

EXTENSIONS OF REMARKS

SCHOOL CHOICE IN THE YEAR 2000

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I would like to encourage all of our colleagues to read the following article on the future of school choice by former Secretary of Education Lamar Alexander.

Like most Americans, I believe that we must fix the learning system in America. We must reform education so that every child in the United States has the opportunity to learn, and we must build a culture of lifelong learning so that we can use the knowledge we have and successfully compete in the world.

We cannot continue to trap children in school systems in which the resources are siphoned off by bureaucrats and union employees and never actually reach the students. At least 35 States now offer parents at least some measure of choice in education, and academic choice options are expanding. Five States have implemented comprehensive open enrollment plans that allow parents to select their children's schools, and several others have announced new choice programs. As former Secretary Alexander predicts, school choice will be the way of the future because Americans will have figured out that schools which provide a quality education will succeed in attracting students to study there and significantly help low- and middle-income have access to good schools.

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SCHOOL CHOICE IN THE YEAR 2000

(By Lamar Alexander)

I have this prediction: by the time our fifth-graders, the class of 2000, are seniors, school choice will not be an issue. About the only people discussing it will be a few Ph.D. candidates who will have chosen to investigate that strange era when local government monopolies had control of the most valuable and important enterprises in America—our schools—and fought furiously to keep the doors to many of the best schools closed to middle- and low-income children. The era will be especially difficult to understand because it will have flourished at the same time that the ideas of freedom, choice, and opportunity were sweeping the rest of the world. In hindsight, it will look like we Americans were determined, in education at least, to be the last to practice our own best ideas.

School choice will not be an issue in the year 2000 because it will then be commonplace. Middle- and low-income parents will have demanded it, and the public at large will have remembered that consumer power is a tried and true American way to encourage innovation and improvement. Still, for most people today, it is hard to imagine that the idea that parents—not the government—should decide what is best for children will

become commonplace so quickly. There is no more divisive issue in American education today than the idea of school choice, especially when it is extended to include schools or academic programs that may have been invented and operated by someone other than the local school board.

Trying to encourage our education system to give all families the same options that, say, my family has or President Clinton's family has when it comes to choosing schools was only one of a number of proposals that President Bush and I supported when I was his secretary of education. Some of these proposals were very different: setting new national standards in basic subjects, devising a national examination system geared to those standards, creating thousands of "break-the-mold schools" from scratch, removing most federal regulations that handcuff classroom teachers, and inviting the genius of America's huge, vibrant, creative private sector to help create the best schools in the world for our children.

But these proposals—taken either singly or all together—did not stir anything like the intense reactions evoked by the idea of giving all parents the opportunity to choose among all schools. When I appeared before newspaper editorial boards with the intention of discussing President Bush's entire America 2000 education program, I often found much of my time consumed by arguments with editors who had plenty of choices for their own children but were worried about giving those same choices to parents with less money. Albert Shanker, president of the American Federation of Teachers, whom I had always found to be reasonably receptive to different ideas, became positively red-faced and grumpy over our persistent advocacy of school choice. He described it as a "dagger to the heart" and helped to lead an enormous political effort to support Bill Clinton and to end the talk of "private school choice."

Many educators told me that they greatly feared that school choice, instead of helping to create better schools, would create worse ones. And when, having been interrupted in my work by the voters, I climbed into my Ford Explorer on January 20 and drove back home to Tennessee, I had among my papers a clipping quoting one lobbyist as saying, with obvious relief, "Well, that is the last we'll hear of 'break-the-mold' schools and private school choice."

Of course, the lobbyist was wrong. When I arrived in Maryville, Tennessee—the small town at the edge of the Great Smoky Mountains where I grew up, where both my parents taught, and where my father was school board chairman—there in the Maryville-Alcoa Daily Times was a story about how the school board was turning Fort Craig Elementary into a "school of choice." Fort Craig would have an extended-day, year-round schedule for the children of working parents and a different curriculum. So, of course, no child would be assigned to Fort Craig. The school would do things the way we do most other things in America—Fort Craig would attract students. And teachers, too. The school board had decided that it might as well have teachers who chose to teach at

Fort Craig in addition to children whose parents thought Fort Craig would be the best school for them.

That was far from all. The Daily Times also reported that Maryville was building a new middle school. There was to be a town discussion—everyone's opinions were being invited—so that Maryville would not just end up with the same kind of new school that a "cruise-control" mentality might produce. Maryville was determined to "break the mold," to start from scratch to create a school that would fit the needs of children growing up today in my hometown.

All of this reminded me of Cousin Hazel, our self-appointed family historian. A few years ago at our family reunion, Hazel collected \$25 from each of us to put together a family history, and eventually she produced one. Somewhere toward the middle, the history describes, in approximately the following words, the school my Grandfather Alexander attended in Cloyd's Creek: "First, they created the church, and then the school. And the school was open during the summer for about three months, and it taught children reading and writing and arithmetic to the fourth grade."

When my father and his brothers and sisters came along, my grandfather sold his farm near Cloyd's Creek and moved into Maryville—so that his children could attend a better school. My father went to those same Maryville schools that I am describing, the ones I also attended—schools of which we were and are proud and that regularly help to produce the highest student achievement scores in the state at a cost of less than \$4,000 per student per year.

But today the community of Maryville sees that, even in our small town, the world is changing dramatically. Instead of there being only an Alcoa aluminum plant that hires most of those who do not farm, there is also a Nipponenso plant making auto parts, and the aluminum plant has gotten much smaller. At both plants today the employees are expected to understand algebra, estimation, statistics, and spatial relationships; to speak and communicate well in English; and to work in teams in a way that was not expected of us when we graduated years ago.

And anyone who needs a further reminder of how the world around my hometown is changing can look just down the road to Sweetwater, home of Tennessee Megil Gakuin—the first Japanese high school in the United States, where students attend classes about 80 more days a year than they do at my old high school and consequently learn in three years what the Maryville High School students learn in four.

One reason that Fort Craig Elementary is changing its hours and curriculum and that the new "break-the-mold" middle school is being planned is that, even in Maryville, children are growing up differently today. And an 8 a.m. to 3 p.m. school schedule for nine months of every year, featuring a teacher lecturing from a textbook, doesn't fit the way a child grows up today. The school, as James Coleman of the University of Chicago says, "is organized to help the family do some things the family doesn't do as well."

Also in the newspaper on the day I returned to Tennessee was a story about the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

progress of the Edison Project, headquartered at Whittle Communications in nearby Knoxville. The article told of the excitement within the Edison team of teachers and others, who are asking of education the question Peter Drucker has insisted that American business ask of itself, "If you weren't already doing it, would you start?" What the Edison group—headed by Benno Schmidt, former president of Yale University—is contemplating is every bit as exciting and promising and revolutionary as the highly successful start-from-scratch Saturn automobile plant a few miles down the highway in Spring Hill, Tennessee.

Driving on to Nashville, where my family and I now live, I visited with the new mayor, a Democrat fresh from the world of business, who had quite innocently—and I think correctly—asked early in his term, "Why can't we make every school a magnet school?" And the Nashville newspapers carried a piece about Carl Ross of Dodson Elementary School, certainly one of the best principals in the metropolitan Nashville area during the time that I have watched education in Tennessee. Carl had resigned his position to create a private company and is—as I write—negotiating with the school board to manage one or more of the public schools in Nashville as a way of creating the best schools in the world for the children there.

Over the last 15 years, during which time I have been governor, university president, and U.S. secretary of education, I have come to understand better that all education—like all politics—is local. That is why I gather, mostly from what I see happening around me in Tennessee, that opposition to school choice is on its last legs. But I saw the same trends all across America. And I suspect that, if you look carefully around your own community, you will see them too.

I certainly saw these same trends during the 22 months I served as education secretary. Most of my "education" during that time took place outside Washington, D.C. I visited virtually every state—more than 100 communities. I saw a consensus developing that will inevitably create a new definition and form of what we call "public education." This consensus is developing primarily because America is shifting gears—we are understanding that the world has changed not only in the Soviet Union and Eastern Europe or in some other remote place on television, but in our own backyards as well. Small businessmen and businesswomen in the U.S. who have, as a consequence of this change, gone through wrenching restructuring in their private and business lives are asking with some indignation why the government is not willing to undergo the same sort of transformation. And they are particularly questioning the organization of our schools, because schools are so important and because schools are still designed quite literally for the day when my grandfather attended classes three months a year until the fourth grade and then went to work in the fields.

In addition, Americans have seen how rapidly the rest of the world has been seeking to emulate the American way of life. Everywhere it seems that freedom, choice, and opportunity are becoming the principles on which are founded the answers to the most basic human questions. Around the world, nothing is in quite so much disfavor as government monopolies of essential services. Even in Poland, the government is now giving families more choices of all schools, including private schools, as a way of extending opportunity and improving the system of education.

I will never forget the experience my family had in 1987, when, after eight years in the governor's mansion in Tennessee, we moved to Sydney, Australia, to live for six months. We made this move to get our feet back on the ground as a family. Of course, we learned a lot about crocodiles and sharks and beautiful beaches and jungles. But we learned mostly, as any traveler does, about the wonders of our home country—how big America is, how much variety it contains, how creative it is, and how it is still the premier innovator of the world. And especially we learned afresh what freedom, choice, and opportunity can mean in everyday life.

I suppose we learned the most as we traveled home from Australia through China and then Russia. In China, the children began making lists of things they could do at home in America that Chinese children could not do: choose the college they would attend, the profession in which they would work, the kind of car they would drive, the city in which they would live, and the person they would marry.

What do you suppose would happen in America if some law said you had to attend Vanderbilt instead of the University of Tennessee, live in Cincinnati instead of Cleveland, drive a Ford instead of a Chevrolet, take a job as a welder instead of a fireman, or marry this person instead of that? There would be a revolution—that is what would happen. Then how in the world did we ever fall into—and persist in—this rut that says that a single government monopoly in every town will design all the schools, operate all the schools, and tell each of us—unless we have the money to move across town or to go to a private school—just which one of those schools our child must attend? This is certainly not the way America usually operates.

Last year, the Carnegie Foundation for the Advancement of Teaching reported that 28 percent of the parents it surveyed responded positively when they were asked if they would like to send their child to "some other school * * * public or private, inside or outside of your district." This was truly astonishing: 28 percent—conservatively, parents of at least 12 million American families—would like to send their children to some other school. Nine percent said some other public school; 19 percent said some other private school.

What was even more astonishing was the way the authors of the report interpreted this finding. They concluded that, although 28 percent of consumer parents are dissatisfied, these results somehow represented a mandate to keep things the way they are. That is, if 70 percent say everything is okay, why change it for the rest of you? This made me wonder what would have happened if we had sent this same Carnegie team to Europe five years ago. Would its members have reported that the Berlin Wall was a good idea because only 28 percent of east Germans wanted out?

The Berlin Wall analogy may seem harsh, but it is not so far-fetched. America has stumbled—unnecessarily and uncharacteristically—into this system in which well-intentioned local monopolies have given us what monopolies in a rapidly changing world might be expected to give us: schools in a time warp, schools that stymied teachers and too often bore children, schools that leave 28 percent of American parents wishing they could send their children to some other school.

Recently, someone gave me an article from the August 1968 issue of *Psychology Today*

titled "A Proposal for a Poor Children's Bill of Rights." The proposal was to give a federal coupon to perhaps as many as 50 percent of American children, through their parents, to be spent at any school. "By doing so," the authors wrote, "we might both create significant competition among schools serving the poor (and thus improve the schools) and meet in an equitable way the extra costs of teaching the children of the poor." The authors of the article were Theodore Sizer and Phillip Whitten. Sizer, of course, is today one of America's most respected and pioneering educators and chairman of the Coalition of Essential Schools.

The year 1968 was long ago. Lyndon Johnson was President. "Power to the people" was the battle cry. Sizer and Whitten were young faculty members at Harvard when they wrote:

"The idea of such tuition grants is not new. For almost two centuries various proposals for the idea have come from such figures as Adam Smith, Thomas Paine, John Stuart Mill and more recently from Milton Friedman. Its appeal bridges ideological difference. It has never been tried, quite possibly because the need for it has never been so demonstrably critical as now."

The authors quoted Mario Fantini, then of the Ford Foundation, who imagined "a parents' lobby with unprecedented motivation . . . [and with] a tangible grasp on the destiny of their children." Sizer and Whitten commented, "The ability to control their own destinies definitely will instill in poor people a necessary pride and dignity of which they have been cheated." And what about the argument that this scheme might destroy the public schools? Sizer and Whitten answered:

"Those who would argue that our proposal would destroy the public schools raise a false issue. A system of public schools which destroys rather than develops positive human potential now exists. It is not in the public interest. And a system which blames its society while it quietly acquiesces in, and inadvertently perpetuates the very injustices it blames for its inefficiencies, is not in the public interest. If a system cannot fulfill its responsibilities, it does not deserve to survive. But if the public schools serve, they will prosper."

It was precisely this kind of thinking (although we had not then seen the article by Sizer and Whitten) that led the Bush Administration in 1992 to propose annual scholarships of \$1,000 in new federal dollars for each child of a middle- or low-income family in a participating state or locality. Families could spend the scholarships at any lawfully operated school—public, private, or religious. Up to \$500 of each scholarship could be spent on "other academic programs"—for example, a Saturday program to learn math, or any afternoon program for children with speech disabilities, or a summer or accelerated program in language or the arts.

The President called his program the "GI Bill for Children" because it would begin to do for elementary and secondary students what the federal government had been doing since World War II for college students—and since 1990 for toddlers in day care. The President's proposal was a demonstration program, but it was the largest new program in the federal budget for fiscal year 1993—a much bigger program, for example, than Head Start was in 1965. It would have spent half a billion new dollars each year, enough to provide scholarships for all eligible children (about 60 percent) in 24 cities the size of San Jose, or in 30 cities the size of Little Rock, or in seven the size of Milwaukee.

These federal dollars would have gone directly to parents, so there would have been no church/state question. There were anti-discrimination proposals included in the program relating to race, disability, and gender. And all the new money in the President's "GI Bill for Children" could have gone to public schools—and I believe that at least 70 percent of it would have—as long as parents thought those schools were best for their children.

Our "GI Bill for Children" proposal in 1992 was almost the same as Sizer's "Poor Children's Bill of Rights" proposal in 1968. Sizer did imagine a "federal coupon" a good deal larger than the \$1,000 scholarship President Bush proposed, but \$1,000 per student is enough to make a difference in any public school and to pay all of the tuition in, for example, almost any Catholic elementary school (and Catholic schools enroll about 55 percent of America's private school children).

It is time for local school boards to think of themselves differently—as overseers of a system that offers families the widest possible range of choices of the best schools, in somewhat the same way that an airline offers travelers a wide range of opportunities. The airline does not insist on inventing or designing or building its airplanes. It does not insist on owning them. It does not even insist on making reservations. The airline conceives of its job as making sure that every traveler who wants to fly has a wide range of attractive choices at a reasonable cost and can get from point A to point B safely and on time.

We should think of a system of public education in much the same way. The managers of that system should see it as their responsibility to ensure (1) that every single child has the broadest possible number of options to enroll, at a reasonable cost, in the best schools and academic programs; (2) that each child can attend school safely; and (3) that each child will leave school having learned what he or she needs to know to live, work, and compete in the world.

Many school boards are already thinking in this way. Dade County (Miami) is putting more elementary schools in hospitals and creating as many as 50 break-the-mold schools as it rebuilds after Hurricane Andrew. Honeywell has a high school in its corporation headquarters in St. Paul. Down the street, there is a kindergarten in a bank. Baltimore has hired a private company to help manage nine public schools. Minnesota school boards have long had "contract schools" that others design and operate. California has just authorized 100 "charter" schools, to be designed by teachers and others and to operate outside the usual regulations. Why not invite museums, corporations, groups of teachers, libraries, and places of business to design and operate schools that are the best in the world and let those schools attract our children? Why employ our most creative people only when we want to create missiles that will find their way down smokestacks?

Watch for California to lead the way as it grapples with enormous challenges to its education system. According to Maureen DiMarco, the governor's secretary of child development and education, 200,000 new children—more than attend all the schools in Detroit—will arrive in California schools every year. Twenty-two percent of the children in California schools don't speak English. Something has to give. The school structures were never designed for such challenges. Drastic changes—and more money—will be required.

California's response this year was to enact legislation to create 100 charter schools, releasing them from state and union rules, and to invite teachers to design new schools that meet the needs of children. California also tried to hold a referendum on vouchers for its existing schools, but the motion did not quite secure the necessary number of valid signatures to get on the ballot. (Now the referendum is slated for consideration in 1994.) What if California combined the demand for different kinds of schools, the demand for school choice, and the demand for new funds into a single movement—chartering 1,000 new schools each year for the next 10 years and establishing a California "GI Bill for Children" that would provide scholarships that parents could use at any California school? A federal "GI Bill for Children" could then supplement California legislation by providing additional dollars for parents of middle- and low-income children.

From Washington, D.C.—where, to the relief of many, I can no longer be found—it may be hard to imagine this picture of America in the year 2000. But from Tennessee, where I am now, it looks fairly clear that Americans will stay very busy for the rest of the decade, working together on what is arguably America's most important enterprise—creating the best schools in the world for our children. And as we do this, we will find that these schools must be so different that we will break the mold and imagine different learning environments that fit families and children the way they are living in the 1990s. When we do this we will attract families to these different schools, not compel them to attend. And surely we will invite the private sector to join in creating such wonderful opportunities.

That is why I am convinced that by the year 2000 today's divisiveness about school choice will be history, only a dissertation topic, and some puzzled graduate student will be asking, "Now, please explain it one more time. Exactly why was it that America kept in place for so long a system that froze our schools in a time warp and denied to children of middle- and low-income families the same opportunity to choose the best schools for their children that fortunate families, like the Clintons and the Alexanders, enjoyed? Why indeed?"

BANNING THE OCEAN DUMPING OF LOW-LEVEL RADIOACTIVE WASTE

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. WELDON. Mr. Speaker, I rise today to introduce the ocean nuclear dumping ban resolution. This House concurrent resolution expresses the sense of Congress that the United States should press for an international ban on the ocean dumping of low-level radioactive waste at the London Convention meeting which opened today.

Last week, the Clinton administration joined the Governments of Denmark, Argentina, Australia, Brazil, Chile, Finland, Germany, Iceland, Ireland, Italy, Japan, Malta, Mexico, The Netherlands, New Zealand, Papua New Guinea, Poland, Portugal, Solomon Islands, Spain, and Sweden in supporting amending the London Convention to ban the ocean dumping of low-level nuclear waste.

With the United States and 21 other nations supporting the prohibition, I am confident that international law will be revised to incorporate the ban.

In the past, international law alone has not stopped Russia from dumping radioactive waste at sea. Russia's former Communist leadership repeatedly violated international law by dumping high- and low-level radioactive waste into the world's oceans. Since 1959, the former Soviet Union dumped 18 nuclear reactors and a reactor screen, 7 of which contained spent nuclear fuel, thousands of canisters of nuclear waste, and hundreds of thousands of gallons of liquid radioactive waste into the marine environment.

