned her induction into the Ohio Women's Hall of Fame.

Mr. Speaker, Ms. Pincham was born and raised in a segregated society in rural southern Georgia, but her drive to help others has never wavered. Upon graduation from high school, Ms. Pincham headed to Youngstown, OH, where she attended Youngstown State University and earned her degree in applied science. She then worked with the Youngstown Hospital Association until marriage, when she and her husband founded the H.H. Pincham Moving Co., which is now in its 32d year of operation.

She devoted her life full-time to raising her children, Howard and Cynthia. But once they entered school, she embarked on that was to become a long, distinguished career of volunteerism and public service. She became president of the local parent-teacher association [PTA], then president of the Youngstown Area PTA, then vice president of the statewide PTA. During her term as vice president, the U.S. Department of Education took note of her good works, and named her to two national task forces: Excellence in Education and Absenteeism. She currently serves as the administrative assistant to Pat Ungaro, mayor of Youngstown.

Throughout her career, Ms. Pincham has logged countless hours volunteering on behalf of children and other community and church activities, including: Children's Services Board, Food Bank, Homeless Coalition, Crime and Violence Task Force, YWCA, United Way, Arts Council, Chemical Dependency Board, Third Baptist Church, American Baptist Conference—USA, and numerous others.

Mr. Speaker, Ms. Pincham's exemplary efforts have enriched my community. I join the citizens of my district in saluting Ms. Pincham for her tireless work and for her induction into the Ohio Women's Hall of Fame.

**QUALITY AND VALUE DESERVE RECOGNITION**

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. GOODLING. Mr. Speaker, on behalf of my constituent, Mr. Thomas Bowman, legislative committee chairman of the Pennsylvania Society of Land Surveyors, I am pleased to submit the following statement:

The Pennsylvania Society of Land Surveyors, a professional society of over one-thousand members, is proud to recognize the anniversary of the enactment of the Qualifications-Based Selection Procedures under the Brooks Architectural and Engineering Act. This quality-based method has guided the Federal procurement of Architectural and Engineering and related services, such as surveying and mapping, over the past twenty-one years.

The negotiated Qualifications Based Selection (QBS) procedures have stood the test of time. In fact, use of QBS has been so successful at the Federal level, that 35 states have adopted mini-Brooks Acts or its QBS equivalent as an effective method of procuring its professional design services.

This concept has been underscored in the National Performance Review in which recommendations have been based on the underlying principle of quality and value in government procurement. This principle is ably translated through the QBS procurement. QBS establishes a collaborative spirit between the design professional and the client to maximize the quality, value, cost effectiveness and usefulness of the final product.

On this, the 21st anniversary of the QBS Brooks Architectural and Engineering Act, the QBS process and negotiated procurement procedures should be recognized as ensuring quality and cost savings. QBS and negotiated procedures direct the focus of procurement activity where it should be, on the quality of the professional design services specifically suited to a given contract. The government's emphasis on quality serves as inherent interest in economy and protection of the public health and safety when using QBS for professional design services. Quality-based government procurement procedures have demonstrated their effectiveness and deserve to be recognized for assuring the government and the taxpayer "quality and value" for the services rendered.

**HONORING DAVID DAVIS FOR A DISTINGUISHED CAREER IN PUBLIC SERVICE**

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. STARK. Mr. Speaker, I rise today to call special attention to the career of David Davis, a constituent who retired recently after decades serving our friends and neighbors in Alameda County.

In 1963, David began as a group counselor with the County Probation Department and served from 1965 to 1974 as a probation officer. That year he began as a work experience teacher with the Alameda County Office of Education and continued his role as an educator on the County School Attendance Review Board and as a Child Welfare and Attendance Officer.

David served as coordinator and assistant director of the Juvenile Court and Community Schools for Alameda County from 1984 until his retirement on August 30, 1993. There he led a program that continues education for those youth in the greatest danger of dropping out of the system forever: the children caught up in the juvenile justice system.

Mr. Speaker, David Davis has earned a restful retirement and I proudly join his friends and colleagues who will gather on Thursday, October 28, to celebrate this occasion. I wish him well and offer sincere thanks for his dedication.

