

EXTENSIONS OF REMARKS

QUESTIONS ABOUT CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, February 3, 1993, into the CONGRESSIONAL RECORD:

QUESTIONS ABOUT CONGRESS

Constituents often tell me of their concerns about the operation and management of Congress. I usually agree with their views—often to their surprise—but find that there is sometimes confusion, and even misinformation, over some basic facts. This newsletter attempts to set the record straight on some of the questions Hoosiers commonly ask about Congress.

HOW MANY PEOPLE WORK IN CONGRESS?

Staff in the legislative and executive branches of government has increased since the end of World War II, mainly because of the growing role of government in our society. However, while the executive branch has continued to grow, congressional staffing has remained relatively stable over the last decade—with House staff at around 12,000 and Senate staff at around 7,000. There has been some dispute about the precise number of people working in the legislative branch. Congressional critics say that Congress employs about 40,000 people. The facts do not support this claim. Adding together the staff for the House and Senate as well as congressional support agencies, like the Capitol Police and the Library of Congress the total staff for the legislative branch in 1991 was 30,622. This marks a 2.2% decline from the 1979 total. Furthermore, legislative branch staff is tiny when compared to executive branch departments. Excluding the military, there are 80 executive branch employees for every legislative branch employee. Additional cuts are likely in both branches.

HOW BIG IS THE CONGRESSIONAL BUDGET?

The congressional budget has been cut in recent years after growing since the 1970s. The congressional budget for this fiscal year totals \$2.3 billion, a 6.5% cut from last year's level. Congress has cut mailing costs and official expenses. I agree with constituents who say that additional cuts can, and should, be made, but also stress to them that eliminating all spending on Congress, the Library of Congress and support agencies would save only 0.2% of the federal budget. Meaningful deficit reduction will require across the board cuts in executive branch budgets and, more importantly, in entitlement spending.

WHY DOES CONGRESS EXEMPT ITSELF FROM FEDERAL LAWS?

Congress does not, and should not, "exempt" itself from the laws which apply to the private sector and to the executive branch. Certain laws, as applied to Congress, are, and should be, enforced differently for constitutional reasons. Allowing executive branch agencies to enforce federal laws in Congress would violate the separation of

powers doctrine in the Constitution and could compromise the autonomy of the legislative branch. The House and Senate have taken steps to ensure that their employees have the same rights and protections as employees in the private sector. In 1988 the House approved a resolution which provides House employees and job applicants with protection against discrimination based upon race, color, national origin, religion, sex, handicap, or age. The resolution also gives employees a full range of remedies, including timely hearings, an appeals process, and the right of financial compensation. House employees are also covered by the overtime and minimum wage requirements of the Fair Labor Standards Act and the employment provisions of the American with Disabilities Act. Better enforcement of these provisions is still necessary.

WHAT HAS CONGRESS DONE TO IMPROVE ITS MANAGEMENT PRACTICES?

The House banking scandal of 1991 spurred a flurry of reforms. The House voted to close the House bank, and has adopted a series of reforms to improve Congress' overall operations. The House has hired a non-partisan administrator, a former army lieutenant general, who is now responsible for managing and coordinating all non-legislative services and facilities of the House, including management of House accounts, internal mail delivery, and service employees. The administrator is implementing policies that will, ultimately, abolish patronage hiring in offices under his jurisdiction. The House has also established the post of House Inspector General responsible for auditing the financial operations of the administrator and other House activities.

DO I ANSWER MY OWN MAIL?

I am responsible for all the letters that leave my offices in Jeffersonville and Washington, D.C. Given the volume of contacts—about 550 a week by phone and mail—my staff assists me in responding to them. Following my directions, my staff answers routine mail. I read most of the letters and comments from phone calls asking my position or my views on certain issues, and, working with my staff, respond to them.

WHAT ABOUT CONGRESSIONAL PERKS?

On the general issue of perks, my view is that members of Congress should be treated the same as any other individual—no better, no worse. I have consistently supported the elimination of perks.

DO MEMBERS RECEIVE FREE HEALTH CARE?

Members participate in the same health plans as other federal employees, and pay the same rates. I pay market rate for health insurance premiums for my wife and me. There is not, as many suggest, a free medical clinic serving Congress. Members do not receive free prescriptions or free hospital care; they purchase prescriptions and are treated in hospitals in the commercial market. There is a physician in attendance at all times at the Capitol. Members are required to pay about \$500 a year to use the physician. The physician also assists any of the tens of thousands of visitors who come to the Capitol each year who require emergency aid.