Even after the fall of communism, Moscow has continued to dispose of radioactive waste at sea. In mid-October, Russia dumped 900 tons of low-level radioactive waste in the Sea of Japan in violation of a previously agreed upon international moratorium.

According to Japanese press accounts, high-ranking Russian officials have admitted that ocean dumping of radioactive waste will continue. Passage of the ocean nuclear dumping ban resolution will send a powerful message to Moscow to end this practice.

The Environmental Defense Fund and Greenpeace have both endorsed the concurrent resolution. I encourage my colleagues to join me, the chairman and ranking member of the Committee on Merchant Marine and Fisheries, and the chairman of the committee's Subcommittee on Oceanography in supporting the ocean nuclear dumping ban concurrent resolution.

DIAMOND MANUFACTURERS AND IMPORTERS CELEBRATE 60TH ANNIVERSARY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues an important industry in the city of New York.

The Diamond Manufacturers and Importers Association is comprised of America's largest and most reputable diamond manufacturing and importing firms. This group of business men and women, is dedicated to providing consumers with an assurance that the diamonds they buy, for those very special occasions, are of the quality and integrity they ought to be.

These outstanding individuals have as their main objective, the protection of the buying public by eliminating unscrupulous merchants who use dishonest and deceptive practices. At a time when so many Americans are turning to us and to the judicial system for assistance, I am pleased to represent an industry which truly heeds those words, "Physician heal thyself."

The DMIA impacts New York through its employ of 26,000 workers and almost 95 percent of the 1.32 billion dollars' worth of diamonds which enter the United States, are processed right here in New York City.

I would like to ask my colleagues to salute this distinguished organization for its professionalism and its persistence in ensuring diamonds remain the true symbol of excellence which they are.

NAFTA

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. PACKARD. Mr. Speaker, a lot of misinformation and exaggeration is coming out of the NAFTA opposition camp. Contrary to current hyperbole, NAFTA is going to cut in taxes.

Tariffs are nothing more than a hidden sales tax. The average American family spends more than \$1,000 every year on imported goods because of tariffs. NAFTA will eliminate those hidden taxes. Currently, Mexican tariffs are almost 2½ times greater than our own. Fully half of all United States exports will be eligible for zero Mexican tariffs when NAFTA takes effect on January 1. Eventually, all tariffs will be eliminated. Americans will be paying significantly less in tariffs. A cut in tariffs is a cut in taxes.

But tariffs aren't the only cost of doing business. Businesses spend millions of dollars every year in other hidden costs. NAFTA will eliminate many of those costs. Bureaucratic hurdles will be taken down. Government red-tape will be stripped away. Licensing requirements are streamlined. Quotas are completely eliminated. Intellectual property rights are strengthened. And Mexican markets that are currently closed to United States businesses will be opened. That means American businesses that would have been forced to relocate south of border under current trade laws, could now stay in America.

All of these savings will be passed onto the American consumer in the form of lower prices. Once again, hidden sales taxes will be stripped away and Americans will be spending less for the products they buy.

But Americans will not only benefit from lower retail prices. United States business profits and personal incomes will increase as Mexican and Canadian consumers spend more of their money on our products. Canada and Mexico are already our second and third largest export markets, and the size of those markets are expanding every year. Just since 1986, United States merchandise exports to Mexico have risen an astounding 228 percent. Already 70 cents of every dollar spent by Mexico on foreign goods is spent on American products. NAFTA will lock in and expand those trade gains we've already made.

NAFTA means lower tariffs, increased trade, and higher incomes and profits. That translates into increased revenues and that's money in our pockets. NAFTA means a net gain for America. Don't be fooled by the rhetoric, NAFTA will reduce taxes for American workers and consumers.

EXTENSIONS OF REMARKS

INSUFFICIENT FORCE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I would like to recommend that all my colleagues read the following editorial from the October 8, 1993, issue of the Washington Times.

As we prepare to face the challenges of "New World Order," I believe that it would be very helpful for all of us to reflect on the dangers of trying to micromanage the military in the field from the political corridors of Washington. As this editorial clearly points out, giving field commanders a free hand in meeting their objectives was essential in winning Desert Storm.

I certainly hope that Congress, as well as the White House and the rest of the executive branch of Government have learned something from the debacle in Somalia:

INSUFFICIENT FORCE

One of the first things the military heard from the new Clinton administration was that the good old times were over; the generals had better get used to being under civilian command now. During the 1980s, they had been pampered and much too often allowed to get their way. Well, now we know what happens when the advice of military men is overridden by politicians, who for one reason or another, believe they know better.

Yesterday, Secretary of Defense Les Aspin was on Capitol Hill to explain just how it could be that 100 U.S. Rangers ended up being pinned down the night between Sunday and Monday for 10 hours by Somali fighters under the control of warlord Mohamed Farrah Aidid, trying to protect two downed Blackhawk helicopters and their crews. In all, 12 lost their lives and 79 were wounded. Six are missing and one is in captivity. That's a staggering result. Details of their ordeal are now coming from soldiers being treated at a U.S. hospital in Landstuhl, Germany, and they are truly harrowing. Fighting snipers in trees, on buildings and on rooftops, they waited and waited for relief, getting picked off one by one. Even with superior training and equipment, our soldiers didn't stand a chance, being vastly outnumbered. They had to wait for hours for Pakistani and Malaysian troops to come to their rescue.

Meanwhile, the armored vehicles that could have been used to clear the streets of barricades—and which their commanders had requested from the United States in early September—were never dispatched. As reported yesterday by Bill Gertz of The Washington Times, Gen. Colin Powell twice last month conveyed the request from U.S. commanders in Mogadishu to Mr. Aspin for tanks and armored vehicles to protect the U.S. forces in Somalia, but the request was rejected by the secretary of defense.

Why was it turned down? Because, so Mr. Aspin told congressional leaders, he did not want to appear to be reversing what was then a reduction of U.S. forces in Somalia and because the equipment might be needed in Bosnia. That happened at the same time as the U.S. mission had actually expanded, now to include the hunt and capture of Mr. Aidid. It is worth recalling that the crack U.S. Rangers sent there by Mr. Clinton in August numbered a mere 300. The rest of the 4,700 U.S. forces there are not combat troops.

When George Bush decided that the time had come to evict Saddam Hussein from his new real estate in Kuwait, he gave his military commanders a free hand to decide how best to accomplish that goal. Anyone who has studied the memoirs of Gen. Norman Schwartzkopf will know how much that meant for the success of the enterprise. Sure there was pressure, but his demands and his resources were deferred to.

One should hope that Mr. Clinton and Mr. Aspin have learned something from the tragic events of this week. It's up to them to define clearly the political objectives of our presence in Somalia—and wherever else American troops are sent. The military means need to be left to the experts.

PUERTO RICAN HERITAGE MONTH
COMMITTEE—COMITE NOVIEMBRE

HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. KLEIN. Mr. Speaker, I rise today to acknowledge November 1993 as Puerto Rican Heritage Month in the State of New Jersey and in the United States of America. This acknowledgment is in conjunction with the tribute I presented before Congress on May 5, 1993, declaring 1993 as "Puerto Rican Heritage Year." I would also like to acknowledge the hard-working people of Comite Noviembre of New Jersey who are contributing to the success of this month.

Comite Noviembre is the national organization for Puerto Rican Heritage Month. The organization has chapters in New York, New Jersey, Illinois, Massachusetts, and Puerto Rico.

Comite Noviembre of New Jersey dedicates itself to shining the rays of Puerto Rican culture and heritage to the people of the State. The Comite Noviembre places an emphasis on educational excellence as a key to the future and seeks to promote awareness of Puerto Rican cultural, economic, and political contributions to communities throughout the State.

On November 11, 1993, Comite Noviembre of New Jersey headed by Chairperson Lillian Arocho will honor the Puerto Rican leaders of the State for their positive images and contributions to the Puerto Rican people. The event will applaud the past, recognize the pivotal impact of the leaders of the present, and provide example and cultural grounding to the young people who represent the emerging Puerto Rican leaders of the future.

I join with my colleagues in saluting this positive and productive group. The Comite Noviembre is working to make Puerto Rican Heritage Month a success.

HERBERT AND MARY MILLER
CELEBRATE 40 YEARS OF WEDDED
BLISS

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. POSHARD. Mr. Speaker, in an era when many are concerned with the demise of

the institution of marriage and the family unit in the United States, I rise today to honor Herbert and Mary Isabelle (Belle) Miller of Pope County, IL, on the occasion of their 40th wedding anniversary. Herbert and Mary were married November 8, 1953 in Nahaunta, GA. Herbert and Mary will gather with their children Tony and Debbie and the rest of their family and friends on November 8, 1993, to celebrate this joyful occasion.

Herbert and Belle have actively contributed to life in southern Illinois, participating in social, civil, and religious affairs. Herbert is retired from Central Illinois Public Service Co. with 18½ years of service and International Brotherhood of Electrical Workers as a business agent for 18½ years. Belle has dedicated her life to raising her children and being a homemaker.

Although, this anniversary may not make the national headlines, I believe we all could benefit from the fine example set by Herbert and Belle. Their commitment to marriage and family has prevailed through good times and bad. This feat, no doubt, required a tender balance of respect, humor, love, and affection. I join with the family and friends of this wonderful couple in celebrating this joyous occasion. To Herbert and Belle, my heartfelt thanks for all you have done for all those whose lives you have touched.

LEGISLATION INTRODUCED FOR
FULL FEDERAL RECOGNITION OF
THE LUMBEE INDIANS OF ROBESON
AND ADJOINING COUNTIES

HON. CRAIG THOMAS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. THOMAS of Wyoming. Mr. Speaker, I rise today on behalf of myself and Representatives YOUNG of Alaska and TAYLOR of North Carolina to introduce a bill to provide for the consideration of a petition for Federal recognition of the Lumbee Indians of Robeson and adjoining counties.

The Lumbee are a group of Indian descent living in southern North Carolina. They are an admixture of several different Siouan and other coastal tribes, including the Cherokee, Tuscarora, Hatteras, Pamlico, and early white colonists and African-Americans. At present, the Lumbee are not a federally recognized Indian tribe. "Recognized" means that the United States acknowledges the existence of a government-to-government relationship with an Indian tribe, a prerequisite to the members of the tribe receiving the services available from the Bureau of Indian Affairs [BIA].

The Lumbee have, however, petitioned the BIA for recognition. Within the BIA there is an office called the Branch of Acknowledgement and Research [BAR] charged with evaluating petitions for recognition and recommending either acceptance or rejection of a tribal petition to the Secretary of the Interior based on a set of seven criteria used to determine tribal status. The BAR began evaluating the Lumbee petition, but ceased its consideration when the BIA solicitor ruled that under a 1956 act of Congress the Lumbee were barred from going through the petitioning process.

Mr. Speaker, the historical basis for this bar is fairly straightforward. In 1885, the State of North Carolina designated a group of Indians in and around Robeson County, NC—the ancestors of the present Lumbee—as "Croatan Indians." By 1911, however, the designation had been popularly shortened to "Cro" and was used by non-Indians as a racial pejorative which the Indians found extremely objectionable. In addition, the term was one not recognized by historians, ethnologists, or bureaucrats in the Federal Government because "[I]t had no historical precedent and was based on the name of a place, not the name of a people." Therefore in that year, at the group's request, the State legislature changed the group's name to "Indians of Robeson County." That change, however, "pleased nobody and settled nothing," since in the opinion of many Lumbee it served only to obscure further the claimed origins of the group. Consequently, in 1913, again at the group's request and despite the vehement protests of the federally recognized Eastern Cherokee Tribe in the western part of the State, the name was changed to "Cherokee Indians of Robeson County."

From 1910 to the 1930's, supporters of the group introduced several bills in Congress to give them a Federal designation variously proposed as "Cherokee Indians of Robeson and adjoining counties," "Southeastern Cherokee," "Cheraw," and "Siouan Indians of the Lumber River." In 1953, they finally settled on adopting a derivation of the name of the Lumber, Lumbee, River, which flows through Robeson County, as their self-designation. In justification for the change, one of the group's leaders wrote:

The first white settlers found a large tribe of Indians living on the Lumbee River in what is now Robeson County—a mixture of colonial blood with Indian blood, not only of [Raleigh's] colony; but, with other colonies following and with many tribes of Indians; hence, we haven't any right to be called any one of the various tribal names; but, should take the geographical name, which is Lumbee Indians, because we were discovered on the Lumbee River.

In 1956, Congress passed a commemorative bill designed to reflect that change in the group's self-designation made three years earlier at the state level. The Act provided:

That the Indians now residing in Robeson and adjoining counties of North Carolina, originally found by the first white settlers on the Lumbee River in Robeson County, and claiming joint descent from remnants of early American colonists and certain tribes of Indians originally inhabiting the coastal regions of North Carolina, shall, from and after the ratification of this Act, be known and designated as Lumbee Indians of North Carolina.

However, to ensure that nothing in the act would be construed as granting Federal recognition to the group as that term is understood in Indian law, an amendment was added to the legislation which prohibited the Lumbee from obtaining any Federal services available to Indians because of their status as Indians—that is, any services offered by the BIA. Later, after the Lumbee had submitted their petition to the BAR in the early 1980's, the solicitor ruled that this prohibition extended to the petitioning process, and barred the Lumbee from the process.

Partly as a result, the Lumbee have sought legislative recognition outside the BAR process in the last two Congresses. I and my Republican colleagues have steadfastly opposed this form of recognition, since the Congress is not equipped to make such a complex and important determination based on anthropological, ethnohistorical, and genealogical data. Instead, when recognition legislation—such as H.R. 334 introduced this session—has come before the Committee on Natural Resources, we have offered in committee to remove the bar to the process in the 1956 act, thereby allowing the Lumbee to proceed through the process like every other group in the country must in order to become recognized.

The Lumbee, though, have consistently fought our amendment, preferring the quick fix of legislative recognition instead. This preference has, unfortunately for them, left the group emptyhanded. Once a bill to legislatively recognize the Lumbee passes out of the House, as it did this year by a narrow margin of 223 to 184, it dies a languishing death in the other body which opposes legislative recognition for the Lumbee for the same reasons I and my colleagues have.

Mr. Speaker, I have introduced this bill in the hope that, as it become evident to the Lumbee and their supporters at the close of the Congress next year that H.R. 334 will meet the same demise in the other body as did its predecessors, they will have a viable alternative available to them in the form of our legislation. If they had only accepted this reasonable compromise when it was first offered more the 5 years ago, they could have been through the system already and received the recognition to which they contend they are entitled.

I hope that all my colleagues will join me in supporting the Lumbee quest for recognition through the administrative process by supporting this legislation.

SOMALIA'S NEEDLESS DEATHS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I hope that all of my colleagues will take a moment and read the following editorial by David Beckwith entitled "Somalia's Needless Deaths" which appeared in the November 1, 1993, issue of the Wall Street Journal.

I join Colonel Beckwith in saluting the Ranger/Delta unit which valiantly served in Somalia. They were put into a terrible situation and paid a heavy price for trying to help the Clinton administration in struggling to define the use of force and practice peacekeeping in the post-cold war world.

Colonel Beckwith describes some very valid and thought-provoking lessons from the tragedy in Somalia, and I believe that the military as well as the White House and Members of Congress must begin to wrestle with these very difficult issues before we again put American soldiers into an extremely tough predicament without the support or military leadership which is required for us to be militarily successful in peacekeeping missions in the future.

It makes my blood boil and brings tears to my eyes when I view the television news and read in the media all the criticism focused on the performance of the U.S. Rangers and Delta Force in Somalia.

Despite Maj. Gen. William Garrison's recent letter to President Clinton accepting full responsibility for the now infamous Ranger/Delta operation of Oct. 3, this was indeed nothing more than another case of U.S. forces being placed under United Nations command and suffering for it.

Newspaper accounts have painted the operation as a lone U.S. endeavor. But the facts show that, although there was a separate U.S. command, the Ranger/Delta operations were ultimately subject to the approval of a U.N. authority.

The result: U.S. forces were put into a situation where they were not allowed to prosecute the mission to the full extent of their abilities. They were dropped into a hostile territory with limited rules of engagement, forced to operate outside their normal chain of command and denied the necessary equipment that is part of their standard operating procedure. And if that's not enough, this was all inflicted on them by the civilian military leadership of this country.

OBTUSE DECISION

First of all, let's be honest about these "U.N." missions. The true source of military might behind the U.N.'s words are the soldiers, sailors, airmen and Marines of the U.S. armed forces. Mr. Clinton's decision to place American combat troops under the command of U.N. military officials in Somalia was obtuse. Every military force around the world is different. Some are well-trained and others are not; many lack the leadership and desire necessary to get the job done. In multinational forces, there is also usually a language problem, and differing values and religious beliefs.

As a young Special Forces captain in 1962-63, I served as an exchange officer with the elite British 22nd Special Air Service Regiment, where none of these issues was a problem. Nevertheless, it took me about three months to truly understand the ins and outs of the regiment.

If the U.S. is going to continue to act as the world's policeman, and in certain instances I agree we should, then we need to organize and train a multinational force for that purpose. Let's stop kidding ourselves that U.S. forces aren't the real teeth of the U.N. Let's stop putting our soldiers in situations like downtown Mogadishu—which could easily be avoided if we only admitted that the U.N. fighting forces aren't up to snuff and need to meet U.S. standards of readiness and expertise. It is a grave mistake to give the most elite and best-trained soldiers in our Army the task of mending political fences around the world without ensuring they have the support to back them up.

Delta operators and Rangers are trained to kill. It is imperative that they carry only those items of equipment that are essential to accomplishing their mission: weaponry, ammunition and a good, sharp knife. In this respect, the operations in and around Mogadishu were no different, requiring Rangers and Delta operators to travel light. The difference was that they were forced to depend on other "friendly" U.N. units for support fire and reinforcement. One of the many problems in Mogadishu on Oct. 3 stemmed from the fact that other friendly forces, for the reasons I outlined above, were not quick to respond. Hence, the Ranger/Delta contingent was left unsupported for an extended period of time.

The second lesson of the Somalia mission is that we should not leave the most vital military decisions—the actual planning and execution of military operations—to civilians. To be sure, our democratic principles and the Constitution require that military officers be ultimately accountable to civilian leaders in the Pentagon. But the commander in chief, and members of Congress on the appropriate subcommittees, should strive much harder to fill these civilian posts with either former military personnel or, at the very least, knowledgeable pro-military civilians.

Which leads me to my next point. There was another serious flaw in the support of the special operations effort in Somalia. It was the poor performance on the part of Defense Secretary Les Aspin. He has never been a friend of the military establishment and for the past 20 years, as a member of Congress, he looked for ways to limit our military services. I was not surprised to learn that he disapproved—10 days before the Oct. 3 firefight—two critical requests from the leadership of the Ranger/Delta contingent in Somalia for heavy armor and air support.

It was determined from the outset that the Special Operations contingent—tasked with catching Mohammed Farah Aidid—required an armor package and C-130 gunships. The responsibility for the loss of 18 soldiers on Oct. 3 rests on Mr. Aspin's shoulders. He should be held accountable for his poor performance as defense secretary and resign.