CONGRATULATIONS TO ARIZONA  
CALL-A-TEEN YOUTH RE-  
SOURCES, INC.

**HON. ED PASTOR**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. PASTOR. Mr. Speaker, I would like to congratulate Arizona CALL-A-TEEN Youth Resources, Inc. for being selected as one of 13 sites to participate in a national demonstration designed to create learning-rich summer work experiences for youths involved in the City of Phoenix JTPA summer program. The initiative, called "Summer Beginnings", emphasized work-based learning, in which young people learned reading, writing, and math skills while they designed and completed projects at the local hospitals in Phoenix. Learning was framed within the context of a real job and the challenges that workers experience. The young people also developed problem-solving, decision-making, communication and interpersonal skills as they worked as members of a focused team.

Forty-six teens and young adults were assigned to one of eight projects at Maricopa Medical Center and Phoenix Children's Hospital. Each project was intended to benefit the community as well as address a specific need at a hospital.

They included: Designing an interactive computer program to educate children about dental disease prevention; designing the interior of a mobile van for cervical cancer screening; creating a playground for the pediatric emergency unit at Maricopa Medical Center; redesigning the pediatric waiting room at Maricopa Medical Center; creating portable displays for community health fairs; creating a fotonovela—picture novel—for the Hispanic community on early detection of breast cancer; designing and implementing a filing system for literature on childhood diseases; and creating and implementing an inventory system for equipment and materials.

In addition to developing and using new skills, young people involved in the effort developed a sense of community, a feeling of pride in their work and a new perspective on learning and education. Programs such as these are essential in preparing the workforce of the 21st century.

LEGISLATION TO REPEAL THE  
TRADING WITH INDIANS ACT IN-  
TRODUCTION

**HON. JON KYL**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. KYL. Mr. Speaker, I rise today with my colleague, KARAN ENGLISH of Arizona, to introduce legislation to repeal the Trading with Indians Act. This is a companion to S. 1501, which was introduced by Senators JOHN MCCAIN and PETE DOMENICI on September 29.

Mr. Speaker, the Trading with Indians Act was enacted in 1834 with a legitimate purpose, that is to protect Indians from being unduly influenced by Federal employees.

But it is an act that is out of place in 1993. It is wreaking havoc on hardworking employees and their families. It is bad for reservation economies.

The act establishes a virtually absolute prohibition against commercial trading with Indians by any Federal employee. The prohibition extends to transactions in which the Federal employee has an interest, either in his or her own name, or in the name of another person where the employee benefits or appears to benefit from such interest.

The penalties for violations are severe: a fine of not more than \$5,000, or imprisonment of not more than 6 months, or both. The act further provides that any employee be terminated from Federal employment.

As Senator MCCAIN pointed out when he introduced S. 1501, the 1834 act's prohibition means that an employee of the Bureau of Indian Affairs or the Indian Health Service, for example, cannot even buy from or sell a car to an Indian. It means that an IHS employee, whose spouse operates a law firm on the Navajo Nation, could be fined, imprisoned, and/or fired. It means that a family member can't apply for a small business loan without jeopardizing the employee's job.

The protection that the Trading with Indians Act provided in 1834 can now be provided under the Standards of Ethical Conduct for Government Employees. The intent here to provide adequate safeguards against conflicts of interest, while not unreasonably denying individuals and their families the ability to live and work in their communities.

Interior Secretary Bruce Babbitt and Human Services Secretary Donna Shalala have been asked to promptly review this matter and suspend further enforcement until this bill can be enacted into law.

I urge my colleagues to join me in this effort, and I ask unanimous consent that the bill be reprinted in the RECORD at this point:

H.R.—

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

**SECTION 1. REPEAL.**

Section 437 of title 18, United States Code, is repealed.

TRIBUTES TO OUTSTANDING  
EDUCATORS

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. GOODLING. Mr. Speaker, I am very pleased to have the opportunity to recognize several outstanding professionals in the field of education from the Commonwealth of Pennsylvania.