WHAT ABOUT RETIREMENT BENEFITS?

Members of Congress contribute up to 8% of their salaries to retirement, including the congressional pension plan and Social Security.

WHAT ABOUT OTHER "FREEBIES"?

I pay for the gas I use to drive to and from work, just as my staff and other members of Congress do; pay \$400 a year to use the house gym; pay \$10 for my haircuts, and my meals are not subsidized. I do not enjoy free use of military aircraft, or free golf, tennis and hunting privileges, and do not receive immunity from parking tickets, or have the use of military officers' clubs. I do have free parking.

WHY DOES CONGRESS ENJOY FRANKING PRIVILEGES?

The frank refers to the practice by which members of Congress use their signatures, rather than postage, to send mail to constituents. The founding fathers established the frank in 1775 as an aid in communicating with constituents and informing them of important issues facing Congress. Every year Congress receives over 215 million pieces of mail. My offices receives about 29,000 contacts a year. Congress appropriates money every year to reimburse the Postal Service for the use of the frank. In 1990, the House greatly reduced the permissible uses of the frank, and then cut its mailing budget by 57%. Further cuts are expected this year.

BRAMWELL NATIONAL HISTORICAL PARK ACT OF 1993

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. RAHALL. Mr. Speaker, today, I am introducing legislation to establish, as a unit of the National Park System, the Bramwell National Historical Park in the State of West Virginia. This bill is identical to the legislation I sponsored during the 101st and 102d Congresses.

As I have noted in the past, it is my intention to seek as part of my southern West Virginia coal heritage initiative the establishment of what I like to call the Colonial Williamsburg of coal towns. We have been fortunate to find in Bramwell some outstanding, and what I believe to be nationally significant, historical, cultural, and architectural values relating to the coal mining heritage of southern West Virginia.

The proposed Bramwell National Historical Park is envisioned as being a living unit of the National Park System in a manner similar to the Harpers Ferry National Historical Park in West Virginia. People would continue to make the area their homes. For this reason, the legislation makes a number of specific provisions to protect private property rights: acquisition of land could only take place with willing sellers and the National Park Service would not have access to private residential property within

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

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

the park without the advice and consent of the owner.

Development of the park would be outlined in a management plan, which would be developed by the National Park Service with public input and through consultation with the Bramwell National Historical Park Advisory Committee established by the bill. However, the legislation does provide for the restoration of a brick surface to North River Street, Main Street, Rose Street, South River Street, and Bloch Street to restore the historical and architectural character of the park; measures to mitigate the visual impact of public utility facilities such as phone and electrical lines on the historical and architectural character of the park; the reconstruction of the Bramwell Railroad Depot; and, the restoration of an edifice or edifices suitable to provide for the interpretation and visitor appreciation of the historical, cultural, and architectural features of the park. Under the bill, the National Park Service would be authorized to enter into cooperative agreements with the owners of properties of historical or cultural significance within the park to mark, interpret, restore, and provide technical assistance for the preservation and interpretation of the properties.

The 13 member advisory committee would consist of the Governor of the State of West Virginia or his delegate; one member to represent the West Virginia Division of Culture and History; the mayor of the town of Bramwell; one member to represent the Mercer County Commission; one member to represent the Mercer County Historical Society; two members to represent the Bramwell Historic Landmark Commission; two members to represent the Bramwell Millionaire Garden Club; one member to represent the West Virginia Preservation Alliance, Inc.; one member to represent Coalways, Inc.; one member to represent the West Virginia Association of Museums; and one member to represent the Pinnacle Rock State Park Foundation, Inc.

A portion of the town of Bramwell, where the historic coal baron homes are located, is currently listed on the National Register of Historic Places as a historic district. The Bramwell Historic Landmarks Commission is in the process of working to expand the existing historic district to include the outlying Coopers, a former company-run coal camp, and other areas within the corporate boundary of the town. I expect this effort to be finished shortly. Under this legislation, we will adopt this boundary for the purpose of the park. As such, both sides of our coal heritage—management and labor—will be represented.

I would also note that a number of developments have taken place since I originally introduced this bill during June 1990. Aside from the progress that has been made on expanding the existing National Register listing, the legislation was the subject of a hearing conducted by the Subcommittee on National Parks and Public Lands on September 18, 1990, during which we received excellent testimony from the mayor of Bramwell, Harry Donnal Murphy, who has been extremely supportive of this initiative. In fact, early in 1990 the town council voted to endorse the bill. Also presenting testimony was Louise Stoker, the chairman of the Bramwell Historic Landmark District; Beth Hager, the Curator of History for

the Huntington Museum of Art; and Commissioner Bill Drennen of the West Virginia Division of Culture and History.