Finally, there has been much criticism in the press and from Pentagon personnel of the decision to surround and defend a helicopter from the 160th Special Operations Aviation Regiment that was downed by a rocket-propelled grenade fired by Gen. Aidid's forces.

To find "the problem" with the operation and—I believe—to let the administration off the hook, many have cited the fact that, after the wounded were evacuated, the Rangers decided to stay with the body of the dead pilot, waiting for reinforcements and proper rescue equipment to pry the body loose from the wreckage. More offensive yet, as reported in the press, a senior Pentagon official, who had the disdain to remain anonymous, was critical of the Rangers' planning and techniques, calling the decision to stay by the dead pilot "emotional."

Far from criticizing such actions, I must agree with Ranger Platoon Sgt. Robert Gallagher, who defended his fellow Rangers at the crash site. "Some people may think it is not normal to stick around a dead pilot," Sgt. Gallagher was quoted as saying in newspaper accounts. "But when you work with people on a daily basis, you develop a bond. Whether you are killed or wounded, you need to have someone look after you." God bless you, Sgt. Gallagher, and to hell with the critics.

As far as I'm concerned, any military personnel, much less civilians who have never seen combat, who criticize the performance of the Ranger/Delta unit during the Oct. 3 battle in Mogadishu haven't a leg to stand on. For 11 hours and without any support, that unit held off a numerically superior enemy force. While the battle took a heavy toll, this was in fact the first time that many of these young Rangers had smelled the smoke and heard the crack of an enemy bullet. And when the relief force did show up, it is well documented that the Pakistani soldiers in the M-48 tanks failed to engage Gen. Aidid's forces with the ferocity that U.S. forces would have displayed. And despite all this, the Rangers lost only 18 men. Damn impressive.

Meanwhile, the press is quick to bury the fact that this unit inflicted close to 1,000 casualties on Gen. Aidid's forces: about 300 dead and 700 wounded—possibly more. That's a 10-to-1 kill ratio. I defy any other country in the world to put a unit in the same situation and have even one soldier walk out alive.

REASONS FOR PRIDE

One thing should be made clear to the citizens of the U.S.: We should be very proud of the job these young Rangers and Delta operators did in Somalia, in spite of all the problems they faced. And those who died, regardless of what this administration would like you to believe, did so not because of a lack of training or unnecessary heroics, but because they were put in an impossible situation by civilian authorities who don't know the first thing about conducting a precise, paramilitary operation—or when such an operation is called for.

The blood of those Ranger and Delta Force personnel who died in the streets of Mogadishu, protecting a comrade they had the utmost trust in and respect for, is on the hands of this administration.

NAFTA

HON. JILL L. LONG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Ms. LONG. Mr. Speaker, many times in the past, I have voiced my support for free trade. I believe that free trade, carried out on a playing field that is level and fair, benefits everyone involved.

Furthermore, I believe a North American Free Trade Agreement could have tremendous benefits for all three countries involved. But the NAFTA that Congress will vote on in the next few weeks falls short of being fair. I do not believe that the North American Free Trade Agreement, as it is currently written, creates a level playing field for everyone involved. Therefore, I intend to vote against the agreement when it comes before the House of Representatives.

I have a number of concerns with the current version of the NAFTA. The first is with the potential adverse impact that the agreement may have on rural areas of the United States. Liberalized trade could provide increased agricultural markets for American products. However, agriculture provides less than 10 percent of the jobs in rural areas, and the impact of a trade agreement on rural areas, as well as urban areas, must be taken into consideration.

Studies indicate that job losses in the United States will be concentrated in low-wage, low-skill professions. Nearly 70 percent of low-skill, low-wage jobs are located in rural areas. The closure of a factory that is the economic lifeblood of a rural community would be devastating. Glassware, automotive parts, and brooms—all important to Northeast Indiana communities—will be particularly hard hit. People will be forced to migrate to cities, adding further stress to an already overburdened segment of our economy.

Regardless of where job losses occur, the fact is, they are job losses. Canada lost 23.1 percent of all its manufacturing jobs in the first 3 years after beginning free trade with the United States. While that could have been

partly due to the recession, in the absence of solid evidence to distinguish the source of the job losses, we must be concerned. Our own economy is making a fitful recovery out of recession, and I am not confident that we are ready for the impacts that could accompany a trade agreement like the current NAFTA. It could exacerbate or worst economic problems: disappearing jobs and declining wages.

Another issue about which we should all be concerned in tight budgetary times is how to pay for a NAFTA. It is not fiscally responsible to talk about environmental cleanup or job training and retraining when the implementation of an agreement will mean the loss of up to \$3 billion in tariff revenues. Our current budget rules require us to make up those lost revenues with further spending cuts or from increased revenues elsewhere.

Even with the separately negotiated side agreements on labor, the environment, and import surges, I am not convinced that the NAFTA provides adequate protection in these areas. The United States—or any partner—would have little recourse in settling disputes that could arise because the enforcement provisions within the agreement are cumbersome and bureaucratic. I've read that the Mexican Minister of Commerce has scoffed at the enforcement procedures saying that the process will be so drawn out that sanctions—necessary to compel a country to comply with the agreement—will never be levied.

Trade between the United States and our neighbors is too important not to have agreements that promote and preserve fairness. The benefits of free trade can be many when trade is fair, and I believe all the parties involved in negotiating this NAFTA recognize that the fact. Unfortunately, the North American Free Trade Agreement, as it is currently written, falls short of too many standards to be truly fair. Although the concept of free trade is supportable, this free trade agreement is not. Should it not be ratified, I am confident that the United States, Canada, and Mexico can return to the negotiating table to find an agreement that all three can support.

RITA AND STANLEY KAPLAN HONORED FOR COMMITMENT TO COMMUNITY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to pay tribute to two of the most caring, concerned, and philanthropic members of the New York community, Rita and Stanley Kaplan.

Mr. and Mrs. Kaplan are well known benefactors of several institutions such as the Kaplan Comprehensive Cancer Center at the New York University Hospital, the Brooklyn Museum, Carnegie Hall, and the Jewish Museum. Furthermore, they are active promoters of minority education programs through the Kaplan Educational Centers and various scholarships. Both Rita and Stanley are also active supporters of the Albert G. Oliver Program which provides tuition benefits to promising underprivileged students.

In addition to their work on these worthy causes, Stanley Kaplan serves on the boards of the Brooklyn Academy of Music, the Roundabout Theater, the New York University Medical Center, and chairs the City College Fund as well as the Brooklyn Philharmonic. He began his career as a tutor in 1938 and built Stanley H. Kaplan Educational Centers into this country's leading educational test preparation provider. There are 155 Kaplan centers throughout the world.

Rita and Stanley have spent their lifetimes giving back their good fortune to the community. For their achievements, Rita and Stanley are to be honored at the Fourth Annual Interfaith Concert of Remembrance and the Commemoration of the 100th Anniversary of the Cathedral of St. John the Divine. I am deeply pleased to have been asked to participate in that ceremony and I hope my colleagues will join with me now in applauding their tremendous contributions to their country and their city.

HOUSE PAYS TRIBUTE TO ROTARIANS OF DISTRICT 7190

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. SOLOMON. Mr. Speaker, on November 14, 1993, the Rotarians of district 7190 will gather for their annual meeting in Albany, NY.

Paul Harris is the founder of Rotary International, which, through the Rotary Foundation, has led the way in the promotion of world peace and understanding through its various international, charitable, and educational programs.

The foundation has provided over 1,000 scholarships for graduate, undergraduate, and vocational, and journalism scholars, as well as teachers of the handicapped. The foundation can also point to over 400 study group exchanges and humanitarian projects.

One of the most prominent programs of the foundation is Polio Plus, which has raised over \$300 million all over the world, to immunize children against polio. During 1988, I had the privilege of awarding a congressional plaque to Walter Maddocks, who was international chairman of Polio Plus.

Mr. Speaker, I am proud to call myself a Rotarian, and friend of Rotary International. I ask you and other members to join me as we pay our tribute to district 7190.

MEDISAVE ACCOUNTS: THE ETHICAL HEALTH REFORM

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, as we prepare to begin the debate on health care, I would like to call your attention to an article on health care reform written by Merrill Matthews, Jr. Mr. Matthews is the health policy director of the National Center for Policy Analysis and

the ethicist for Richardson Medical Center in Dallas, TX.

Mr. Matthews' analysis addresses the growing concern about patient autonomy under the health care plan proposed by the Clinton administration. Mr. Matthews argues that the plan proposed by the administration, which will force Americans into a system based strictly on Government-run managed competition, further removes the patient from the decision-making process because the majority of health care decisions will be based on the cost of the procedure, rather than patient input. Presently, Canadians are experiencing the effects of a cost-based system in which patients can expect to wait months for procedures ranging from CAT scans to heart by-pass surgery. In the Canadian system, patient choice is restricted because the Government, rather than the people, controls the costs.

In contrast, Mr. Matthews goes on to assert that a plan including medical savings accounts, often referred to as Medisave, is the only health care proposal that respects individual choice and places control in the hands of the consumers. He contends that Medisave accounts allow for patient autonomy, while at the same time, advocating savings and prudent health care decisionmaking. Moreover, Mr. Matthews argues that Medisave accounts encourage people to make more responsible health care decisions because it is their money that is being spent. This is a sharp contrast to the current system in which the money of a third party is being used to pay for health care needs.

In the coming months, the health care debate will be the focus of attention for all Americans. It is my hope and desire that, above all, we remember that this is America. We are not Canada, we are not Germany, our society is unique and is founded upon the principles of individual liberty for all of its citizens. As we determine the health care plan that is best for this country, let us focus not on curing what is wrong with America, but rather resolving this dilemma with what is right with America—individual liberty and choice.

MEDISAVE ACCOUNTS: THE ETHICAL HEALTH REFORM

Though medical ethicists disagree on a number of issues, on one point almost all concur: Patients who are conscious and competent should have control over their bodies in medical decisions. That means that nothing should be done to the patient without "informed consent." However, the concern that medical ethicists show for patient autonomy has been absent from the recent political debate over health-care reform. Indeed, a number of proposals—including President Clinton's—move in precisely the opposite direction.

Only one health-care reform idea before Congress incorporates sound economics and actually encourages patient autonomy: medical savings accounts.

The primary justification given for moving away from patient autonomy is that patients do not have the knowledge or emotional stability to make intelligent decisions about medical care or the ability to receive conflicting medical opinions. But this justification runs counter to what most ethicists believe about informed consent.

Medical schools, for example, establish committees known as institutional review boards to oversee research on humans. One

of the board's primary concerns is that researchers develop an informed competent document that explains in terms a layman can understand the reason for the research, what the researcher expects the patient to experience and gain, and what the researcher hopes to learn or accomplish by the experiment.

The board assumes that it is possible to make this information clear and understandable to a patient and that most patients, even for fairly esoteric procedures, can make a reasonably informed decision about whether to consent.

When it comes to standard health care, however, many people in the health policy community do not believe that patients, even after consultation with their physicians, can make informed decisions.

The president's proposal, for example, is based in part on moving most Americans into health maintenance organizations, where "managed care" increasingly has come to mean interference in the doctor-patient relationship.

A patient can receive drugs or treatments and perhaps never learn that there were better, more expensive alternatives that were not used because an insurer did not want to pay for them. In effect, medical ethics has succumbed to medical economics, as paternalism is given precedence over autonomy.

Les Aspin learned this fact the hard way. When he became secretary of defense, he needed additional vaccinations because of his expanded international travel itinerary. His physicians gave him a vaccine slightly more risky than one that would have cost \$1.55 more, and Mr. Aspin ended up in intensive care as a result. To my knowledge, he was never asked if he would be willing to pay \$1.55 out of pocket to avoid the risk.

Or consider the case of Sen. Bob Dole's prostate cancer. Most managed-care plans see little medical benefit in a cancer blood test known as prostate-specific antigen, and therefore do not routinely provide it. Fortunately, Sen. Dole had the opportunity to make his own decision and opted for the test in 1991. It led to a biopsy and the surgery he contends saved his life.

While a Canadian-style system of national health insurance gives the patient a free choice of physicians. The ultimate power for decision making is in the hands of a health-care bureaucracy that determines how much money will be allocated to each health-care facility. People who need heart bypass surgery or a brain scan may have to wait months before it is their turn. Patients are allowed to make very few choices about what type of health care they receive, because the government—rather than the patient—controls the money.

Medical savings accounts, often referred to as Medisave accounts or medical IRAs, respect autonomy and put power into the hands of the patient. No other health-care reform no proposal can make that claim. That makes medical savings accounts the most ethical proposal for health-care reform now available.

These accounts would help to reverse the convoluted incentives operating in the American health-care system. Under our current third-party-payer system, the vast majority of patients pay only a small fraction of their medical bills. The bulk of the expense is paid by insurers, employers and the government. This has led to systematic overuse by consumers who see little reason to limit the amount they are spending of someone else's money, and by health-care providers who have little economic reason to weigh

the cost vs. the benefit of a medical procedure. "To stem this overuse, third-party payers are moving to restrict or deny the choices of their clients.

By contrast medical savings accounts minimize the role of third-party payers by giving people the opportunity to set aside money each year in a special, tax-free account to pay for small medical bills, while using high deductible, catastrophic insurance to cover major expenses. For example, instead of the employer providing \$4,500 for a family policy, the employee could take \$1,700 of that money and buy a catastrophic policy with a deductible of \$2,500 to \$3,000. He then would deposit the premium savings of \$2,800 in the Medisave account.

Medical savings account funds could accumulate and be used for health expenditures before or after retirement, or they could become part of the estate at death. Deposits could be made by employees or by their employers, but the medical savings account would be personal and portable and would belong to the employee.

Medisave accounts would permit people to pay for most health care expenditures with their own money, encouraging them to become more prudent shoppers. They would have an incentive to avoid waste but would not be denied needed care because of a lack of funds. For most medical decisions, no one would come between the physician and the patient.

It is likely that medical savings accounts would impose a greater burden of responsibility on the physician to inform the patient about alternative therapies and their costs. Similarly, Medisave accounts would impose a greater burden of responsibility on the patient to be a more informed and rational consumer.

But then, that's the ethical thing to do.

TRIBUTE TO THE CLIFTON JEWISH CENTER

HON. HERB KLEIN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. KLEIN. Mr. Speaker, I rise to pay tribute to an organization that has offered guidance and support to the Jewish community of Clifton, NJ. The Clifton Jewish Center is celebrating its 50th year anniversary and I join with my colleagues in congratulating the congregation and its members.

From its beginnings in 1943, with only a handful of families to its present numbers nearing 500 family members, the center has provided a constant source of cultural and spiritual events for all age groups. The center's main purpose has always been to enrich the lives of the people of Clifton and it achieves this by offering many educational and social activities in which adults, children, and senior citizens can become involved.

Youth activities such as lectures, workshops, religious school, and Hebrew High for students after their bar mitzvah, bat mitzvah or confirmation help teach the children about the Jewish faith. Events for adult and senior members continue to carry the traditions of the culture and faith as well as provide opportunities for socializing.

The center educates not only its members, but non-Jews as well on the meaning of reli-

gious and secular events. Rabbi Markovitz of the Jewish center gained nationwide recognition for his method of disciplining non-Jewish youths who had vandalized the center. He spent many hours teaching them the concepts of brotherhood and Judeo-Christian values.

For 50 years the city of Clifton has benefited from the positive influence the Clifton Jewish Center has provided. I wish the center many more wonderful years and continued success.

TRIBUTE TO NNENNA LYNCH

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. WELDON. Mr. Speaker, I rise today to honor Nnenna Lynch, one of the top 10 finalists, for the 1993 NCAA Woman of the Year.

As a recent graduate of Villanova University, Ms. Lynch has excelled as the University's most outstanding student-athlete in recent history. Her numerous accomplishments including finishing third individually as a senior in the NCAA cross country championships as well as leading her team to four consecutive NCAA championship titles and undefeated seasons.

On the track Nnenna has also dominated the field as one of the Nation's top 3,000M athletes. Earning her mark in June of 1992 as the NCAA division 1 outdoor track champion in this event, she went on later that summer to be a finalist in the 1992 United States Olympic trials. In all, she has accumulated eight NCAA All-American honors and was recognized for her outstanding career at the 1993 Penn Relays.

In addition to her athletic accomplishments, Ms. Lynch graduated summa cum laude last May with an overall grade point average of 3.91. Her dedication in the classroom paid off last December when she was one of 32 Americans to receive the prestigious Rhodes Scholarship. Nnenna began her studies at Oxford University in England last month.

In conclusion, I would like to congratulate Nnenna Lynch on her many athletic and academic accomplishments and wish her luck on November 9, 1993 when the 1993 NCAA Woman of the Year will be announced here in Washington, DC.

KIDS 'N KUBS KICK OFF THEIR 64TH SEASON IN ST. PETERSBURG, FL

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. YOUNG of Florida. Mr. Speaker, the Kids 'n Kubs Softball Club kicked off its 64th season at the North Shore Park in St. Petersburg, FL, this past Saturday and I salute these gentlemen and encourage all to attend a game played by these true sportsmen.

This is not just another softball league, Mr. Speaker, it is a very unique league that is nationally renowned, not only for its quality of play and sportsmanship. What makes the Kids

'n Kubs unique is that the players must be 75 years of age or older. In fact, the oldest player George Bakewell is 101. Their enthusiasm for the game, the competitiveness of the players, and the tradition of the Kids 'n Kubs, down to their white shirts and bow ties, makes their Congressman proud.

When founded by Evelyn Barton Rittenhouse in 1930, the Kids 'n Kubs were first known as the Three Quarter Softball Club. Since then, for 5 months each year, from November through March, the Kids 'n Kubs play softball 3 days a week.

Having been featured in news reports and television special all over the country, the Kids 'n Kubs have grown in size and in reputation. Softball enthusiasts from across the United States retire to Pinellas County in hopes of playing for the Kids 'n Kubs. With the opening of each new season, the teams welcome those rookies who have made it into the big leagues and remorsefully pause to remember former teammates who are no longer with them on the diamond.

Mr. Speaker, any time I have a break in my schedule, I try and take in a Kids 'n Kubs game because they exemplify the true spirit of amateur athletics. There are no million dollar contracts or prime time televised games. The players do not even keep track of wins or losses. Instead, they play for the sheer love of the game remembering that a true sports hero is always a gentlemen.

My best wishes go out to all the players and fans for another season of fun and good hard competition.

CREATING A CRISIS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I would like to call your attention to an editorial written by Malcolm Forbes, Jr. in the September 27 issue of Forbes Magazine. In his article Mr. Forbes pinpoints what I believe are some key issues concerning the health care reform package proposed by the Clinton administration.

First, changes to our health care system that jeopardize the parts of the system that work well, such as those proposed by the administration, are not necessary to solve the problems which currently exist. The establishment of a health care bureaucracy to implement a system based strictly upon Government-run managed competition will lead to the type of medical rationing seen in many socialized medical systems around the world.

Second, Mr. Forbes asserts that the Clinton plan fails to address one of the primary reasons for the rising medical costs we are currently experiencing—consumer responsibility. He maintains that if consumers were responsible for their health care decisions, a substantial savings could be realized as a result of more prudent purchasing.