Mr. Richard K. Ocker, former principal of Mooreland Elementary School in the Carlisle School District, was recently elected president of the Pennsylvania Association of Elementary School Principals [PAESP]. Mr. Ocker will replace Dr. George Giovanis, principal of the Pottstown Middle School, Pottstown, PA.

Richard Ocker is a graduate of Shippensburg University and earned his ad-

ministrative credentials from Western Maryland College. He was an elementary principal with the Carlisle School District for 24 years and very active in civic and community affairs. He is vice president of the Carlisle Borough Council, board member of the Carlisle Early Education Center, board member of the Cumberland County Extension Service and Cumberland County Solid Waste Authority and a member of the Governor's Council on Food and Nutrition and National League of Cities.

As a resident of Pennsylvania's 19th Congressional District, which I represent, Mr. Ocker has worked closely with me over the years in providing valuable insight into education policy and related legislation. I wish him much success in his new position.

In addition, I would like to congratulate Mr. William Heasley, principal of Grandview Elementary School in the Highlands School District, who was presented the 1993 Pennsylvania Distinguished Principal of the Year Award. The other principals I would like to recognize are: Rita Lane, principal with the Derry Township School District, who was honored as a runner-up in the Pennsylvania Distinguished Principal's Program and Richard Houseknecht, principal of Manor Elementary School in the Pennsbury School District, who was recently honored by the U.S. Department of Education and the National Association of Elementary School Principals Distinguished Principals Program. Congratulations are also extended to Mr. Frederick Brown, principal of the Boyertown Elementary School, who has been elected president of the National Elementary School Principals Association for 1993-94.

As the ranking member on the House Education and Labor Committee and a former principal, it is reassuring to know that these individuals will play an important role as our Nation faces the challenge of meeting the National Education Goals. The people of the Commonwealth of Pennsylvania can certainly be proud of these individuals who have dedicated much of their lives to assuring educational excellence for all.

HONORING DELBERT AND JEWELL  
LEWIS

**HON. SAM COPPERSMITH**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. COPPERSMITH. Mr. Speaker, I rise today to speak of two distinguished Arizonans, who will be honored this week at a testimonial dinner benefiting the Institute of Human Relations of the American-Jewish Committee, in Phoenix. I want to highlight some of the many accomplishments of Delbert and Jewell Lewis that led the institute to honor these two distinguished individuals.

Jewell and Del are Arizona natives. They both graduated from the University of Arizona, and Jewell also received a doctorate from Arizona State University. Jewell also is the daughter of the late Ernest "Mac" McFarland, who compiled one of the most distinguished records of public service in American history, serving as Governor of Arizona, a Justice on the Arizona Supreme Court, and as U.S. Senator, where he served as the majority leader of the other body.

Jewell has dedicated herself to education. She taught second, third, and sixth grades in Florence and later served as the reading director for the Coolidge public schools. She has continued her interest in, and service to, education outside the classroom. Jewell currently serves on the national alumni board of the University of Arizona, as cochair of the Orpheum Theater Restoration, and works with numerous other charitable and education organizations.

Del Lewis helped found Media America Corp., a company of which he now serves as chief executive officer and general manager. Jewell serves as chairman of the board. The company, which owns a number of media properties in Arizona, including KTVK-TV, channel 3 in Phoenix, consistently has promoted literacy, recognized outstanding teachers, and honored voluntarism. Del also has dedicated himself to numerous charitable causes. He has served as a member of the advisory board of the McFarland Historical State Park for 17 years, a board member of Samaritan Health Services for 12 years, and on countless other boards and commissions.

Since they met as undergraduates at the University of Arizona, through today, Jewell and Del have been a team. Together they have, directly and indirectly, touched the lives of nearly everyone in Arizona. I am proud to know them and to salute their accomplishments.

#### TRIBUTE TO MARK BREWER

### HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to a good friend of mine, Mark Brewer. Mark is being honored at an awards dinner this evening in Clinton Township, MI.

Over the years our interests have paralleled one another in many ways. Mark started out as one of my first college interns when I was a freshman Member of Congress. As a life member of the Sierra club with a strong commitment to the environment, Mark has often helped me with my tree planting campaign. As members of the Interfaith Center for Racial Justice, we have worked together to promote equality and understanding. We have also done our best to support the backbone of America, Labor.