In addition, as part of the fiscal year 1991 appropriation bill for the Interior Department, with the assistance of Senator ROBERT C. BYRD of West Virginia, we were able to obtain funds for the National Park Service to conduct a new area study on Bramwell. It is due to the delays in the completion of this study that action was not taken on this bill during the last Congress. However, it is my understanding that the study will be transmitted to the Congress in the very near future. I would state that in reviewing a draft of the study, I find it tainted with the prejudice against establishing new units of the National Park System that was endemic to both the Reagan and Bush Administrations. In fact, as I understand it, after the NPS Mid-Atlantic Region was initially given responsibility for conducting this study, the funding was almost immediately snatched back and sent to the Denver service center. Hence began a grim saga during which a site visit to Bramwell for the purpose of conducting this study consisted of a couple cursory visits to the town. Afterward, drafts of the study bounced back and forth between Denver, Philadelphia and Washington, DC, for the better part of a year. For my part, if the final version of this study looks anything like the draft dated December 1992 which I had the displeasure to review, I dismiss it out-of-hand as being the product of nothing more than a political football game tainted by the misguided philosophies of a failed administration.

The only saving grace in this initiative has been the NPS' Historic American Buildings Survey/Historic American Engineering Record [HABS/HAER] interest in Bramwell. After sending a team to the community, HABS/HAER personnel returned to Washington, DC, extremely excited over the resources they found there. This visit was followed up by a photographic review of Bramwell. The interest HABS/HAER in Bramwell is deeply appreciated, not only by me, but by the community, and we look forward to their continued involvement in this initiative.

Mr. Speaker, the purpose of the bill is to gain the preservation, restoration and interpretation of the historical, cultural and architectural values of the town of Bramwell for the educational and inspirational benefit of present and future generations. I do contend that it is in the national interest to preserve the unique character of Bramwell and its environs. I commend it to the House.

CONGRATULATIONS TO LYN M.
ROSS

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. FOGLIETTA. Mr. Speaker, I would like to take this opportunity to honor the distinguished career of Lyn Ross as she prepares to step down after 7 years of exemplary service as president of the National Museum of American Jewish History in Philadelphia.

During her tenure as head of the museum, she has directed major changes which have

resulted in unprecedented growth. Under her guidance, the museum has seen a major expansion in its base of support and the museum's collection which documents the American Jewish experience. Throughout these changes she never lost sight of the museum's original mission: the collection, preservation, and interpretation of this rich and fabled history. As the custodian of this heritage, she has worked tirelessly to preserve and protect this treasure for Philadelphia, the Nation, and for countless generations to come. For this we owe her our sincere gratitude.

In addition to these many responsibilities, Lyn has remained deeply involved in numerous civic organizations which were committed to the betterment of the arts in Philadelphia and its people. I applaud her many accomplishments and I know she will be greatly missed by the museum as well as the people of the city of Philadelphia.

A TRIBUTE IN CELEBRATION OF
THE UNITED NEGRO COLLEGE
FUND'S NATIONAL ALUMNI
COUNCIL

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today to commemorate a most special gathering that is taking place in the great city of Philadelphia this week. As the National Alumni Council of the United Negro College Fund convenes to celebrate its 47th year, I would like to reflect on the legacy of the United Negro College Fund, and the tremendous dedication of its alumni.

Consider the plight of the African-American in the United States just prior to the Civil War. Either bound by the shackles of slavery, or free in a world with no promise for a brighter future, the prospects were grim. Then came the emergence of Lincoln University in my home State of Pennsylvania, in 1854. The seeds of knowledge were planted, and today, the 41 schools which are represented by the UNCF, have blossomed into a tree of knowledge from which hundreds of thousands of African-Americans have harvested the fruits of higher learning.

Mr. Speaker, since its inception, the United Negro College Fund has played a crucial role in the continued development of our Nation's historically black colleges and universities. No one can deny the fact that each and every one of these institutions is a national treasure, and a testament to the quality of academic excellence that the African-American has come to expect.

Despite the success of these institutions Mr. Speaker, new challenges face the United Negro College Fund and its member institutions every day. Rising to meet these challenges is not only the dedicated staff of the UNCF, but the thousands of men and women who have walked through the great halls of these institutions. Alumni support is an important aspect of any educational institution. In the case of historically black colleges and universities, it is essential.