President Clinton's plan is unique, it offers amputation as a means to stem the bleeding we are experiencing in the current health care system. Furthermore, Clinton's proposal rec-

ommends the yoke of bureaucracy to ease the burden for the American health care consumer. Mr. Speaker and fellow colleagues these are not the answers. It is my desire, and I hope yours as well, to work together toward a plan that mends old wounds rather than creates new ones.

CREATING A CRISIS

(By Malcolm S. Forbes, Jr.)

President Clinton's about-to-be-unveiled package of health care "reform" violates the first law of medicine: Do not harm the patient.

The proposals will lead to medical rationing and will emasculate research and development, the gemstone of American medicine. We will have fewer choices about who our medical providers are. We will pay more and get less.

The Clintons' plan will also harm the economy. The phase-in for small businesses won't dilute the poison but will merely stretch out the inevitable result—bankrupting hundreds of thousands of enterprises.

The basic flaw of the plan is its top-down approach. The White House package would still rely on employers, government bureaucrats and insurance companies to run and regulate the system. Don't the President and like-minded "experts" see the irony of the phrase "managed competition? What is it about health care that makes us think of trends we would normally consider positive—greater demand, technological breakthroughs, living longer—as negative?

The problem with American medicine is not its quality or availability but the way it is financed. Most insurance premiums are paid by employers with pretax dollars, while most individuals have to use aftertax dollars. Having the illusion that someone else is paying, we pay too little attention to the prices of health products and services.

The solution is simple. Change the tax code so that individuals can buy medical insurance with pretax dollars, and permit people to set up medical IRAs or savings accounts funded by pretax dollars.

Most individuals would opt for insurance with high deductibles, say between \$1,000 and \$3,000. The savings would be enormous (a \$2,000 deductible could slash the premium by 50% or more), and some of it could be put into IRAs. The money would accumulate, tax-free, to be tapped for routine medical bills or insurance premiums during a bout of unemployment or to supplement Medicare after age 65 or even to add to retirement pensions.

Such tax-code reforms would cut an enormous expense by reducing the paperwork of routine claims and, more important, by encouraging consumers to comparison shop. They would know that generic drugs might be just as effective and significantly cheaper than brand-name ones. People would be able to spend more on prevention. Hospitals would learn to quote prices in advance for elective surgery and other medical procedures. Health care providers are more likely to overcharge insurance companies or the government than they are individuals.

With free-market forces in operation, we would make more effective use of our nurses, who can provide us with most forms of routine care. During hospital stays we would have fewer high-fee, two-minute "consultations" from so many physicians. And we could focus efforts to help those with chronic illnesses who couldn't get catastrophic insurance and couldn't afford to set up medical IRAs.

We would feel richer. Individual compensation has increased in real terms over the

past 20 years, but most of that has come in the form of medical insurance, not cash. A company in New York can pay in excess of \$6,000 for an employee's family health insurance policy.

There is a myth that free enterprise can't operate in the medical field because people can't substitute their judgment for that of a doctor. But you don't have to be a farmer to buy food; a carpenter, a house; an aeronautics engineer, an airline ticket. Obviously, a heart-attack victim isn't going to negotiate prices in an emergency room, but an insurance policy can do that in advance. Most health care consumption, moreover, is not emergency-related.

With consumers realizing that it's their money that buys health care, they would effectively regulate, stimulate this market just as they do others, including the most basic one of all—food.

GREATER BLOUSE, SKIRT AND UNDERGARMENT ASSOCIATION'S 60TH ANNIVERSARY HONORED

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mrs. MALONEY. Mr. Speaker, I rise today to bring to the attention of my colleagues an important event which will take place in my district on November 19. That date will mark the 60th anniversary of the Greater Blouse, Skirt and Undergarment Association [GBSUA]. This association represents 30,000 hard-working members of the labor movement and over 540 manufacturers. The GBSUA's growing membership is one of the most important apparel production forces in our great city.

The GBSUA's hard-won successes of the past few years are a testament to the diligence and dedication of both labor and management as they have fought off foreign competition. They have done this by investing in their plants and equipment, but most importantly, in their work force.

The goal of the GBSUA is to return New York City to its place of prominence as the premier producer of women's apparel in the United States. The label "Made in New York" is already synonymous with quality and integrity throughout the world.

I am proud to report of the GBSUA's recent accomplishments such as a bilingual newsletter and a marketing program designed to promote their capabilities. And because the Greater Blouse, Skirt and Undergarment Association is a truly shining example of American industry, I hope my colleagues will join me in congratulating them on their 60th anniversary.

PRIDE, PATRIOTISM WERE BYWORDS OF HAROLD J. WILLS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. SOLOMON. Mr. Speaker, pride and patriotism. Those are the two words Harold J. Wills has followed all of his life.

I am going to miss this old former marine when he returns to his hometown of Scranton, PA, following 27 years of Government service, most recently as special assistant to the Sergeant at Arms for Physical Security here in the House of Representatives.

When the Korean war broke out, Harold Wills enlisted in the U.S. Marine Corps and served proudly. For the last 6 years, he coordinated the Congressional Marine Breakfast Group.

Mr. Wills is a carpenter by training. He began as a master carpenter, and served 10 years as an instructor for the Joint Carpentry Apprenticeship Committee here in Washington, where he was able to pass on his love of building and working with his hands. His interests soon expanded to security, and he became a certified locksmith. Again, he felt motivated to share his knowledge with others, and became an instructor for the American Association of Locksmiths.

His House career began in the cabinet shop. He was promoted to special assistant to the House Clerk, and finally to his most recent position.

Mr. Wills eventually found a way to combine his particular talents with his love of American history. He began collecting historical memorabilia. He created a number of special plaques and pen sets made from pieces of the original White House roofing and burned wood from the Capitol which were destroyed by the British during the War of 1812. He has presented his works to Presidents Ronald Reagan, George Bush, and Bill Clinton, to former Speakers Tip O'Neill and Jim Wright, to former Marine Corps Commandant Al Gray, to Pope John Paul II, and to many other dignitaries.

Mr. Wills is the son of the late Mary and Richard Wills, Sr. He is married to the former Marion Helen Hart and has lived in northern Virginia for the last 32 years. They have three daughters.

Mr. Speaker, Harold Wills is one of those uncommon common men who have made America the great country it has always been. Every time I go to Marine Corps Breakfasts, I will think of the great American patriot who organized them, and who served his country so well for so many years.

I would ask everyone to join me in a salute to our good friend, Harold J. Wills, and to wish him all the best during his well-deserved retirement.

QUESTIONS ABOUT PEACEKEEPING

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. CRANE. Mr. Speaker, at the outset of World War II, the attack on Pearl Harbor catalyzed public opinion and the American people were ready to go to war with a clear sense of purpose about who and why we were fighting. In conflicts since that time, public opinion has been more often mixed about United States involvement overseas because our goals have not been nearly so clear.

I fear that the families of the men and women serving in Somalia today might not be

able to draw on that same sense of purpose evident in World War II, because our Government has failed to specifically define either our goals or our purposes in this operation. As valiant as our soldiers' service has been, I believe that in the long run, their sacrifices will not have been made toward a specific purpose, and the families of those who make the ultimate sacrifice will be left with far more questions than answers.

Such is the case for retired Army Lt. Col. Larry E. Joyce, whose son was killed in Somalia. I have inserted for the record an article from the October 20, 1993, edition of USA Today, in which Joyce poses a number of important questions that the Clinton administration and the Pentagon must answer.

Among the important issues he raises is the question of why adequate reinforcements were not provided for the Ranger units that were eventually pinned down. At least part of the answer lies in the fact that the United States did not have adequate armor in country, due to Secretary Aspin's denial of requests to deploy tanks and armored personnel carriers.

I believe that the answers to Joyce's questions can only lead to one conclusion—that we should immediately withdraw our men and women from Somalia. Any other decision will only put more lives unnecessarily at risk and can only lead to more parents like Colonel Joyce.

[From USA Today, Oct. 20, 1993]

DID MY SON HAVE TO DIE?

(By Larry E. Joyce)

U.S. Army Rangers are the most highly motivated and best-trained soldiers in the world. They volunteer four times: They volunteer to be soldiers. They volunteer to be paratroopers. They volunteer to serve in one of three elite Ranger battalions. Then, they voluntarily stay in a Ranger unit despite grueling physical and emotionally draining assignments.

They are kept in places like Panama, England, Korea, Egypt and Thailand for weeks at a time. They can walk away and join a less demanding assignment any time—no questions asked.

They are a national treasure. I'm proud my son chose to be an Army Ranger. He died in the arms of the finest soldiers this nation ever produced. I only wish I could have been there to fight at his side. But now, I'm questioning why he died.

At the peak of deployment in January, about 25,000 troops were in Somalia to provide security for a humanitarian mission. Once that was completed all but about 4,700 came home. Of those 4,700 about 1,700 were combat troops—including a Ranger task force of about 400 who were sent there in late August. And, suddenly, with this bare-bones force and no American armor or mechanized equipment and troops, the mission changed to one of very direct combat.

Who changed the mission? The United Nations? The multinational commander on the ground in Somalia?

Who in the American chain of command concurred? The president? The secretary of state? The secretary of Defense?

From all we've learned since the tragic events of Oct. 3, the senior American military officers—including Chairman of the Joint Chiefs of Staff Gen. Colin Powell—requested tanks and armor-protected troop carriers from Secretary of Defense Les Aspin. There were repeatedly rebuffed. Why?

Rangers are highly mobile because they travel lightly. This means they are lightly armed. Light infantry should never be committed with no means of reinforcement.

Did Maj. Gen. Thomas Montgomery, the senior American officer in Somalia, demand U.N. reinforcements be assembled and placed in reserve?

The Pakistanis and Malaysians had tanks and armored personnel carriers, but it took them over three hours to make the decision to move. They arrived 10 hours after the battle began. Did Montgomery make their ready involvement a prerequisite for using our Rangers? If not, why not?

Now a question for President Clinton. Why is Les Aspin our secretary of Defense? Why is a man who made a career of criticizing the military put in charge of the military? This makes as much sense as appointing an atheist to be a cardinal.

I've spoken to parents and loved ones of other Rangers who were killed or wounded in Mogadishu. I've spoken to several Rangers who served with my son—some of them were wounded. I don't want to suggest that I'm speaking for any of them, but maybe I am.

I certainly think it's reasonable to ask for them and for all concerned Americans that a thorough investigation of this debacle be conducted immediately, and the results be made public. Those who are responsible must be held accountable.

Mr. President, start with Aspin. He is too uncaring and too incompetent to command the most precious resource this nation has. At the very least, Mr. President, seek advice on military affairs from the professionals in uniform who are eager to serve you—not from politicians or people who are experts in manipulating public opinion.

CHALLENGE FOR CLINTON

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I would like to suggest that all of my colleagues read the October 8, 1993, editorial by Tony Snow which appeared in the Washington Times.

I believe that this article can help guide us in the debate on what America's role in the post-cold-war world will be. By looking at the lessons learned in Somalia, we can better prepare ourselves for future challenges. What will be our mission? Who will control U.S. troops? How will we train and do humanitarian and multilateral missions? What and where are U.S. vital interests?

These are questions which must be addressed, and I hope that all of my colleagues will take the time to think through these serious issues.

[From the Washington Times, Oct. 8, 1993]

CHALLENGE FOR CLINTON

(By Tony Snow)

Americans grasped the perils of multinationalism this week when gleeful supporters of Somali warlord Mohammed Farrah Aidid dragged the battered remains of a U.S. soldier through the streets of Mogadishu and paraded frightened helicopter pilot Michael Durant before television cameras.

The spectacle in Somalia, horribly reminiscent of the hostage seizure in Tehran 14 years ago, set off two parallel dramas. In

Washington, Congress began pressing the administration to pull troops out of Somalia as soon as possible. Meanwhile, U.N. Secretary General Boutros Boutros-Ghali stepped up his demands that the multinational forces in Mogadishu flush out Gen. Aidid, and make Somalia safe for democracy.

The unpleasant chore of straightening out this mess goes to President Clinton, who plans to tell Congress on Oct. 15 why he wants to keep U.S. troops in Somalia, and for how long. As he does so, he also will define America's role in the post-Cold War world.

The president has tried to finesse these questions in the past by reciting Bush-era prerequisites for using force: (1) a clearly defined military mission; (2) forces adequate to accomplish the mission; and (3) a plan for removing forces upon completion of the mission.

Unfortunately, this list makes sense only when a president has good reasons for sending troops—when he has determined that military force alone can defend vital national interests or national security.

Nearly one year into our involvement in Somalia, nobody has found a compelling reason to risk American lives and blood there. Smith Hempstone, former U.S. ambassador to Kenya and early critic of our involvement in Somalia, puts it this way:

"Somalia was a CNN intervention. I suppose it's to the credit of the American people that they don't like to look at kids with matchstick limbs, glowing eyes, who are about to starve to death. But foreign policy is better made by the head than with the heart."

President Clinton can silence his critics and unite the nation only if he distinguishes between short-term missions and long-term lessons. The short-term mission seems obvious: He needs to mount a furious assault to free American hostages and punish the warlord.

After that, the administration ought to get the forces home and absorb the lessons of Somalia.

First, a president must retain control of his troops. In Somalia, the United States agreed to accept a bit part in a play orchestrated by the United Nations. That won't do: American fighters should answer to American leaders.

He also must stand up to Congress, which has passed nonbinding resolutions that ask him to devise a military strategy by Oct. 15 and a plan by Nov. 15. President Clinton would do well to follow George Bush's example. He should seek congressional support because it's the right thing to do, but he should not let lawmakers micromanage military affairs.

Second, there is no such thing as a humanitarian war: Diplomats love the notion of humanitarian intervention because it transforms war into a nice and reasonable activity. But humanitarian intervention never works, for the simple reason that it involves taking sides in an ongoing dispute. Mr. Hempstone made the point more bluntly last year, when he warned superiors that "If you liked Beirut, you'll love Mogadishu."

Third, pick your fights: Wars will flare all over the world as nations stumble toward democracy, or at least self-rule. We can't serve as the world's nanny or cop and we shouldn't try. One cannot impose democracy with troops: Nations must develop democratic institutions themselves. As a result, U.S. presidents should put soldiers' lives at risk only when necessary to defend vital economic or strategic interests, and use subtler

strategies—such as supporting the creation of free markets—to bolster democracy.

Similarly, do not accept responsibility for "nation-building." The Somalian operation spun out of control when U.N. leaders decided that they wanted not only to save lives in Somalia, but also to purify the form of government.

Finally, multilateral actions succeed only when the U.S. leads. Even though U.N. Secretary General Boutros-Ghali seems eager to put on epaulets, the president inevitably will take the heat for the failures of multilateralism. As a result, the United States should engage in multilateral actions only when the forces provide cover for U.S. action—and not the other way around.

There is no clean or pleasant way out of Somalia. But in extracting himself from a quagmire he did not create, Bill Clinton at last can prove that he understands the one crucial truth of foreign policy. If he doesn't take charge, goons like Gen. Aideed will.

KEY DOCUMENTS PROVE INNOCENCE OF JOSEPH OCCHIPINTI

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. TRAFICANT. Mr. Speaker, as part of my continuing efforts to bring to light all the facts in the case of former Immigration and Naturalization Service agent Joseph Occhipinti, I submit into the RECORD additional key evidence in this case:

EXHIBIT A—AFFIDAVIT

1. On November 12, 1991 I executed an affidavit where I provided testimony that former Immigration Officer Joseph Occhipinti was convicted on perjurious testimony by Reymundo Tejada and Nurys Brito. I also say in the affidavit that there had been an organized conspiracy by Jose Liberato and others to frame Mr. Occhipinti on civil rights violations in order to stop his enforcement efforts.

2. I agreed to work in an undercover capacity on behalf of Staten Island Borough President Guy Molinari in order to obtain further information of this conspiracy. I agreed to have my conversations tape recorded in order to obtain the necessary evidence to prove Officer Occhipinti's innocence. My investigation during the period of December 1991 until present has uncovered the following evidence:

MARTHA LOZANO

3. Martha Lozano is the owner of Commercial Travel Agency in Manhattan. She was previously arrested by Officer Occhipinti and convicted at Federal Court in 1988 for immigration violations. In a consensually monitored conversation she admitted to me that one of the principal conspirators against Mr. Occhipinti was Simon Diaz, the President of the Federation. In fact, Mr. Diaz had contacted her and asked her to falsely testify against Mr. Occhipinti that he had violated her constitutional rights by unlawfully searching her Travel Agency. Ms. Lozano refused to do it saying Mr. Occhipinti had performed his duties lawfully.

PEDRO CASTILLO-REYES

Mr. Castillo-Reyes is the owner of the Universal Travel Agency in Queens, New York. Mr. Castillo-Reyes was previously convicted in Federal Court for offering a bribe to Mr.

Occhipinti. I met with Mr. Castillo-Reyes on several occasions where he admitted to me the fact that Mr. Occhipinti was set up; however, he would not reveal the identity of the Co-Conspirators. Mr. Castillo-Reyes did admit that he had received a call from someone asking him to falsely testify against Mr. Occhipinti regarding an illegal search and theft of monies at his travel agency. Mr. Castillo-Reyes refused to identify the person, but did admit he attended some Federation meeting where they discussed setting up Mr. Occhipinti.

REYMUNDO TEJEDA

Reymundo Tejada is the owner of Uptown Travel Agency in Manhattan. Mr. Tejada was a government witness at trial against Officer Occhipinti. Mr. Tejada testified that Officer Occhipinti conducted an illegal search at his travel agency. However, in a couple of consensually monitored conversations, Mr. Tejada admitted that Mr. Occhipinti didn't do anything wrong. He said he signed the consent form before the search because he was nervous. Mr. Tejada said that he felt he had been pressured to testify against Mr. Occhipinti by the United States Attorney's Office.

TOMAS GALAN

Mr. Galan is a college professor living in the Bronx. Mr. Galan was present with Mr. Tejada when the government said Mr. Occhipinti did an illegal search. However, at Mr. Tejada's travel agency, in a consensually monitored conversation, Mr. Galan admitted that he didn't believe Mr. Occhipinti did anything wrong. Mr. Galan stated he had a taped interview with the United States Attorney's Office regarding the search, but was never called as a government witness. Mr. Galan said if subpoenaed he would testify as to what occurred during the search of Mr. Tejada's travel agency.

NURYS BRITO

Nurys Brito was the former owner of the Nurys Travel Agency in the Bronx, New York. Mr. Brito was a government witness against Mr. Occhipinti and testified he did conduct an illegal search of her travel agency. However, in a couple of consensually monitored conversations she said she didn't think Mr. Occhipinti did anything wrong. She said Mr. Occhipinti was a gentleman to her, didn't mistreat her and was very professional. She said that she felt pressured to testify against Officer Occhipinti.

JOSE PUELLO

Mr. Puello is a well respected businessman in the Dominican community, who first told me about the conspiracy to frame Officer Occhipinti. The facts are contained in my first affidavit. In a couple of consensually monitored conversations Mr. Puello, who was an executive officer in the Federation, stated that the Federation's Press Release which announced the protest of Project Bodega in 1990 at City Hall was not authorized by the Federation's Executive Board. Instead, the whole protest was masterminded by Simon Diaz and Jose Liberato.