A life-long Michigan Democrat, Mark has served in executive positions in Macomb County Democratic Committee and the Clinton Township Democratic Club. He is now the chairperson of the 10th Congressional Democratic Committee. Mark is a great friend and I truly appreciate his political commitment and instincts. He has certainly made my job easier, and for this, I owe mark many thanks. I know there are many others as well who are indebted to him for his dedicated service.

Mark has accomplished much since that first summer as an intern in my Mount Clemens office. And, I know he will continue to do good work because his commitment to the community is tireless. Mark is truly dedicated to making the world a better place and his recogni-

tion at tonight's dinner is well-deserved. I applaud the Clinton Township Democratic Club for honoring Mark and I ask my colleagues to join me in saluting Mark Brewer. He is a true friend and serves our community with distinction.

#### TRIBUTE TO FELIX FONTANAROSA

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. TRAFICANT. Mr. Speaker, I rise in honor of Mr. Fontanarosa, whose outstanding community service in my 17th Congressional District in Ohio has earned him recognition with his peers.

Mr. Speaker, Mr. Fontanarosa started his optical career at the early age of 16. He worked in downtown Youngstown, OH, until 1951 when he went to join the U.S. Army and serve in the Korean war. Using his optical knowledge he ground lenses and made eyeglasses for his fellow servicemen in the back of an Army truck. Upon returning from the service, Felix continued his work in the optical laboratories in downtown Youngstown.

In 1977 Felix started his own wholesale optical company, North East Optical, in the Wick Building in Youngstown. After continued success, Felix sold North East Optical and founded Central Optical of Youngstown in 1977 in the Erie Terminal Building. In 1990 Felix was forced to relocate by the sale of the Erie Terminal Building. Central Optical moved to its present location, 4521 Market St. in Boardman, where it remains today.

Of the six original optical companies that once served the Youngstown area since the forties, fifties, and sixties, only Felix Fontanarosa's Central Optical remains. In the course of his service to our community Felix has seen that glasses are given to those in need without any reimbursement or thought of personal reward. At the age of 68 Felix still works 7 days a week until late at night. He has taught many his optical knowledge and it is unlikely that there will even be another like him. Through his personal sacrifices, hard work, perseverance, and kindness, he has taught many the secret of success.

Mr. Speaker, Mr. Fontanarosa's tireless efforts have enriched my community. I join the citizens of my district in saluting Mr. Fontanarosa.

#### TWENTY-FIRST ANNIVERSARY OF THE BROOKS ACT

### HON. FLOYD SPENCE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. SPENCE. Mr. Speaker, Public Law 92-582, also known as the Brooks Act, which was enacted in 1972, amended the Federal Property and Administrative Services Act by codifying a practice that had been followed by the Federal Government for more than a century—that of negotiating Architect-Engineer

[A-E] contracts on the basis of demonstrated competence and qualifications, at fair and reasonable prices, rather than based on proposals submitted in response to a Government solicitation. This practice is known as qualifications-based selection [QBS].

October 21, 1993, marks the 21st anniversary of the enactment of Federal QBS for A-E services. The QBS system was made permanent within the Department of Defense in 1981, through Public Law 97-214. Also, 35 States, including the State of South Carolina, have recognized the merits of QBS by adopting its requirements for their A-E procurements.

Mr. Speaker, QBS is so widely favored because it has consistently provided opportunities to firms of all sizes and backgrounds. It is competitive, effective, and produces superior products for the Federal Government.

QBS allows contracting officers to define the scope of a project and to match the qualifications of various firms with specialized requirements for each job. QBS also recognizes the need for a partnership between the Federal Government and design professionals to translate ideas and concepts into detailed plans and specifications for projects for the benefit of the public health and safety.

Twenty-one years after its codification in the Brooks Act, the Federal QBS system continues to serve as a model for the wise use of scarce taxpayer dollars. I was pleased to vote for the Brooks Act in 1972 and it is a pleasure for me to recognize its success today.