I was recently told by a fellow employee, who is related to Jose Liberato that Officer Occhipinti had been framed by Jose Liberato.

I am still conducting my investigation on behalf of Mr. Molinari's office. I have been interviewed by several different FBI agents regarding the Occhipinti case and have agreed to work with the FBI in their investigation. The various consensually monitored tapes were turned over to Mr. Molinari's office for safekeeping.

EXHIBIT B

1. I currently reside * * * and am the owner of * * *.

2. I know Joseph Occhipinti, who was employed by the Immigration and Naturalization Service. I first met Mr. Occhipinti in 1984 when I was employed by Dominicana Airlines. At that time, I caught an individual trying to enter the United States with an illegal stamp in his passport. As a result of this, I contacted the Immigration and Naturalization Service. Mr. Occhipinti was a Special Agent in charge of the investigation.

3. In the end of June or beginning of July 1991, I became aware that Mr. Occhipinti was convicted of various charges in the Federal Court. I became aware of this investigation from listening to reports of television and reading about it in the newspaper. The reports I read indicated that the complaints underlying Mr. Occhipinti's convictions stemmed from searches made at the premises of various merchants belonging to the Federation of Dominican Merchants and Industrialists of New York. My knowledge and experience in the Dominican community immediately led me to become suspicious of these charges. I am aware that many merchants in this organization are involved in various criminal activities including but not limited to money laundering, illegal wire transfers, gambling, drug trafficking and loan sharking. Subsequent to reading about Mr. Occhipinti's conviction, I spoke to Mr. Angel Nunez, an attorney who had been assisting Mr. Occhipinti. I was familiar with Mr. Nunez because he was the attorney who represented Dominicana Airlines while I was employed by them. Mr. Nunez indicated that if I had any knowledge to help Mr. Occhipinti, it would be appreciated.

4. In an effort to assist Mr. Occhipinti and Mr. Nunez, I had a meeting with Mr. Jose Puello. Mr. Puello was a member of the Federation and is an individual who I knew from the time that I was employed by Dominicana Airlines. The conversation between myself and Mr. Puello got around to Mr. Occhipinti and his conviction. Mr. Puello had informed that he was told by Jose Liberato that the allegations against Mr. Occhipinti were generated and fabricated by members of the Federation because Mr. Occhipinti's enforcement activities were disrupting the illegal activities of the Federation. Mr. Puello further stated that when Mr. Occhipinti searched some of Mr. Liberato's establishments, Mr. Liberato got mad and had a meeting with his attorney, Jorge Guthlein. The purpose of this meeting was to seek advice on how to stop Mr. Occhipinti. Mr. Guthlein told Mr. Liberato to get the various merchants, who were the subject of searches conducted by Mr. Occhipinti, to state that money had been stolen as a result of these searches and that permission was not obtained to conduct these searches.

5. On or about November 23, 1991, I had a conversation with an individual named Victor Mena. Mr. Mena is a businessman in Manhattan with whom I have had previous community dealings. At the time of this meeting, Mr. Mena admitted to me that Mr. Liberato had told him that he had falsified the amounts of money involved in the searches and had deliberately fabricated the allegations that Mr. Occhipinti had conducted illegal searches.

6. Later that day, I met with Mr. Angel Nunez, at his home. At that meeting, Mr. Nunez had mentioned to me the names of various complainants who had made accusations against Mr. Occhipinti. I was astonished at some of the names mentioned. For

example, Mr. Nunez had told me that one Nurys Brito had made a complaint against Mr. Occhipinti. Mrs. Brito owns a travel agency in New York. I have had business dealings with her in the past. In January 1990, Mrs. Brito had told me that her travel agency had been searched by various Federal agents. She further told me that she had given permission for the search and in fact had personally laid out various files on her desk to facilitate the search. In other words, Mrs. Brito did not say that anything improper took place during the search. Despite this, I learned that she was one of the complainants against Mr. Occhipinti.

7. During the course of my business dealings with various travel agents in the New York area, I became aware of incidents which led me to believe that Mr. Occhipinti was the victim of a frame. In the end of 1990, I had a conversation with a Mr. Reymundo Tejada, who owns a travel agency in New York. Mr. Tejada admitted to me that he had testified in a Grand Jury concerning Mr. Occhipinti. Mr. Tejada indicated that the truth was that the Federal Agents had come into his travel agency and that they had searched the agency only after he had consented to the search. On another occasion, Mr. Tejada admitted to me that he lied in a Grand Jury when he testified that he did not give permission for the search.

8. In July 1991, I had a conversation with Mr. Pedro Castillo-Reyes at his travel agency in Queens, New York. During the course of our discussions, Mr. Occhipinti and his conviction became the topic of discussion. Mr. Castillo-Reyes' wife, Sylvia Perdomo, said that various individuals wanted them to testify against Mr. Occhipinti and to falsely state that he stole money and conducted unlawful searches. They stated that they refused to do so because this was not the truth. In fact, they admitted, when Mr. Occhipinti searched their premises, he found money in a garbage can and returned it to them. Coincidentally, I was present during the time that the search took place.

9. Furthermore, in the Summer 1991, I had a conversation with a woman by the name of Martha Lozano. Mrs. Lozano is the owner of a travel agency known as Commercial Travel which is located on Broadway in Manhattan. Mrs. Lozano began to talk to me about Mr. Occhipinti. She stated that Mr. Occhipinti had previously arrested her and had treated her with respect. She also stated that she had received a telephone call from an individual who wanted her to lie and say that Mr. Occhipinti had conducted illegal searches at her premises. She refused to do so.

10. I have read this Affidavit consisting of five (5) pages and it is totally correct and accurate. I give this Affidavit of my own free will and have not been coerced or pressured into making this Affidavit. I have also not been given any inducements or promises to make this Affidavit.

TRIBUTE TO DORIS SCHNEIDER
HELTON

HON. MIKE PARKER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. PARKER. Mr. Speaker, I rise today to honor a talented artist and educator, Doris Schneider Helton, formerly of William Carey College, in Hattiesburg, MS.

Ms. Helton will be recognized as William Cary College's Distinguished Alumnus for 1993 at the college's homecoming activities on November 13.

She is a 1964 William Carey graduate, earning her bachelor of arts in theater, and currently is associate professor and graphics/scenic designer in the department of theatre at North Carolina Central University in Durham, NC. She recently was the recipient of a Fulbright-Hayes fellowship to study the cultural arts of Trinidad and Jamaica at the University of the West Indies.

She holds a master's of product design from North Carolina State University and a master's of arts from the University of Southern Mississippi. She completed additional studies at Banff School of Fine Arts, Canada; Duke University; Carrboro Art School; and North Carolina State University. She has won first and second place in the Southeastern graphic design competition, as well as winning the prestigious Extraordinary Service Award at NCCU. She has published several articles including two for the most widely circulated publication in technical theater, "Theatre Crafts International."

Ms. Helton's directing and designing career began at William Carey, where she directed 3 main stage productions and designed 20 shows. She has designed and painted 33 main stage productions at NCCU and has designed for Durham Savoyards Inc. and Duke University. She also has directed a number of productions at NCCU and elsewhere, including Meredith College and Durham Savoyards.

William Carey, the school from which I obtained my undergraduate degree, is a private church-related liberal arts college with an enrollment of about 2,000 students at its 3 campuses in Mississippi and 1 campus in New Orleans, LA. So many former students have made us proud, but Doris Schneider Helton deserves special recognition for her positive influence and inspirational guidance to young adults, as an outstanding Mississippian and a role model for the many people touched by her life and work.

Mr. Speaker, at this time, I ask that my colleagues join me in saluting Doris Schneider Helton for her many outstanding achievements.

INTRODUCTION OF THE CONGRESSIONAL HEALTH AND SAFETY ACT OF 1993

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. FAWELL. Mr. Speaker, today I am introducing, along with Representative GOODLING, the Congressional Safety and Health Act of 1993. The bill continues our efforts to ensure that congressional employees are covered by the same laws and regulations which apply to other employees and to see that Members of Congress and other congressional employers are held accountable under the same laws that are imposed on other employers.

The Congressional Safety and Health Act would subject Congress to regulations and

penalties which are applied to private-sector employers by the Occupational Safety and Health Act [OSHA]. While the general principle that Congress should not be exempt from the laws it imposes on others is reason enough to pass this legislation, in this case there is also ample evidence of the need for corrective legislation. Last year, at the request of members of the Education and Labor Committee, the General Accounting Office conducted a single round of inspections of 25 worksites under the jurisdiction of five House offices and legislative agencies. The GAO found 140 violations of OSHA standards, including over 50 violations which were described as "serious." Surely, the argument cannot be made that covering the House of Representatives and other legislative branch agencies under the OSHA is not necessary because it is already in compliance with what is required by that law.

It has been reported that the OSHA might be excluded from the list of laws to be applied to Congress as part of congressional reform efforts because compliance would be too difficult or too expensive. But to exclude the OSHA would be a major retreat from the principle that Congress should live by the same laws and regulations that it imposes on other employers. OSHA requirements are a substantial restriction and cost item for every employer who is covered by the OSHA. Whether those restrictions and costs are justified or not, surely there is nothing unique about congressional workplaces which would prevent us from complying with the same requirements as private sector offices.

The Congressional Safety and Health Act would require Members of Congress and other employing authorities to comply with the standards and regulations issued by OSHA. However, as the OSHA is enforced through the Department of Labor, applying precisely the same enforcement mechanisms to Congress would present constitutional concerns. For that reason, a slightly different enforcement process is required, one that relies upon congressionally appointed persons to enforce the requirements under the OSHA. The substance of what would be required, and the penalties which members and other employers within the legislative branch would face if those requirements were not met, however, would be the same as those which apply where OSHA enforces the law directly.

Mr. Speaker, the Congressional Safety and Health Act provides meaningful congressional coverage under the OSHA, while addressing constitutional concerns regarding executive branch enforcement against the Congress. This legislation provides one more step in the long process of bringing Congress under the workplace laws of the country. I look forward to the passage of this legislation.

MARY T. LYNCH REMEMBERED

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mrs. MALONEY. Mr. Speaker, I am deeply saddened to rise today to bring to the atten-

tion of my colleagues the sad passing of Mary T. Lynch. Her kindness and generosity will be deeply missed by all those whose lives she touched, but particularly by her husband, John; her daughter, Darlene; her granddaughter, Jennifer; her sister Caroline Daniello; and her four nephews and three nieces. I hope my colleagues will join with me in expressing our deepest sympathies to this family on their tragic loss.

COMMENDING RENALDO TURNBULL

HON. RON DE LUGO

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. DE LUGO. Mr. Speaker, there is a new defensive star in professional football this season: Renaldo Turnbull, who was named September's NFL defensive player of the month, and as a linebacker with the New Orleans Saints has been a key to the team's success this year.

In his first four games, Renaldo Turnbull turned in 21 tackles, four forced fumbles, and seven sacks, the highest in the league.

In the Saints' game against Atlanta, with just 30 seconds remaining, Turnbull stripped the ball, recovered the fumble, and set up a 44-yard field goal that broke a 31-31 tie and won the game.

Turnbull says he has set high standards for himself: He wants to be recognized as one of the best linebackers in the NFL. And at the rate he is going he may be.

Renaldo Turnbull sets an excellent example for our youth by proving that skill, hard work, determination, and settling for nothing less than excellence really do pay off.

The people of the district I represent are particularly proud of this fine young football player, because Renaldo Turnbull is from my home, the Virgin Islands.

NOW THE GOOD NEWS ON HEALTH CARE

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I ask you to join me today in recognizing Dominion Resources, Inc. of Richmond, Virginia as an innovator and leader in private sector health care reform. As national health care expenditures continue to escalate, health care costs at Dominion Resources have risen less than 1 percent. Furthermore, in 1992 Dominion Resources under-ran their health care budget by 31 percent resulting in a savings of \$67,000. These savings were then passed on to employees who conformed to healthy lifestyles.

As a health care innovator Dominion Resources has identified health risk factors and offered employees cash as an incentive to achieve a low risk rating as defined by insurance industry standards. Additionally, Dominion Resources has created an interest bearing

savings program to provide employees with a mechanism to pay for routine medical expenses. The philosophy guiding the innovations at Dominion Resources is that medical benefits should be treated as a form of compensation, and employees who contribute to cutting the medical costs of the company are rewarded.

As we prepare to begin the debate to determine the best course of action for health care reform in our country, we should recognize that the innovative and creative energy of companies such as Dominion Resources are the trademarks of American civilization. Furthermore, we as Americans should carefully consider any health care reform legislation that might stifle these principles.

[From the Manager's Journal, Sept. 20, 1993]

NOW THE GOOD NEWS ON HEALTH CARE

(BY KEN DAVIS)

For several years the media have reported one horror story after another about the cost and delivery of health care. Now, for something completely different:

Since 1989, my company's health care costs have risen less than 1% a year. During that time, we have improved and expanded our medical benefits program. In 1992, we under-ran our health-care budget by 31%. We Shared these savings with our employees in May by distributing checks totalling more than \$67,000.

We have expanded coverage for preventive and diagnostic procedures. We have established a cash incentive program to reward our employees who adopt and maintain healthy lifestyles. We have taken a number of steps to help our employees become informed and empowered consumers of medical services.

We have restructured our benefits programs to make it easier for employees to custom tailor a package of benefits that best meets their needs for the least cost. And we have preserved for employees the freedom to make their own choices when selecting a doctor, hospital or other provider of medical care.

There are three reasons for the results we have achieved. First, we have focussed on health maintenance and prevention. Second, we have treated health insurance like true insurance. Third, we have begun to treat company-provided benefits like a form of compensation, which they are, and less like a program of entitlements.

In a typical working-age population, about one-third of medical costs arise from five familiar risk factors: weight, blood pressure, cholesterol, smoking and seatbelt use. To a large degree, these risk factors can be controlled by personal behavior. We try to encourage our employees and their families to focus on, and act on, these issues without delay. We do this by offering them wellness incentives of up to \$600 a year if their five risk factors can be rates as "low risk" using traditional insurance-industry rating tables.

More than 60% of our employees participate in our voluntary wellness program. They appreciate our concern for their health. And they appreciate our concern for their privacy: medical data used to assess risk, such as blood pressure readings, are kept strictly confidential by the outside contractors who administer the program. In addition, no incentive payments are withheld from individuals because of any risk-factor conditions beyond their control.

In tackling the more fundamental issues of the cost of insurance, we have gone back to

basics. Most health "insurance" programs use administrative systems borrowed from the property and casualty insurance industry to run entitlement programs that pay for routine medical expenditures. Consider auto insurance as a common example of property and casualty insurance. If it were run like most health programs, our company would pay for things like spark plugs and motor oil, and the price of these items would skyrocket. Uninsured individuals would not be able to afford good care. And employers would be working with their carriers to negotiate volume discounts with networks of preferred garages.

It is more cost-effective for insurance companies to pay a small number of large claims than to pay a large number of small claims. If an insurer receives many small claims, it adds up to mountains of paperwork—and that take a huge staff, which costs a lot of money. The payer must also confirm that the service rendered was covered and that the charge billed was appropriate. Each of these necessary steps adds administrative expenses.

However, if you have a few large claims, you don't need the extra paperwork or the staff. Thus, at my company, we focus coverage on the significant expenses that can logically and efficiently be reimbursed by insurance. By raising plan deductibles, we have greatly reduced the premiums that our company and employees have to pay. We offer our employees a medical insurance plan that includes a deductible of \$1,500 a year for individual coverage and \$3,000 a year for family coverage. Seventy-five percent of our employees have selected this high deductible, low premium plan. I have elected to cover myself and my family with this plan and pay about \$110 a month for our coverage.

The significant money saved on premiums is available to me and other employees to pay for routine medical expenses through other more direct and efficient means, such as by cash, check or credit card, if small claims are paid out of pocket by the employee, the number of claims plummets and the insured becomes a better risk for the insurer. In fact, here at Dominion, claims filed per employee came down to 10 in 1992 from 19 in 1991. Since this means far less work in administering claims, we're renegotiating next year's administrative fee with Blue Cross.

To encourage direct payment of small medical bills, my company has established payroll deduction savings accounts at a local bank for employees to accumulate money that otherwise would be spent on medical premiums. These medical savings accounts pay interest, and they accumulate funds for participating employees on an after tax, fully vested basis. Funds not spent in a current year are carried forward to later years for employees on a "use it or keep it" basis.

The combination of high insurance deductibles and medical savings accounts controls the cost and improves the quality of our health care by eliminating the wasteful "use it or lose it" incentives created by traditional medical plans that pay for the most routine medical services. By focusing our insurance coverage on more significant cases, my company has greatly reduced the need to manage its health care of our employees or to intervene in the relationships they have with their doctors.

The final leg of our successful health plan package is our treatment of medical benefits as a form of compensation. Compensation should be based on the contribution that an employee makes to the success of his company. Our wellness incentive payments are

based on the cost-control contributions that employees make when they responsibly manage the risk factors that affect their health. And the refund payments we made this year when we came in under our health-care budget rewarded employees for their prudent consumption of medical services.

We even pay some extra money for medical benefits to employees who earn our highest appraisal rating for their superior job performance and their contribution to the success of our company. And to stress the point that benefits are compensation, we provide Total Compensation Statements to employees each year to show how much they are paid in company expenditures for their benefits.

Reform of health benefits can be a win-win situation for everybody concerned. It has been for us.

INTRODUCTION OF LEGISLATION TO CREATE A HEALTH CARE RE- FORM TRUST FUND

HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. RICHARDSON. Mr. Speaker, I am introducing legislation today to create a health care reform trust fund to carefully monitor health care spending and revenues during the implementation of reform. We must try to reach universal coverage and not just universal access to insurance to try to reduce health care costs. I believe this is a necessary goal and the only true way to contain health care costs in the long run. However, as we work to attain that goal, we must also keep a careful eye on the impact of health care reform on the Federal budget in the short run.

Mr. Speaker, it appears that we will be depending on reduced growth in Medicare and Medicaid to increase coverage to the uninsured. However, too much reliance on reductions in Medicare spending could backfire because Medicare spending is already growing at a slower per-capita rate of spending than overall per-capita health spending. Furthermore, providers in rural areas are having difficulty now meeting their total costs with the reimbursements provided by Medicare. Proceeding sensibly with health care reform will help rural providers once health care reform is fully enacted but we certainly do not want to squeeze them any more on Medicare reimbursements between now and then.

With the Federal deficit totaling \$290 billion dollars last year, we must face the fact that the Federal Government has never been able to accurately predict the costs of a new health program. One of the expressed goals of the administration's health care plan is to eliminate cost shifting while reducing overall health care costs. Yet, unless we are able to bring private health costs more in line with the costs of our public health programs, we will not be able to eliminate cost shifting. With the cuts in Medicare and Medicaid spending that are being considered to help finance health care reform, cost shifting is encouraged. My legislation will help enhance accountability in health care costs to try to prevent cost shifting from occurring.

Under my proposed legislation, any savings in Federal health spending or any tax increases enacted as part of health care reform will go into a health care trust fund. Outlays from that trust fund can only be used for approved spending under an enacted health care reform bill—nothing else.

Mr. Speaker, I believe that our chances for passing significant and lasting health care reform are improved by the creation of a health care reform trust fund. The American public will have greater confidence that tax revenues and spending cuts will definitely be dedicated to health care reform. At the same time, we can carefully monitor new Government spending and make sure that we do not add to the terrible burden created by our Federal deficit. We are walking on a precarious fiscal tightrope with the financing of health care reform. I believe this legislation gives us a needed safety net to rely on.

H.R. —

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

SECTION 1. HEALTH REFORM TRUST FUND.

(a) ESTABLISHMENT.—There is established the Health Care Reform Trust Fund (hereinafter referred to as the "Fund") for the purposes of guaranteeing that the net deficit reduction required by the Health Security Act is fully achieved.

(b) MONEYS IN THE FUND.—The Fund shall consist only of amounts equal to the net deficit reduction, calculated pursuant to the procedures set forth in subsection (c), that is estimated to result from the Health Security Act. Such amounts shall be transferred to the Fund as specified in subsection (c).

(c) TRANSFER OF MONEYS.—Within 10 days of enactment of the Health Security Act—

(1) the Director of the Office of Management and Budget shall determine the sum of the net deficit reduction that results from the enactment of the Health Security Act; and

(2) there shall be transferred from the general fund to the Fund an amount equal to the sum determined in paragraph (1).

(d) USE OF MONEYS.—Notwithstanding any other provision of law, the amounts in the Fund shall be used exclusively for health care reform.

(e) GRH EXCLUSION.—Amounts in the Fund, as determined by the Director of the Office of Management and Budget, that result from the net total of direct spending and receipts provisions calculated according to the provisions of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be excluded from, and shall not be counted for purposes of, the totals under section 252 and sections 254(d)(3) and 254(g)(3) of that Act.

(f) PRESIDENT'S BUDGET.—Section 1105(a) of title 31, United States Code, is amended by adding at the end thereof:

"(27) information about, and a separate statement of amounts in, the Health Care Reform Trust Fund."

SALUTE TO THE ANTI- DEFAMATION LEAGUE

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GALLEGLY. Mr. Speaker, I rise today to honor the Ventura County members of the

Anti-Defamation League of B'nai B'rith as they hold their 14th annual ADL appeal, and for their ceaseless efforts to expose and defeat hate.

The Anti-Defamation League continues to play a vital role in our national fight against prejudice and discrimination. It is reprehensible that anti-Semitism remains a powerful force for evil in our Nation, and I am especially saddened that we have also seen a resurgence of hate crimes and religious desecration of places of worship, homes, and businesses in Ventura County as well.

As Ventura County's congressman, I am especially pleased to salute the 800 members of our four B'nai B'rith chapters—Camarillo B'nai B'rith unit, Camarillo B'nai B'rith women Channel Islands B'nai B'rith unit, and Haverim B'nai B'rith couples unit—who are leading the fight against discrimination in our own community.

I am also pleased to recognize Dr. Frank Eiklor, the president of Shalom International, and Dr. Irving Cheslaw, past president and trustee of the Haverim B'nai B'rith couples unit, who are receiving Distinguished Community Service Awards.

And finally, Mr. Speaker, I am especially pleased to recognize Joseph Ellenbogen of Camarillo, who not only is serving as the ADL reception chair, but who also just concluded his first session as a member of the California Senior Legislature.

Mr. Speaker, I ask my colleagues to join me in honoring the members of B'nai B'rith, in Ventura County and throughout the Nation, for their vigilance and their leadership in fighting discrimination.

B'NAI B'RITH'S 150 YEARS OF SERVICE

HON. WILLIAM P. BAKER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. BAKER of California. Mr. Speaker, I rise today to offer my most sincere congratulations to the members of B'nai B'rith in celebrating their 150 years of service.

B'nai B'rith, the oldest philanthropic organization in North America, is celebrating its 150th anniversary on November 29, 1993.

I especially offer my congratulations to members of local B'nai B'rith Lodge 1756 of Contra Costa County.

B'nai B'rith provides various community services such as feeding the homeless, providing services to senior citizens, and other charitable activities.

I thank the B'nai B'rith for the services it has provided and extend my heartfelt congratulations to its members.

H.R. 3465, WETLANDS PROTECTION AND MANAGEMENT ACT, NOVEMBER 8, 1993

HON. E de la GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. DE LA GARZA. Mr. Speaker, over the past 4 years, it has become clear that Federal

wetlands policy has been neither fair to landowners nor effective in protecting wetlands.

As chairman of the Committee on Agriculture, I am well aware of the frustrations experienced by farmers, ranchers, and landowners across the country with current Federal wetlands rules. It is clear to me that any true people-oriented reform of Federal wetlands policy must be sensitive to the productive needs of our Nation's agricultural landowners.

This summer the Clinton administration proposed a comprehensive package of administrative and legislative reforms designed to end the confusion, contradictions, and many of the controversies that have engulfed Federal wetlands policy. While I have concerns about some of its provisions, I commend the administration for making a serious attempt at developing a more fair, flexible, and effective approach to wetlands policy.

The 103d Congress now has the opportunity to consider and refine the administration's legislative proposal in conjunction with the reauthorization of the Clean Water Act.

I believe our Nation's agricultural producers and the Committee on Agriculture must be a part of that debate. That is why I have joined Mr. STUDDS of Massachusetts, the distinguished chairman of the Committee on Merchant Marine and Fisheries, as an original cosponsor of H.R. 3465, the Wetlands Protection and Management Act.

H.R. 3465 embodies in legislative form much of the administration's original wetlands policy proposal, including the authority for the U.S. Department of Agriculture's Soil Conservation Service [SCS] to delineate wetlands on agricultural lands.

H.R. 3465 also includes, at my suggestion, language to better address various agriculture-related concerns. SCS is given authority to carry out the identification and delineation of wetlands on nonagricultural lands that are contiguous or contained within agricultural lands if this will help streamline the permitting process. It includes a more comprehensive list of what is to be defined as agricultural lands and normal farming, silviculture, and ranching activities exempted from the section 404 permit process.

The bill also makes clear that a participation in set-aside, diverted acres or similar USDA programs does not constitute abandonment of prior converted cropland.

With the inclusion of these modifications, I have agreed to cosponsor H.R. 3465 so that this legislation can serve as a starting point in the legislative deliberations here in the House. The measure also provides the Committee on Agriculture with an opportunity to address the confusion and contradictions over the regulation of wetlands.

My cosponsorship does not mean I support every provision in the bill as written. Indeed, while it represents a substantial improvement over the current situation, I strongly believe further reforms are needed to address agricultural and landowner concerns.

However, the time has come for Congress to work in a cooperative spirit to strike a more reasonable balance between landowner rights and environmental protection. I believe H.R. 3465 is a reasonable point both to begin this debate and to serve as a legislative vehicle for true reform of Federal wetlands policy.

SOMEBODY BETTER READ THE FINE PRINT

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I would like to call your attention to an article in the Los Angeles Times written by James P. Pinkerton. Mr. Pinkerton is the John Locke Foundation fellow at the Manhattan Institute in Washington, DC. I believe Mr. Pinkerton points out some fundamental problems that exist in the Clinton's proposed health care solution.

Mr. Speaker and fellow colleagues, I am concerned that many Americans have, as Mr. Pinkerton points out, failed to read the fine print in the Clinton health care plan. Further, the administration has attempted to coax the American public into believing that a massive health care bureaucracy, based here in Washington, will offer each American security, simplicity, and savings. At this point I feel that a simple question must be asked, and that question is when, in the history of bureaucracies, have the citizens of this country seen a large bureaucratic organization achieve simplicity and savings? I would argue that the answer to this question, of whether a large bureaucracy has achieved simplicity and savings, is never. Additionally, Mr. Pinkerton looks to Theodore Lovi to provide some insight into what we can expect from the bureaucracy of the Clinton health care board. Mr. Lovi asserts in his writings that as government grows bigger and bigger representative government will fade away and give way to rule by elite Washington insiders.

Now we as Americans should ask ourselves, is President Clinton's health bureaucracy what we really want? Should we as Americans relinquish our freedom of choice over health care decisions to some appointed board in Washington. Furthermore, does history provide us with examples of bureaucratic organizations, such as the Federal Drug Administration, offering simplicity and savings. I believe that the answer to these questions is self-evident—the answer is no.

Bureaucracy is not the answer, it is the problem. Americans deserve health care reform that respects freedom of choice, free enterprise and individual responsibility. Mr. Speaker, fellow colleagues and fellow Americans, as we begin the debate about which health care plan is the best for our country I ask each of you to read the fine print and the reject proposals that offer cloudy rhetoric and government intervention as a solution to our current health care problems.

SOMEBODY BETTER READ THE FINE PRINT

(By James P. Pinkerton)

In what bids to be the defining event of his presidency, Bill Clinton laid out his "Big Offer" to the American people last night. Presidents who make sweeping change are remembered, for better or worse. Think of Franklin Roosevelt's New Deal, Lyndon Johnson's Great Society, Reaganomics.

Clinton's offer sounds good. We'll hear the litany of buzzwords over and over again: security, simplicity, savings. "By 1998, everyone is paying less" for health care, senior adviser Ira Magaziner predicted last week. This

week, the Clintonians sweetened the pot further, moving up to 1997 the date when we all start getting more health care for less money.

If Clinton is to be another F.D.R., this had better work. But the biggest challenge he faces is the deep public skepticism that the government really is here to help us.

Theodore Lowi saw it coming. In 1969, he wrote "The End of Liberalism," a far-reaching critique of the post-New Deal welfare state. Lowi, a former president of the American Political Science Assn. now at Cornell, is no conservative. He would describe himself as committed to real democracy, which he sees as threatened by the delegation of legitimate authority to the Iron Triangle of bureaucrats, lobbyists and special interests.

As government grows bigger and bigger, Lowi argued, representative government will inevitably give way to the undemocratic rule of insiders. Think about it. How many members of Congress actually read the 1,000-page bricks they vote for? They can barely lift them, let alone comprehend them. So elected officials turn to unelected officials to explain, interpret and implement the law with thousands more pages of legalese. It's like the Marx Brothers movie "A Day at the Races": you need a code book to translate the code book.

Lowi coined the phrase "interest-group liberalism" to describe the bargaining among the Washington elites that has characterized American politics since the 1930s. What we will get, Lowi prophesied, is "a crisis of public authority" and "atrophy of institutions of popular control."

Assuming the Clinton plan passes, consider just some of the thousands of to-be-determined questions that lawyers and logrollers will resolve in the shadowland between K Street and Capitol Hill:

The famous "one-page form." The Clintonians allege they will reduce patient paperwork to a single page. But if you don't ask questions, how do you keep people from ripping off the system? The Reaganites simplified banking regulation so much that the S&Ls make off with 12 zeros worth of our money. So, will we all have a chance to play Charles Keating? Unlikely. The EZ form is the tip of the red-tape iceberg. The Administration wants another \$2 billion to hire auditors and overseers to keep track of our pills and protoscopies.

Medical specialities. "Regional review boards" will allocate slots in medical schools so that we get the politically correct ratio of general practitioners to specialists. Stay tuned for the story about how Senate Appropriations Committee Chairman Robert Byrd and the multiculturalists have cut the ultimate deal: affirmative action and quotas enabling all West Virginians to attend medical school, so long as they promise not to be plastic surgeons.

The National Health Board. This new regulatory agency, its members appointed by the President, will have responsibility for making the whole trillion-dollar operation work. NHB is an acronym to remember; it will be in charge of everything from baseline budgets for the health alliances to providing technical assistance to help dawdling states get with the new program.

Magaziner is a smart guy. But even the most brilliant have their limitations. One is reminded of the scene in the 1981 film "Body Heat," when crook Mickey Rourke discusses murder with crooked lawyer William Hurt. In this business, Rourke advises Hurt, there are 50 ways you can foul up. If you're a genius, you can think of 25. And you, Rourke

tells Hurt, ain't no genius. Magaziner is trying hard, but it's hard to see how he will bat more than .500. That's superb in baseball, but not good enough when our lives are at stake.

If popular sovereignty is to mean anything, then sovereign power has to be understandable to the populace. Lowi's book is a restatement of the truism: The devil is in the details. A quarter-century ago, he warned that the details were drowning us. Today, it looks as if democracy is about to take another dunking.

LEGISLATION TO BAN DUMPING OF LOW-LEVEL RADIOACTIVE WASTES

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. ORTIZ. Mr. Speaker, I rise in strong support of the House concurrent resolution introduced by Mr. WELDON calling for the United States to amend the London Convention to ban the ocean dumping of low-level radioactive wastes. This week, over 40 countries are meeting to examine and amend the convention. One of the major issues to be discussed is the institution of a ban on the ocean dumping of low-level nuclear wastes.

The dumping of high-level wastes was banned in the original London Convention agreements in 1972. This was followed by a voluntary moratorium on ocean dumping of low-level wastes in 1983. Violations of this moratorium by the former Soviet Union have recently been exposed which show that the former Soviet Union routinely dumped large amounts of high- and low-level wastes in the Arctic Ocean and other marine areas. Additionally, the Russian Government recently dumped 900 tons of liquid low-level wastes into the Sea of Japan in the face of strong opposition from the Japanese Government.

The administration has taken a formal position in support of adding a permanent ban on the ocean dumping of low-level nuclear wastes to the London Convention. The U.S. will join over 20 other countries in the effort to assure that this is accomplished. Adoption of this resolution will send a clear message that the Congress supports the administration and it will strengthen their position as deliberations take place.

Mr. Speaker, I want to commend Mr. WELDON for his leadership in this issue. I believe that it is important that the House take up this matter, and I urge the Members' support.

BOB HAMMERLE AND MONICA FOSTER

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. JACOBS. Mr. Speaker, there is a husband and wife lawyer team in Indianapolis of historic proportions.

Bob Hammerle and Monica Foster are, to say the least, a headache to the average

prosecutor. They don't quite have the batting average of Perry Mason. But, of course, there is a fundamental difference. They exist, they are not fiction. And all of those who love liberty should celebrate this kind of talent which is available to every citizen who might be charged with a crime, and especially those who turn out to be innocent.

I insert in the RECORD the article by George Stuteville which appeared in the Indianapolis Star on October 31, 1993.

HOOSIER LAWYER INSPIRED AND READY FOR HER FIRST CASE AT SUPREME COURT

(By George Stuteville)

WASHINGTON.—Truth would win without fail on every Perry Mason episode, and Monica Foster would watch and dream of the day when she would grow up and become a lawyer, too.

After Foster became an attorney 10 years ago, her dream shifted to the day when she might argue a case before the United States Supreme Court.

That day will be Monday. And it won't involve a nice, neat Perry Mason-style case of innocent defendant set free.

Foster will attempt to convince a majority of the court that a judge in 1981 improperly condemned an Evansville man to death after a Brown County jury recommended against the execution.

Thomas N. Schiro confessed to the Feb. 4, 1981, rape, murder and mutilation of Laura Jane Luebbehusen of Evansville.

Court records show that Schiro, who was serving a reduced sentence in a halfway house for a robbery, got inside Luebbehusen's house by telling her his car had broken down and asking to use her phone. After raping her over a period of hours, he smashed her head with a vodka bottle and a clothing iron.

"This was a horrible crime," Foster conceded. But she took the case, she explained, because she also saw serious flaws in Schiro's sentencing.

Her main point: The jury did not issue guilty verdicts on separate murder charges that would have automatically made a death penalty case. The judge, she said, sentenced Schiro to die for crimes he was not found guilty of committing.

Further, she said, the jury took only 61 minutes to recommend against executing Schiro because his violence was caused by profound mental illness.

CONSUMED BY CASE

Since May, the grisly murder, the complicated legal arguments, and the pressure of going before the nation's highest court have consumed the 33-year-old public defender.

"I worked on this and little else for the last four months. There have been many nights when I have left the office when the sun was coming up in the morning."

In some ways, she has been preparing for the case most of her career.

After graduating in 1983 from Indiana University School of Law at Indianapolis, Foster wanted to work on death penalty cases. She soon moved to that specialty. Her clients included a Gary teen-ager, Paula Cooper, whose death sentence eventually was commuted to 60 years after an international outcry. Even relatives of Cooper's victim supported the lesser sentence.

In a gritty New York accent that lingers from her childhood in Buffalo, Foster makes no apologies for her choice of clientele. She has asked the Supreme Court to review 10 to 12 other cases.

"The people I represent are the people who have fallen through the nets. It is worth it to

come in and help those people understand why it is they committed horrible crimes, to show these people some empathy, and in many instances it is empathy they have never received from anyone in their entire life including when they were pure and innocent as children."

SCOUTING THE COURT

To prepare, she has traveled across the country to present her arguments to top constitutional law experts and has set up mock court situations to simulate Monday's panel.

Last month, she sat in on a Supreme Court session to familiarize herself with the surroundings and the intimidating protocol inside the ornate white marble building. As ready as she believes she is, she still worries that one of the justices will ask her a question she cannot answer.

"If you think of it, you've got nine justices asking one person questions and even if I went to Harvard—which I didn't—and even if I graduated magna cum laude—which I didn't—and even if I had law clerks to help me—which I don't—I don't think I could think of all the questions they could ask."

Likewise facing his first Supreme Court presentation is Arend Abel, who will represent the Indiana attorney general's office. Abel, also 33, a 1986 graduate of Indiana School of Law at Bloomington, will be assisted by Matthew Gutwein and Wayne Uhl.

Abel noted that appeals courts, including the Indiana Supreme Court and the U.S. District Court for the Northern District, have consistently upheld the state since 1983.

"I am honored to do this and I am looking forward to it," he said. "On the other hand, there is no joy, no pleasure in it because it is tragic for the victims, and each step of the way reminds the victims of this horrible thing."

Abel, who was raised in Union City, said he thought it would be tragic if the Supreme Court should reverse the findings of the lower courts and set aside the death sentence.

Any ruling is months away. In the meantime, each side will be heard at the summit of the justice system. As daunting as the experience may be, Foster said, she looks forward to the beauty of the justice system and already feels the encouragement of the justices.

"When I went to Washington to prepare, I saw an African-American and two women on that court. It was affirming. I know this court is very conservative, but I feel very good because I know we've got some representation across gender and race lines. I can't help but know that is a good thing in the grand scheme of things. I had no role models when I was growing up. Now we have two of them. It will make a difference when I stand there. This is the show," Foster said. And it's not Perry Mason.

RESOLUTION TO RECOGNIZE AND ENCOURAGE THE CONVENING OF A NATIONAL SILVER HAired CONGRESS

HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GEPHARDT. Mr. Speaker, I rise today to introduce a resolution recognizing and encouraging the convening of a National Silver Haired Congress, and I invite my colleagues to join me in this recognition.