#### LOCAL COMMUNITIES AND BUSINESSES CANNOT AFFORD THE FEDERAL GOVERNMENT'S HELP

### HON. STEPHEN E. BUYER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. BUYER. Mr. Speaker, all across the United States, State and local governments are protesting and bringing attention to the ceaseless burden unfunded Federal mandates are placing on their ability to meet the needs of their communities. This is another case of the tail wagging the dog.

The costs of these unfunded Federal mandates, nearly \$2,000 for every man, woman, and child in America, are outrageous. This year alone, Congress has passed four unfunded mandates and over 100 others have been introduced. I do not question the intent behind this legislation. I do, however, question the fact that many of these mandates are proposed without any reflection upon the effects they will have on State and local officials, businesses, and taxpayers.

The priorities and agendas of our local communities are now being set by the U.S. Congress. By shifting costs to local communities, unfunded Federal mandates breach the underlying principles of federalism which assumes a working partnership and shared responsibilities between the Federal, State, and local governments. Instead of being able to address the concerns and needs of their communities, State and local officials, as well as business owners, have become puppets of the Federal

Government. They are constantly compelled to comply with mandates, rules, and regulations which demand an increasing amount of time and resources. Local officials must utilize their staffs to fill out reports and monitor compliance issues rather than allow them to assist the public. Business owners and managers are forced to devote their time and additional employees to make sure they comply with Federal rules and regulations rather than assisting customers and promoting the growth and development of their businesses.

I have received resolutions from six counties, Benton, Blackford, Jasper, Marshall, Miami, and Wabash, as well as comments from several other counties in my district in Indiana, calling for relief from this type of overly burdensome legislation. I have also been contacted by public school systems describing, in detail, the amount of their time and money expended to meet Federal unfunded mandates. The Oak Hill United School Corporation, a school corporation in my district, has identified five major Federal mandates which will cost them more than \$1.7 million this year. This figure represents more than 20 percent of their annual operating budget, of which approximately \$54,000 is available to comply with these five mandates.

The headlines of newspapers often detail the budget problems of our large cities and States. I am here to further explain that small cities and towns are being hit the hardest by these mandates. Small cities and towns have a limited tax base and are being faced with the problem of finding ways to fund the mere basics, because of the costs of these mandates. They are being forced to raise taxes and find additional revenues just to fund maintenance projects. In my conversations with local government and school officials, it has become increasingly clear that the priorities and agenda are being set by the U.S. Government. The hands of these officials have been effectively tied in their efforts to address the concerns and needs of their communities.

Earlier this year, when the House was considering the National Voter Registration Act, or Motor-Voter, I contacted the circuit court clerks in each county in my district. Of the 20, 19 opposed this legislation due to the number of mandates, requirements, and costs this legislation imposed upon them. The Congressional Budget Office has estimated that it will cost \$100 million for the next 5 years for the 25 States which do not currently have such a program, with Congress providing only \$2 million in subsidies.

Congress is stifling the growth of our Nation's businesses. Inland Steel has announced its decision to close a coke plant and eliminate 499 jobs in northern Indiana because of the cost of compliance with the Clean Air Act. Federal regulations have forced this major steel producer to rely, in part, on foreign sources of coke, rather than its own resources.

Small businesses, the backbone of our Nation's economy, are being forced to make decisions based on Federal regulations rather than the market economy. They are faced with the same reporting and compliance requirements that large corporations are. The owner of a business in my district confessed to me that even though the growth of his business is

such that he would be able to hire additional employees, he will manage with his current number of 46 employees. He explained that the Family Medical Leave Act, which affects businesses of greater than 50 employees, would place too many costs and burdens on his business, even though he has already instituted a policy allowing for employee leave.

Congress and the Federal Government have managed to supersede the jurisdiction of States and local governments in its efforts to micro manage their activities through unfunded mandates. We must act now and give State and local officials and business owners back their ability to address the needs of their communities and enterprises.