In 1973, Missouri senior citizens convened the first Silver Haired Legislature. The purpose was to provide a statewide forum for non-partisan evaluation of grassroots solutions to concerns and issues shared by many senior Americans. This forum was patterned after the Missouri Legislature with upper and lower chambers. Senior citizens—60 years and older—were elected by their peers from across the State. Since that time Alabama, Arkansas, California, Florida, Georgia, Hawaii, Indiana, Iowa, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, North Dakota, Ohio, Oklahoma, Rhode Island, Texas, Utah, Virginia, West Virginia, and Wyoming have organized Silver haired Legislatures generally patterned after their State legislative bodies. More than 2,500 senior representatives work on behalf of their peers from their respective States. This highly successful forum has developed as an effective resource for public policymakers. Important legislation in areas of consumer protection, homestead tax exemptions, health care, long-term care, insurance, housing, and crime prevention have been passed as a result of this responsible, dedicated advocacy.

The National Council of Silver haired Legislators continues to grow and expand in other States by serving as a forum to advocate on important issues and concerns of older Americans through grassroots, nonpartisan participation.

The success at the State level revealed the need for a national forum patterned after the U.S. Congress to address broader senior issues.

I encourage you to help these vigorous older Americans use the knowledge and experience of senior citizens for responsible involvement in the Federal legislative process. They will focus, not only on concerns of older Americans, but on those of their children, grandchildren and the environment.

The National Silver Haired Congress will be unique in its approach to providing solutions. Its representatives will convene and serve without cost to taxpayers.

I urge your support for this resolution to recognize and encourage a National Silver Haired Congress.

DUBROVNIK: DECENT PEOPLE WHO STAND ON PRINCIPLE

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Ms. MOLINARI. Mr. Speaker, the ancient city of Dubrovnik, Croatia, sustained heavy damage and destruction during the 1991-92 artillery barrage launched by the Serbs against the old walled city. Now, the people of Dubrovnik with the help of others around the world, including the Rebuild Dubrovnik Fund based in Washington, DC, are restoring their historic city and rebuilding their personal lives.

The American Society of Travel Agents joined with Atlas Travel Agency of Dubrovnik to found the Rebuild Dubrovnik Fund a year ago. I and several other Members of Congress serve on the fund's honorary advisory board.

Through this work and two visits to Croatia in the last 2 years, I am aware of the valiant effort of the citizens of this jewel of the Adriatic to repair the damage and restore their tourist-based economy.

In the October 25, 1993, issue of Travel Agent magazine, publisher Richard P. Friese wrote eloquently of his memories of Dubrovnik and his respect for Dubrovnik as "a symbol to protect and restore things in a world where destruction and decay run rampant."

I commend the editorial to my colleagues.

[From Travel Agent, Oct. 25, 1993]

DUBROVNIK

(By Richard P. Friese)

Last month in St. Louis, while addressing a small breakfast group, Lady Margaret Thatcher poignantly recalled her visit to Dubrovnik in 1980. Slipping back in time, she expressed her love for the ancient city, which was severely damaged by heavy artillery shelling in 1991. That bombardment resulted from the long-standing ethnic and nationalistic tensions that exist in the region—tensions which erupted when Serbs in Croatia rebelled against the new Croatian government.

Referring to Dubrovnik as the "Jewel of the Adriatic," Mrs. Thatcher expressed the need to preserve world culture and called for international assistance to rebuild the old city.

While it's been over 20 years since I visited Dubrovnik, it is nonetheless difficult to imagine the splendor of one of the world's most exquisite cultural monuments now desecrated by the pockmarks of war and turbulence. As Mrs. Thatcher spoke, I recalled my first impressions of the old city. Indeed, to enter Dubrovnik was to enter into a time warp—a world of make-believe out of the fairy tale lands of Hans Christian Andersen. Even the brilliant but irreverent George Bernard Shaw wrote that those in search of an earthy paradise should travel to Dubrovnik.

Located on the southern Adriatic in the Republic of Croatia, Dubrovnik is without question the most picturesque city along the Dalmatian Coast. It was founded in the seventh century by Roman refugees fleeing Epidaurus, but its basic city plan dates from 1292. Built on a promontory jutting out into the sea, Dubrovnik's medieval fortifications rise directly from the water's edge.

A massive round tower dominates the city on the landward side. Inside the huge walls surrounding Dubrovnik, the beauty of the old world is reflected in its splendid architecture, terra-cotta tiled roofs and the cultural masterpieces that line the city's narrow but harmonious streets. There are museums, galleries and countless little houses decorated in century-old vines.

DEALING WITH ADVERSITY

Today, Dubrovnik's churches remain open to visitors, but as a result of the bombardment the city's museums are closed and their treasures have been hidden for an indefinite period of time. However, in an economy that depends on tourism for 80 percent of its income, the people of Dubrovnik are suffering from a severe decline in visitors and from high unemployment. Still, they are progressive and have an impressive history of successfully dealing with adversity.

Dubrovnik survived a massive earthquake in 1667 that destroyed three-quarters of its buildings and killed nearly two-thirds of the population. The city has maintained its independence by acknowledging the sovereignty of state after state—first the Byzantine Empire, then Venice and Hungary, and then the

Ottoman Turks. Napoleon occupied the city in 1806.

On the other hand, almost extraordinarily, by 1347 Dubrovnik had a municipal old people's home, and by 1432 it had an orphanage. The slave trade was abolished in the city in the 15th century, long before people elsewhere entertained the idea. Also by the 15th century, public assistance was available for people in need: There was a public health service, a town planning "institute" and numerous public schools.

And having met many of the people over the past couple of years who are charged with the responsibility of rebuilding Dubrovnik—including its Lord Mayor, Nikola Obuljen—there is no question that some day the city will once again capture the imagination of people from around the world.

Realistically, however, the war in neighboring Bosnia grinds mercilessly on. Diplomats and military planners also are now worried that the war in Croatia could erupt again. "One would be very myopic to fail to see and warn about the gathering clouds of war," the deputy chief of the United Nations force in the Balkans. Cedric Thornbury, said recently, "It will need a major, focused effort by the international community, and a real will for peace if a second Serbo-Croat conflict is to be averted."

STANDING ON PRINCIPLE

Meanwhile, over the past year here in this country, people from the travel industry have formed the "Rebuild Dubrovnik Fund." ASTA President Earlene Causey is chairman; USTOA President Bob Whitley serves on its board. Other directors from the industry include Alex Harris, Don Daly, Patty Noel, Anne-Marie Powell, Ivan Michael Schaffer, Mathew Upchurch and Nazli Weiss, who coordinates the effort from the fund's Washington office. There are five members of the U.S. Congress serving as honorary members, as well as many other people from fields related to the travel industry.

But while the preservation of Dubrovnik is indeed a noble cause, there is, in my view, a deeper significance that transcends Dubrovnik itself. It has to do with the spirit of the people within the American travel industry—the recognition that the beauty and culture of the world should be preserved as a matter of moral principle and responsibility for the future.

In a sense, Dubrovnik serves as a symbol to protect and restore things in a world where destruction and decay runs rampant. And that's the essence of it all; decent people who stand on principle. If the senseless ravages of war destroy a heritage, there will always be those kind and gentle people who will find a way to put it back together again.

IN HONOR OF THE VARICK MEMORIAL A.M.E. ZION CHURCH

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Ms. DeLAURO. Mr. Speaker, November 21, 1993, the Varick Memorial African Methodist Episcopal Zion Church will celebrate its 175th anniversary in New Haven, CT. I am pleased to pay tribute to this extraordinary institution, and to the parishioners who continue to make it such a positive force in our community.

Established in 1818, and later named Varick Memorial A.M.E. Zion in memory of Bishop

James Varick, the church has undergone a number of transitions over the years. In 1841, a devastating fire destroyed the original church building, but the congregation endured. Thanks to the generosity of its faithful members, a new structure was purchased in 1866. That building was moved from Fair Haven to Foote Street, where the church remained until 1911, when a new church home was constructed at the current location of Dixwell Avenue and Charles Street.

Varick Memorial A.M.E. Zion Church has always played a critical role in New Haven. Long a vital source of solidarity, spiritual fulfillment, and moral guidance for New Haven African-Americans, Varick A.M.E. Zion Church has a vibrant and active membership. From the church's founders to the current pastor, Rev. Lester Agyei McCorn, its clerical leaders have consistently encouraged their congregation to contribute to the community. Through a variety of projects—including an outreach center, soup kitchen, and Hannah Gray Home for the Aged—church members have exhibited extraordinary commitment and dedication in caring for their neighbors. The parishioners' compassionate activism has benefited both our youth and senior citizens.

I commend the Varick Memorial A.M.E. Zion Church, and the people who, inspired by their community of faith, help their parish to do so much for so many. On this special occasion, I congratulate this congregation on the celebration of its 175th anniversary.

AMERICAN LEGION AGREES: IT'S TIME FOR UNITED STATES TROOPS TO LEAVE SOMALIA

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. BEREUTER. Mr. Speaker, the American people have come to the conclusion that we should not be in the business of nation-building—in Somalia. Yet, over 10,000 American troops remain committed to the ill-conceived and misdirected U.N. effort of nation-building in Somalia. Unfortunately, if the Clinton administration has its way, those forces will remain deployed in harm's way until March 31, 1993.

Recently the national commander of the American Legion spoke candidly of his concerns about a continued United States presence in Somalia. According to Bruce Thiesen:

Our mission was to feed Somalia's starving masses who were cut off from supply lines by a bloody civil war. Under the flag of the United Nations, we accomplished that mission. At that point, our troops should have come home.

Mr. Thiesen very appropriately suggests four reasons why the United States should disengage rapidly. First, our involvement in Somalia has not been clearly linked to United States national interest. Second, he notes, quite correctly, that the troop deployment was made without the appropriate consultation with Congress. Third, an error was made in permitting U.S. troops to serve under foreign command. Lastly, Mr. Thiesen notes that captured Americans have not been afforded the protec-

tions of the Geneva Convention because the administration has failed to acknowledge the existence of a state of hostilities.

As this body nears consideration of House Concurrent Resolution 170 on accelerated withdrawal from Somalia, this Member would urge his colleagues to heed the admonition of the national commander of the American Legion. This Member would ask that Mr. Thiesen's editorial from the Nebraska Legionnaire be inserted in the CONGRESSIONAL RECORD.

IT'S TIME FOR UNITED STATES TROOPS TO LEAVE SOMALIA

(By Bruce Thiesen)

The civil war in Somalia is a war America does not need, America does not want, and America is not willing to commit sufficient force to win. We are there for the wrong reasons. It's time for our government to do its duty by those they've allowed to be sent into harm's way. As national commander of The American Legion, I am gravely concerned that our involvement in Somalia signals four serious flaws in our foreign policy—flaws that already have cost many American servicemen their lives.

First, America does not have a clear definition of our national interests as it relates to peacekeeping and humanitarian operations. The United States became involved in Somalia's civil war in response to grim photos of starving people. Clearly, we let our compassion dictate our foreign policy and have placed ourselves on a road to quagmire.

When Operation Restore Hope began at the close of 1992, our mission was to feed Somalia's starving masses who were cut off from supply lines by a bloody civil war. Under the flag of the United Nations, we accomplished that mission. At that point, our troops should have come home. But westayed on, mistakenly, as the United Nations turned the humanitarian mission into one of "nation building," the task of rebuilding Somalia's government and its national economy. The American Legion doesn't believe our troops should be used for such political purposes, especially in a country where the United States has no national interest at stake.

Second, Congress has not been involved in approving the commitment of U.S. forces to peacekeeping or humanitarian operations. By using the United Nations as a policy-making organ, the Administration is taking American foreign policy out of the hands of Congress and the American people. If our President wants to send our sons and daughters to serve in peacekeeping operations, then he must come before us with clearly defined goals and a time line for the accomplishment of those stated goals. And these operations should never be outside the scrutiny of Congress.

Third, American troops have been placed under foreign command. This should not occur except in circumstances where Congress has granted approval. Congress must establish effective ways to prohibit foreign command of U.S. military forces. The placing of American forces under foreign command violates the U.S. Constitution which designates the President As Commander-in-Chief, thus stripping away American's sovereignty. When our sons and daughters join America's armed forces, they swear an oath to support and defend the U.S. Constitution, not the missions of the United Nations. Both in Somalia and Macedonia, U.S. troops have been placed under foreign command, a dangerous precedent as the United States get more involve in peacekeeping operations.

Fourth, American troops captured during peacekeeping operations have not been given POW status and afforded all the protections of the Geneva Conventions. The American Legion has called on the Administration and Congress to establish a Prisoner of War/Missing in Action Commission to deal with the question of the official status of U.S. military personnel taken prisoner by a foreign power when this nation is not at war.

According to current Defense Department policy, U.S. service personnel taken during peacekeeping operations are not prisoners of war. They are hostages or political prisoners with not defined legal rights under the Geneva Conventions. In combat, Desert Storm for example, search and rescue teams were on alert to rescue downed pilots and stranded infantry troops before they were captured. Whether a rescue is mounted is a military and tactical decision. During peacekeeping however, GIs turned the hostage become the State Department's responsibility and the decision to rescue those personnel becomes a political question.

Five years ago, U.S. Marine Col. William R. "Rich" Higgins was captured by terrorists in Lebanon and brutally murdered. He was serving under the UN flag at the time and was accorded no dignity or the limited protection afforded by POW status. He was treated as a common criminal and hung. A recent letter I received from his wife, Marine Lt. Col. Robin L. Higgins makes the tragedy of America's current policy apparent: "Rich was never declared a prisoner of war * * * some of what that meant for Col. Higgins was no rescue, no retribution, no insistence on any international conventions of treatment, and no posthumous POW medal. America failed my husband."

America will continue to fail our sons and daughters who serve in the nation's armed forces unless it declares every U.S. serviceperson captured by hostile forces a POW. Col. Higgins was hanged by terrorists who were never held accountable for their actions because our own government didn't hold itself accountable for Higgins' safety.

At this writing, at least one American serviceman is a hostage—not a POW—in Somalia; 27 have lost their lives there, and 165 servicemen have been wounded. How many more Americans who've vowed to serve their country faithfully in uniform will be killed, wounded or captured and left to an uncertain fate before our government does its duty to them?

HAPPY BIRTHDAY, MARINES

HON. FRANK TEJEDA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. TEJEDA. Mr. Speaker, the United States Marine Corps celebrates its 218th birthday on November 10, and in honor of that event I would like to insert in the RECORD the following article from the San Antonio Express-News. The article recognizes the special group of marines who served in the Combined Action Program [CAP] in Vietnam. The CAP Marines volunteered to live in Vietnamese villages to provide security, improve living conditions, and improve the combat effectiveness of the South Vietnamese Popular Forces. As a young soldier in Vietnam, I personally witnessed the important work performed by these marines, and I am proud to honor these soldiers.

This week, a group of former CAP members, the CAP Unit Veterans Association [CUVA], are meeting in my hometown of San Antonio. CUVA, which promotes fellowship among former CAP members, preserves the unique history of the program, and lends assistance to dependents of former CAP members, benefits not only the veterans' community, but society at large. Future generations should remember and understand the involvement of these dedicated marines, and the CUVA fills that need.

With the Marine Corps Birthday approaching, I wish to join our Nation in honoring the great veterans in the CUVA on this special day.

HAPPY BIRTHDAY, U.S. MARINES

(By Maury Maverick)

On Nov. 10 the U.S. Marine Corps will celebrate its 218th birthday. In today's column, my salute this year goes to the Marines who volunteered to live in the villages of South Vietnam. About 80 of those former Marines from all over the country will be in convention, Nov. 8-12, in San Antonio at the Travelodge Hotel on Villita Street across from the County Courthouse.

I urge all Marines, active and former, to help make their stay a pleasant one. For details call Professor Robert Flynn at his home (492-1127) or at Trinity University (736-7517).

You old Marines (and everybody else in town) go to your bookstore and buy Bob's paperback book, "A Personal War in Vietnam." (140 pages, Texas A&M University Press, \$11.95). It is the professor's gripping account of those Marines who lived in the villages. I bought my copy at The Twig in Alamo Heights.

A Baptist country boy from Chillicothe, Flynn has been a teacher at Trinity for some 30 years and has national standing as a writer with seven books, mostly novels, under his belt.

Naomi Nye, a former prize student, says of Flynn: "He's one of the best teachers I ever had, an inspiring and intellectual person." (The professor may be all that, but he still looks to me like a Baptist from Chillicothe, which I say as a compliment since it means that those sweet-smelling, hotsy totsy Presbyterians at Trinity University haven't ruined him.)

Flynn went to Vietnam as a war correspondent for True magazine. He tells about it in the introduction to his book:

"I had many reasons for going to Vietnam * * * I was almost 38 years old and a father, a novelist and a professor * * * I had been a Marine (having enlisted) in the Korean peace action * * * I never got to Korea.

"I believe I was confirmed by my (combat) experience in Vietnam," Flynn explains. He then goes on at length in praise of the Marines who served in the villages. But he also has a warning for our country: "Americans persist in seeing themselves as the Lone Ranger who rides into town, chases out the bad men, and rides away while men cheer and virgins swoon. However, it becomes increasingly difficult to find Tonto."

In his book, Flynn describes how groups of 14 Marines plus one Navy corpsman would live in the various villages where they taught the natives to defend themselves, delivered babies, pulled teeth, improved the sanitation and worked in agriculture.

Over lunch, the professor told me: "I believe the idea originated with old-time Marines like Chesty Puller who saw in Nicaragua the ineffectiveness of regular military tactics against the guerrillas."

That reminded me of something my retired publisher, Charles O. Kilpatrick, a combat Marine, told me. In the Pacific of World War II Puller would gather junior officers about him and say something like, "This is my kind of a war. We are here; the Japanese are over there. There's no question about the location of the enemy or who the enemy is. In Nicaragua when you went to sleep at night you never were sure your native orderly wouldn't cut your throat."

That, I gather from reading Flynn's book, is what the Marines experienced living with the villagers. The natives were generally friendly, but the leathernecks never know when they might get double-crossed.

Flynn is right when he claims "Tonto" is getting harder and harder to find. That's true be it Haiti, Somalia, and especially the Middle East. It is something for our young president to think about—he who, as a college boy, opposed Vietnam, but who, as a candidate, approved the stationing of Marines in Beirut and approved the invasion of Grenada, Panama and Iraq where, since then, an estimated 150,000 or more Iraqi children have died. All of those engagements remind me more of Caesar than of George Washington in his Farewell Address.

It was difficult for me to find research on the Marines who lived in the villages of Vietnam and so I called Col. J.E. Greenwood, USMC (Ret.), editor of the Marine Corps Gazette. As luck would have it, he worked with those Marines, for whom he had the highest praise. Not only that, he sent me all kinds of research including the book "The Combined Action Platoons," by Michael Peterson, which stated:

"The Marines distilled their experiences in the banana wars (in Central America) into an operations manual that became the Corp's magnum opus, the Small Wars Manual. The Manual provided a source of guidance for the conduct of counter-insurgency operations that anticipated later strategies. It is particularly interesting in its insistence on what would later be called low-intensity conflict, coupled with an appreciation of the social, economic and political milieu in what operations must be conducted."

(As a matter of fact, the U.S. Marines and the U.S. Army had a conflict between themselves. The Army was more inclined to search out and destroy than it was in working in the villages).