#### DEFICIT REDUCTION FRANKING ACT

**HON. TED STRICKLAND**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. STRICKLAND. Mr. Speaker, today I introduced the Deficit Reduction Franking Act, a bill to end the use of the frank by all Members of Congress to send unsolicited mass mailings. The franking privilege for mass mailings should be terminated for two reasons: First, it will save millions of taxpayer dollars, and second, it will increase fairness in the political process.

Under the current franking rules, Members of Congress are budgeted three districtwide mass mailings to their constituents during each session of Congress. A mass mailing is generally defined as any mailing totaling 500 pieces or more with substantially identical content.

Many of us elected to the 103d Congress were given a mandate by our constituents to reduce Federal spending. Stopping the franking privilege for unsolicited mass mailings is one modest way to reduce Federal spending. Not only would my bill lower the total amount appropriated for franking, but any savings in the franking appropriation would be returned to the Treasury for deficit reduction.

Further, this bill will make the political process more fair by leveling the playing field for nonincumbents. As we are all aware, campaign reform is expected to be considered during the 103d Congress. If the intent of that measure is to ensure that both the incumbent and nonincumbent candidates are given an equal chance to air their platforms, then eliminating unsolicited mass mailings should clearly be included in any campaign reform debate.

The number of mass mailings sent by Members have only come into check in recent years, when outside watchdog groups began to publish the names of Members who were overusing their franking privilege. With few exceptions, mass mailings contain self-promotional materials. Even if a Member's picture, or his or her name is limited in size, the privilege of being able to send this to every constituent's household is without question unfair to the nonincumbent. The nonincumbent must pay for mass mailings out of campaign funds, while the incumbent may use taxpayer funded mailings to reach the same audience.

There have been several bills introduced to reduce or eliminate franked mass mailings, but my bill would go one step further by eliminating this privilege for the institution of Congress. My bill also provides several exclusions in order to protect essential mass mailings.

I would like to briefly address the bills introduced to limit or eliminate mass mailings, in order to demonstrate why the Deficit Reduction Franking Act would be the most appropriate bill to pass or enact this Congress. The legislation most similar to this measure would eliminate the franking privilege for all unsolicited mailings in the House of Representatives. My bill also prevents responses to unsolicited mail, but in both bodies of Congress.

Comparable bills would do the following: abolish the franking privilege entirely, but still allow mailing budgets using stamps; limit the use of a Member's name and picture size; give nonincumbent candidates the franking privilege; reduce the franking budget; eliminate mass mailing privileges only for newsletters; and, prohibit election year franked mass mailings for House Members. None of these bills comprehensively eliminate the mass mailing privilege for all Members of Congress.

Under the Deficit Reduction Franking Act, franked mass mailings would be allowed under several circumstances. First, Members could respond to all solicited mailings from constituents, and also send follow-up responses to these mailings. Second, mass mailings may be sent to other Members of Congress, or to Federal, State, or local government officials. Third, mass mailed news releases to the communications media may also be sent using the franking privilege. Fourth, franked mass mailings would be allowed for towns isolated from mass communications. Fifth, chairmen and chairwomen would be able to send mass mailings which relate to the normal and regular business of their respective organizations. Sixth, the oversight functions of both Chambers for mailings would remain in place. Last, my bill would eliminate the rule which prevents mass mailings 60 days before an election, because the only mass mailings allowed would be responses to solicited mail, and follow-up mailings.

Mr. Speaker, the Congress has begun to take steps in the right direction to begin reducing the deficit. We are also ready to begin debate on campaign reform. I believe elimination of franked mass mailings would provide real evidence of our willingness to continue to move down the path of Government reform.

We need to act on this measure soon, to ensure that we hold future congresses to this mandate. Again, I invite my colleagues to join with me in forwarding this bill, and to propel it to passage.

#### THE CVN-76 NIMITZ-CLASS AIRCRAFT CARRIER

**HON. RICK SANTORUM**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 27, 1993*

Mr. SANTORUM. Mr. Speaker, today I rise in strong support of fiscal year 1994 funding for the CVN-76 Nimitz-class aircraft carrier.

In this postcold war era, we are no longer sure who and where our threats are. The Soviet Union has dissolved, Europe is changing, general uncertainty characterizes the Indian Ocean, Southern Africa is in a state of turbulence, and realignments are manifesting themselves in the Pacific Ocean. In the next several years, our overseas land-based presence will shrink significantly. It is more important than ever to maintain our mobility and the ability to project power where it is needed. More and more our carriers are being deployed on missions ranging from peacekeeping operations to humanitarian relief, crisis response, and regional stabilization. The CVN-76 is vital because of its flexibility in meeting these needs.

Secretary of Defense Les Aspin has already announced his support for a 12-carrier fleet in his "Bottom-Up" Review. The projected 12-carrier fleet will require construction of the CVN-76. The key question is not whether to build this next carrier, but when. By funding this carrier in fiscal year 1994 we will reduce procurement costs by at least \$200 million and save at least 1,000 shipyard jobs and thousands more at the plants of 4,000 suppliers in 43 States. If we delay funding until fiscal year 1995 or beyond, the only shipyard capable of building an aircraft carrier would be forced to reduce its employment levels substantially. Once the skilled work force and key supplier networks are lost, it can only be reconstituted later, if at all, at exorbitant cost.

I am hopeful that when the House and Senate conferees meet, they will realize the urgent need for full long-lead funding of the CVN-76 in fiscal year 1994 and include this in the Department of Defense appropriations conference report. By delaying this funding, we are jeopardizing our Nation's security as well as our Nation's skilled work force.

#### SALUTE TO THE BROOKS ACT OF 1972

#### HON. J.J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 27, 1993

Mr. PICKLE. Mr. Speaker, on October 27, 1972, I voted in favor of legislation sponsored by my fellow Texan JACK BROOKS to codify a system of procuring architect and engineering [A-E] services on the basis of qualifications. This qualifications-based selection system has been so successful at the Federal level and in most States that it is recommended by the American Bar Association in its Model Procurement Code for State and local governments.

Indeed, Vice President GORE's "Reinventing Government" efforts recognize that best value procurement is a goal worth striving for throughout the range of Government purchases. It is a testimony to JACK BROOKS' foresight that he sought to have a best value system—qualifications-based selection of design services—enacted more than two decades ago.

Since that time, Congress has specified the use of QBS procurement in the Superfund law (Public Law 99-499), the Surface Transpor-

tation Act of 1987 (Public Law 100-17), and in Airport/Airway Programs (Public Law 100-223). In 1988, Congress addressed the need for a clarifying standard of the types of professional practices to which QBS is applicable by codifying a contemporary listing of such fields through Public Law 100-656 and Public Law 100-679.

Like most good ideas, QBS is straightforward and uncomplicated. All requirements for Federal A-E services are first advertised in the publication Commerce Business Daily. Firms seeking to be considered submit an application. A-E evaluation boards within the contracting agency then review and evaluate all firms based on several factors, including: Professional qualifications, specialized experience and technical competence, capacity to complete work on time, past performance in work for the Federal Government, familiarity with the location and type of project, and acceptability under other appropriate evaluation factors. The evaluation board then develops a preselection list of all qualified firms and that list is approved by the head of the construction agency. The agency then prepares an estimate of the cost of the job, and begins negotiations with the most qualified A-E firm to determine the scope of work and agree on a price which is fair and reasonable and not in excess of the estimate. If the Government gets the price it is seeking, a contract is awarded. If not, then negotiations are terminated and a proposal is requested from the next most-qualified A-E firm.

Through this process, the taxpayer is assured that the most qualified, cost-effective, design firm is selected to work on projects that promote the public welfare and protect the public health. I was proud to vote for the Brooks Act in 1972, and I'm pleased to congratulate my friend today.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, October 28, 1993, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### OCTOBER 29

9:30 a.m.  
Commerce, Science, and Transportation  
Aviation Subcommittee  
To hold hearings on S. 1588, authorizing funds for fiscal years 1994, 1995, and 1996 for the Independent Safety Board.  
SR-253

Judiciary  
Courts and Administrative Practice Subcommittee  
To hold hearings on H.R. 1102, to make permanent chapter 44 of title 28, United States Code, relating to arbitration.  
SD-226