Robert Flynn ended his book, and I think accurately, on the pessimistic note about Tonto. Peterson in his book, equally pessimistic, writes: "Even assuming the United States had to intervene militarily in Vietnam (which it did not), I do not believe that if (the U.S. had employed a nationwide (village pacification) program) that the United States would have won the war. To paraphrase (Barbara) Tuchman, Vietnam was a problem for which there was no American solution."

Peterson seems to warn against our country involving itself in future wars of Third World countries. If he is still around and attends the San Antonio reunion of Marines in convention, I plan to ask him what he thinks about places such as Haiti.

But the lead cheer today goes to Robert Flynn of Trinity University, devoted as he is to those Marines who were part of the pacification program in Vietnam. Get his inexpensive paperback book and read it.

To you Marines in convention, and to all Marines of South Texas, happy 218th birthday.

Semper Fidelis.

WETLANDS LEGISLATION
INTRODUCED

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. STUDDS. Mr. Speaker, for several years, controversy over the Federal Wetlands Regulatory Program has raged unabated. The ensuing gridlock has caused mistrust of any reform ideas and virtually blocked any possibility for fixing the program. Legitimate dialog ceased long ago, with polarized rhetoric taking its place. While both sides of the debate have contributed thoughtful, well-reasoned suggestions for improvement, neither side has been willing to give an inch. This stalemate is tragic because there is real need for reform and genuine opportunity to improve wetlands protection and make the regulatory program more user friendly.

President Clinton launched a major initiative to break this logjam and bridge the differences between the two sides. Through extensive discussion with experts in the environmental community, industry, and academia, and with an unprecedented level of cooperation among Federal agencies, a new Federal wetlands policy was announced on August 24, 1993.

The leadership provided by the Clinton administration presents the Congress with the opportunity to forge ahead on the wetlands debate. It has moved us away from two polarized points of view and toward a rational discussion of how to fix what is broken in the permitting process and close loopholes that allow wetlands to be destroyed. It provides a new opportunity for substantive congressional action rather than simply more rhetoric. I believe the President's proposal will help us move forward together to provide greater protection to wetlands, a sensible regulatory process, and fairness, consistency, and predictability for landowners.

Many pieces of the administration's policy can be initiated without congressional action, but many cannot. Today, I am introducing legislation that embodies the Clinton wetlands policy and provides the statutory mandates the administration needs to make it a lasting solution.

I am including with this statement a section-by-section analysis of my bill. I invite every Member, whether you are a cosponsor of H.R. 350, H.R. 1330, or any other bill to join me as a sponsor of H.R. 3465.

SECTION-BY-SECTION ANALYSIS OF THE WETLANDS PROTECTION AND MANAGEMENT ACT

Section 1. Short Title. The short title of the bill is the "Wetlands Protection and Management Act".

Section 2. References. This section states that an amendment or repeal in this Act shall be considered to be made to a section or provision of the Federal Water Pollution Control Act, (i.e., the Clean Water Act).

Section 3. Policy and Findings. This section amends the Clean Water Act's Declaration of National Goals and Policy, stating that it is national policy to protect the nation's remaining wetland base and restore wetlands that have been degraded.

The findings elaborate the value of wetlands in maintaining the chemical, physical, and biological integrity of the nation's wa-

ters. Integrated planning of wetlands with other water resources is encouraged as is coordination among Federal, state and local governments. They also discuss the many economic benefits we gain as a nation by protecting wetlands including flood control, water purification, erosion control and fish and wildlife habitat.

Section 4. Delineation of Wetlands. Subsection (a) calls for the continued use of the 1987 Corps of Engineers wetlands delineation manual. It also states that no new manual for delineating wetlands shall be issued until after the National Academy of Sciences has completed its study as authorized by Public Law 102-389 and that the study must be considered in any revision and any changes must be field tested and open for public comment.

Subsection (b) provides for the delineation of wetlands on agricultural lands to be the responsibility of the Soil Conservation Service (SCS), using the 1987 manual in conjunction with the National Food Security Act Manual. The Corps will continue to make wetlands delineations on non-agricultural lands. The Administrator has the discretion to give greater authority to SCS to delineate nonagricultural lands that are associated with agricultural lands if it will streamline the permitting process. Both SCS and Corps delineation activities remain subject to Environmental Protection Agency (EPA) oversight and EPA may reassume delineation authority in problem cases.

Subsection (c) authorizes the revision of guidelines for wetland delineations in order to incorporate regional differences in plants, soils and wetlands hydrology. These revisions may be completed prior to publication of the National Academy of Sciences' study.

Section 5. Wetlands Conservation, Management and Restoration. This section provides for the Administrator to make grants to states from monies provided for administration of state water quality programs under section 104 for state wetlands conservation planning. This section also establishes a new Section 321, State Wetlands Conservation Plans, in the Clean Water Act. Subsection (a) of 321 provides for the Administrator to make grants to assist in the development and implementation of state wetlands conservation plans.

Subsection (b) provides guidelines for the contents of the plans including wetlands inventory, descriptions of causes of losses of wetlands, applicable state and local programs, potential restoration sites, management strategies and timetables, and monitoring mechanisms.

Section 6. Issuance of Permits. This section amends Section 404(d). Paragraph (1) requires that to the extent practicable, there be no net loss of wetland acres, functions and values for each permit issued.

Paragraph (2) requires that all conditions of a permit shall be enforceable and any mitigation required as a condition of a permit has to be monitored to ensure compliance and to determine effectiveness.

Paragraph (3) requires permit reviews for minor permits to be completed within 60 days. Minor permits are for actions of an individual landowner which affect less than one acre of wetlands. They cannot be part of a larger plan that would disturb more wetland acres. Written notice by the Corps is required if the application should be subject to further review due to unacceptable risks to the environment or if additional time to process permits is necessary to comply with other federal laws.

Paragraph (4) requires the Secretary to establish a new fee schedule for processing per-

mits with an annual revenue goal of \$10,000,000. Fees for permits for individuals for non-commercial uses may not exceed \$20. The permit fees will be deposited in a newly established Small Land Owner Assistance Account in the U.S. Treasury. The amounts collected shall be used to provide technical assistance to any landowner who lacks the financial capacity to comply with this section. For instance, assistance may be provided in delineating wetlands and identifying appropriate mitigation measures.

Section 7. General Permits. Paragraph (1) allows permits to be issued on a state or nationwide basis for specifically defined categories of discharges of dredged or fill material if it has been determined that the activities are similar, will cause only minimal adverse environmental effects, and will have only minimal cumulative effects on the environment. General permits may also be issued for specific categories of waters. It also requires that general permits adhere to section 404(b)(1) guidelines, have minimum standards, and include adequate measures to monitor activities to assure compliance.

Paragraph (2) authorizes programmatic general permits to be issued in order to avoid unnecessary duplication of federal, state, or tribal requirements. The agency administering the regulatory program must have jurisdiction over the activities and waters within the scope of the programmatic permit. The section provides safeguards to ensure that the programmatic permit will have no more than minimal cumulative adverse effects and at least the same level of protection as the Federal program provides including being subject to other Federal environmental laws. Finally, it allows for review of each permit application by all pertinent Federal agencies.

Paragraph (3) limits the term of general permits to five years and provides that they be revoked if they result in more than minimal adverse impacts on the environment.

Paragraph (4) requires notice and an opportunity for public comment for any activity permitted through a general permit that requires pre-discharge notification.

Paragraph (5) requires the review of general permits by the Secretary every two years and revision if there is evidence of adverse cumulative effects.

Section 8. Exemptions from Permitting Requirements. Subsection (a) amends the language in 404(f)1 to clarify existing exemptions for normal farming activities.

Subsection (b) adds a new paragraph to 404(f) exempting certain areas which are not considered navigable waters, such as: irrigation ditches in uplands, artificial lakes, swimming pools, stormwater detention areas, and any land determined by the U.S. Department of Agriculture to be prior converted cropland.

Section 9. Report on Effects of Permit Program; Needs Analysis. Subsection (a) requires a biennial report to Congress on the effects of activities conducted under permits, including general permits. The section also outlines the contents for the report, and establishes a national database containing information on wetland functions, values, acreage, mitigation and restoration. This report will allow the Federal Government and the public to be regularly apprised of the losses and gains of wetlands associated with the permit program.

Subsection (b) requires a needs analysis by the Comptroller General and recommendations for additional staffing and funding for the agencies involved with wetland regulation.

Section 10. Administrative Appeals. This section requires the Corps of Engineers to establish an administrative appeals process to allow individuals to question regulatory decisions without having to pay for a full blown judicial review. Appeals will be heard on jurisdiction, administrative penalties, or permit decisions. An appeal must be heard by someone other than the official who made the decision in question and in a venue that is in the proximity of the parcel of property in question. The appeals process for permit decisions is also open to anyone who participated in the public comment process.

Section 11. Wetlands Mitigation. This section establishes mitigation guidelines and permit requirements for wetlands mitigation projects.

Section 12. Mitigation Banks. This section adds a new section to 404 authorizing mitigation banks, and also provides for the establishment of specific financial and environmental guidelines for establishing and maintaining mitigation banks.

Section 13. Wetlands Delineation Certification Program and Programs to Provide Technical Assistance. This section outlines a program for federal employees and other individuals to become certified as wetlands delineators.

Section 14. Education and Outreach Program. This section seeks to help the public better understand the wetlands regulatory program by calling for EPA, the Corps, and the SCS to improve existing outreach programs; assist individuals with the requirements of this section; and to inform the public of the value of wetlands. It is also required that private landowners be provided with technical materials to assist with wetlands identification.

Section 15. Section 404 Definitions. This section redefines dredged or fill material for the purposes of this section to include any additional or redeposit of dredge or fill material which is incidental to draining, dredging, excavation, channelization, flooding, pumping, driving of pilings, diversion of water, mechanized landclearing, or ditching. The new definition also includes these activities if they significantly impair the flow or change the hydrologic regime of water without the addition of materials. Currently, many activities that destroy wetlands escaped regulation because they were not specifically "dredge" or "fill" activities. This section also defines prior converted croplands.

Section 16. General Definitions. This section defines navigable waters and wetlands for the purposes of this Act.

Section 17. Sense of Congress Concerning Wetlands Reserve Program. This section acknowledges that non-regulatory cooperative ventures such as the Wetlands Reserve Program authorized by the Food Security Act are effective conservation and restoration programs and should be encouraged by full funding.

COATED PILL OF CONTROLS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 8, 1993

Mr. GINGRICH. Mr. Speaker, I would like to call to your attention an article in the Washington Times written by Ben Wattenberg. I believe this article outlines important issues pertaining to the recent history of the health care

reform movement as they pertain to the current debate. Furthermore, it is my hope that an analysis of this history will provide us with the insight necessary to avoid the pitfalls experienced in 1992.

In 1992, legitimate efforts to reform the American health care system were being introduced. In particular, legislation proposed by Senator Lloyd Bentsen introduced reforms that were bipartisan in nature and therefore widely accepted. Additionally, Mr. Wattenberg identifies four key issues that were catalysts for reform in 1992.

First, corporations were beginning to aggressively streamline their organizations by cutting middle management and calling into question skyrocketing health care costs. Second, insurance companies were being scrutinized for denying coverage to people with previous medical conditions. Third, there was a consensus in Congress that the U.S. health care industry was in trouble and that reform was needed. Finally, and most importantly, the Bush White House had availed itself to discussing health care reform legislation if it included malpractice reform.

Mr. Speaker and distinguished colleagues, we must recognize that the opportunity to contribute, in a measurable way, to the well-being of society presents itself infrequently and when it does must be acted upon. If we cannot pursue a truly bipartisan plan that respects and encourages individual responsibility, free choice, and private enterprise then there will be no winners.

COATED PILL OF CONTROLS

(By Ben Wattenberg)

Cherry-pickers unite! Your time has come! The phrase goes back to the last health-care debate, which occurred a couple of years ago. Sen. Lloyd Bentsen was pushing for new federal health insurance legislation. The Bush White House, gradually coming out of its political stupor, was interested in the idea.

The time seemed ripe. Corporations were going leaner and meaner, which led to leaner and meaner health insurance programs. Insurance companies were denying coverage on the basis of "pre-existing conditions," thereby cutting down "portability," specializing in covering people least likely to need insurance. (How sweet.) Malpractice awards were soaring, yielding "defensive medicine" driven by juries, not doctors. Middle-class Americans, the kind who vote, were getting worried and angry. In Congress, a new consensus for reform was growing.

Mr. Bentsen's legislation tried to fix what was most obviously wrong. He aimed at encouraging small businesses to provide their employees with insurance, in a way both political parties could agree upon. Applicants could not be turned down for pre-existing conditions. Portability would be enhanced. When the Bush White House finally came up with its own proposal, it drew heavily on Mr. Bentsen's work, adding tough controls on malpractice, a universal insurance form to cut down on waste, and health-care vouchers to cover most, although not all, of the remaining uninsured.

And it never happened. The opposition in Congress came principally from liberal Democrats. Borrowing an epithet from the insurance industry, they said it was "cherry-picking," taking just the good stuff that most folks agreed upon. (What a terrible way to legislate that would be.) Good was Bad. If

the ripe cherries got picked, horrors, voters wouldn't be upset any more. The motivation for broader health reform might dissolve before America took its bitter medicine. The liberal prescription for such medicine came under many brand names, but the generic label on the bottle was always "More Government Control."

There was a second reason that Bentsen-style incremental reform didn't succeed. The 1992 presidential election year approached, with health care looming as a big issue. Some of Mr. Bentsen's Democratic colleagues said, "Don't send Bush a bill he could sign"—lest Republicans get political credit.

And so, we now have the proposed Clinton remedy. Surely, he deserves credit for bringing the issue front and center on the political agenda. Surely, there is much that makes sense in his plan. In fact, most of the good old cherries are right there, including portability, elimination of pre-existing conditions, and a universal insurance form. (Although tough treatment of malpractice abuse is missing.) The Clinton plan goes further than Mr. Bentsen's or Mr. Bush's: Everyone gets coverage, including prescription medicine.

But, alas, with these fine Clinton cherries, we also get a coated pill of more government control, which in this day and age constitutes political malpractice.

Mr. Clinton proposes scores of new state "health alliances" to shape the very nature of medicine in America, adding one more layer of governmental busybodies to a system already overloaded with bureaucracy. And there will be federal price controls, in the form of a National Health Board, regulating the costs of insurance premiums, which under the Clinton plan means controlling everything.

Price controls are a disaster. They never work economically. They can reduce innovation for new products—like drugs for Parkinson's, cancer and Alzheimer's. And they further extend the gray power of government over our lives—just when Vice President Al Gore has told us all about how the federal quagmire can't buy an ashtray without a task force.

It's unlikely to happen. The votes in Congress are not there for such a power grab. What we are probably going to get—what we should get—is Bentsen-style incremental reform, expanded to include coverage for all. Mr. Clinton's plan fixes more than is broke. It's time to pick some cherries.

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 Tuesday, November 9, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 10

- 9:00 a.m.
Governmental Affairs
Permanent Subcommittee on Investigations
To hold hearings to examine the Immigration and Naturalization Service's (INS) Criminal Alien Program. SD-342
- 9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business. SD-366
- 9:45 a.m.
Armed Services
To hold hearings on the nominations of R. Noel Longuemare, Jr., of Maryland, to be Deputy Under Secretary of Defense for Acquisition, Henry Allen Holmes, of the District of Columbia, to be Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, and Gilbert F. Casellas, of Pennsylvania, to be General Counsel of the Department of the Air Force. SR-222
- Labor and Human Resources
Business meeting, to consider the nomination of Harold Varmus, of California, to be Director of the National Institutes of Health, Department of Health and Human Services. SD-430
- 10:00 a.m.
Banking, Housing, and Urban Affairs
Securities Subcommittee
To hold oversight hearings on the mutual fund industry. SD-538
- Finance
To hold hearings to review the Uruguay Round of multilateral trade negotiations. SD-215
- Foreign Relations
To hold hearings on the nominations of Theodore E. Russell, of Virginia, to be Ambassador to the Slovak Republic, Thomas L. Siebert, of Maryland, to be Ambassador to Sweden, M. Larry Lawrence, of California, to be Ambassador to Switzerland, Nicholas Andrew Rey, to be Ambassador to the Republic of Poland, Edward Elliott Elson, of Georgia, to be Ambassador to Denmark, and John F. Hicks, Sr., of North Carolina, to be Assistant Administrator for Africa of the Agency for International Development. SD-419
- Labor and Human Resources
To hold hearings to examine long-term care for senior citizens and individuals with disabilities. SD-430

Joint Organization of Congress
Business meeting, to continue to mark up proposed legislation to reform congress. S-5, Capitol

- 2:00 p.m.
Governmental Affairs
To hold hearings to examine the North American Free Trade Agreement's (NAFTA) job statistic claims. SD-342
- 2:30 p.m.
Agriculture, Nutrition, and Forestry
Agricultural Research, Conservation, Forestry and General Legislation Subcommittee
To hold hearings on S. 1288, to provide for the coordination and implementation of a national aquaculture policy for the private sector by the Secretary of Agriculture, to establish an aquaculture commercialization research program. SR-332

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
- 2:00 p.m.
Governmental Affairs
Permanent Subcommittee on Investigations
To resume hearings to examine the Immigration and Naturalization Service's (INS) Criminal Alien Program. SD-342

NOVEMBER 17

- 9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business. SD-366

NOVEMBER 18

- 9:30 a.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 316, to expand the boundaries of the Saguaro National Monument in Arizona, and S. 472, to improve the administration and management of public lands, National Forests, units of the National Park System, and related areas by improving the availability of adequate, appropriate, affordable, and cost effective

housing for employees needed to effectively manage the public lands. SD-366

- 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
- 10:00 a.m.
Veterans' Affairs
To hold hearings to examine illnesses as a result of the Persian Gulf War. SD-106
- 2:30 p.m.
Indian Affairs
To hold hearings on H.R. 734, to provide for the extension of certain Federal benefits, services, and assistance to the Pascua Yaqui Indians of Arizona. SR-485

NOVEMBER 19

- 9:30 a.m.
Indian Affairs
To hold hearings on S. 1526, to improve the management of Indian fish and wildlife and gathering resources. SR-485

NOVEMBER 22

- 9:30 a.m.
Agriculture, Nutrition, and Forestry
Agricultural Research, Conservation, Forestry and General Legislation Subcommittee
To hold hearings to review the Federal meat inspection programs. SR-332

NOVEMBER 30

- 9:30 a.m.
Indian Affairs
To hold hearings on S. 1216, to resolve the 107th Meridian boundary dispute between the Crow Indian Tribe, the Northern Cheyenne Indian Tribe, and the United States and various other issues pertaining to the Crow Indian Reservation. SR-485

POSTPONEMENTS

NOVEMBER 9

- 10:00 a.m.
Foreign Relations
Business meeting, to mark up proposed legislation for reform in emerging new democracies and support and help for improved partnership with Russia, Ukraine, and other New Independent States, and S. Res. 160, regarding the October 21, 1993, attempted coup in Burundi, and to consider pending nominations and treaties. SD-419
- 3:00 p.m.
Conferees on H.R. 1268, to assist the development of tribal judicial systems. S-6, Capitol