##### NOVEMBER 2

10:00 a.m.  
Finance  
To resume hearings on the Administration's proposed Health Security Act, to establish comprehensive health care for every American.  
SD-215

Labor and Human Resources  
To hold hearings to examine methods for meeting the health care needs of all Americans.  
SD-430

Veterans' Affairs  
To hold hearings to review research on the health effects of agent orange and other herbicides used in Vietnam.  
SR-418

##### NOVEMBER 3

9:00 a.m.  
Labor and Human Resources  
Business meeting, to consider pending calendar business.  
SD-430

9:30 a.m.  
Indian Affairs  
To hold hearings on S. 720, to clean up open dumps on Indian lands.  
SR-485

10:00 a.m.  
Commerce, Science, and Transportation  
Science, Technology, and Space Subcommittee  
To hold hearings on the effects of potential restructuring in the National Aeronautics and Space Administration (NASA).  
SR-253

Labor and Human Resources  
To hold hearings on the nomination of Harold Varmus, of California, to be Director of the National Institutes of Health, Department of Health and Human Services.  
SD-430

2:00 p.m.  
Energy and Natural Resources  
Public Lands, National Parks and Forests Subcommittee  
To hold hearings on S. 297, to authorize the Air Force Memorial Foundation to establish a memorial in the District of Columbia or its environs, S. 455, to increase Federal payments to units of general local government for entitlement lands, S. 761, to revise the "unit of general local government" definition for Federal payments in lieu of taxes to include unorganized boroughs in Alaska, S. 1047, to convey certain real property in Tongass National Forest to Daniel J. Gross, Sr., and Douglas K. Gross, and H.R. 1134, to provide for

the transfer of certain public lands located in Clear Creek County, Colorado, to the United States Forest Service, the State of Colorado, and certain local governments in the State of Colorado.

SD-366

3:00 p.m.

Conferees on H.R. 1268, to assist the development of tribal judicial systems.

EF-100, Capitol

NOVEMBER 4

9:00 a.m.

Office of Technology Assessment Board meeting, to consider pending business.

EF-100, Capitol

9:30 a.m.

Energy and Natural Resources Mineral Resources Development and Production Subcommittee To hold oversight hearings on ocean mining policy.

SD-366

Rules and Administration

Business meeting, to consider the nomination of Michael F. DiMario, of Maryland, to be Public Printer, Government Printing Office, S.J. Res. 143, providing for the appointment of Frank Anderson Shrontz as a citizen regent of the Board of Regents of the Smithsonian Institution, S.J. Res. 144, providing for the appointment of Manuel Luis Ibanez as a citizen regent of the Board of Regents of the Smithsonian Institution.

SD-366

S. 716, to require that all Federal lithographic printing be performed using ink made from vegetable oil, H.R. 877, to authorize the establishment of the National African-American Museum within the Smithsonian Institution, and to consider other pending committee business.

SR-301

Indian Affairs

To hold hearings on S. 1526, to improve the management of Indian fish and wildlife and gathering resources.

SR-485

10:00 a.m.

Finance

To resume hearings on the Administration's proposed Health Security Act, to establish comprehensive health care for every American.

SD-215

Foreign Relations

To hold hearings to review foreign policy issues.

SD-419

NOVEMBER 9

9:30 a.m.

Energy and Natural Resources

To hold hearings on the use of risk analysis and cost-benefit analysis in setting environmental priorities.

SD-366

NOVEMBER 10  
10:00 a.m.  
Finance  
To hold hearings to review the Uruguay Round of multilateral trade negotiations.

SD-215

NOVEMBER 16  
9:30 a.m.  
Indian Affairs  
To hold hearings on S. 1146, to provide for the settlement of the water rights claims of the Yavapai-Prescott Indian Tribe in Yavapai County, Arizona.

SR-485

Special on Aging  
To hold hearings to examine health care reform issues, focusing on prescription drug price competition.

SD-G50

NOVEMBER 18  
9:30 a.m.  
Indian Affairs  
To hold hearings on S. 1345, to provide land-grant status for tribally controlled community colleges, tribally controlled postsecondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College.

SR-485