The National Alumni Council and Pre-Alumni Councils represent America's finest professionals in areas ranging from business, to science, to education. They serve as role models for our children, and testify to the invaluable and unique education that only an historically black college or university can provide. I am certain that this year's meeting will once again yield a most beneficial exchange of ideas which will assist the United Negro College Fund in forging a continued path of academic excellence.

I ask my colleagues to rise and join me in paying our greatest tributes to the National Alumni and Pre-Alumni Councils of the United Negro College Fund. May God bless you, and continue to instill you with the highest sense of pride and duty.

**RAY McBRIDE SERVED UNION AND
COMMUNITY WELL**

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SOLOMON. Mr. Speaker, I like to call them "quiet heroes," people who don't get that much notoriety, and certainly not as much recognition as they deserve. They simply work, obey the law, raise families, and make their communities better places to live.

I'd like to say a few words about one of them today. His name is Ray McBride of Watertown, NY. I'm proud to say he's always been a big supporter of mine. I say proud, because Ray McBride devoted 20 years of outstanding service to union affairs.

Ray is a veteran, which also makes him special to me, and spent 1 year in Korea during his 3 years in the Air Force. He started with Norton Paper Co. in Watervliet in 1956. He soon became involved in union activities, and this February 6 he will retire as president of local 17, United Paperworkers International Union, a position he held for 6 years.

Like many of my "quiet heroes," Ray also found time to be a solid family man and to take part in community activities. He and his wife Harriet raised a daughter, Mary, who has presented them with a granddaughter, Debra, now 5 years old. Ray has been very active in the Hibernians and in veterans organizations. He's a heck of a bowler and golfer, and I hope he'll find more time to indulge those hobbies.

Everyone who knows Ray respects him as a man who is honest, knows how to listen, and never gets too excited under pressure.

I know him as a good friend and a great American.

Mr. Speaker, on February 6 his many friends are going to honor him at a retirement party. I would ask you and other Members to join me so that we may pay our own tribute to Ray McBride, a quiet hero who has made a difference.

REAL ESTATE STABILITY AND RECOVERY AMENDMENTS ACT OF 1993

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SHAW. Mr. Speaker, today I and three of my colleagues, MIKE ANDREWS of Texas, BILL THOMAS of California, and BOB MATSUI of California, are introducing legislation that we call the Real Estate Stability and Recovery Amendments Act of 1993.

While we decide what to do about a fragile U.S. economy, it would be useful for us to realize a few things. Everyone agrees that real estate is a critical sector of the U.S. economy. The Nation most likely will remain unable to experience sustained economic recovery and long-term economic growth as long as real estate remains in a depressed condition. In fact, real estate generates about one-fifth of the gross national product of this country, about 23 percent of all Government tax revenue, and about 70 percent of local tax revenue for roads, schools, public safety, and other critical services. And if that is not enough, I urge my colleagues to consider that in the 1990's alone, commercial real estate assets have lost about \$500 billion in value.

Mr. Speaker, even if I cannot say that a recovery in real estate means a recovery in the general economy, I can at least tell you that a general and lasting economic recovery will not happen without a recovery in real estate. Perhaps we could have called this legislation the Economic Stability and Recovery Act of 1993.

Our legislation addresses three areas of Federal real estate tax law that impede a rebound in real estate. One thing this bill does is correct the gross inequity created in 1986 in the passive loss rules. For 6 years these rules have chained the real estate industry with a special set of rules that have driven commercial values down and blocked a meaningful recovery. It is long past time that we rectified this mistake, and this bill would do that.

The bill would also update the rules governing pension capital investment with respect to debt-financed real estate. Pension funds are a commonsense source of credit and capital for long-term investment in real estate, but present law makes this too difficult. This bill contains generally technical changes that would help in this area.

Finally, this legislation remedies a critical problem plaguing many distressed commercial properties across the Nation. This issue is of particular concern to me, because I was the first sponsor of legislation in the last Congress to address this situation.

Currently, many owners of commercial real estate are struggling because their properties cannot support the debt encumbering those properties. A loan restructuring is often out of the question because present tax law imposes immediate tax liability even though no cash is received in the renegotiated deal. The taxpayer often finds himself better off from a tax perspective if he declares bankruptcy or simply walks away from the property.

The legislation we introduce today would remove from the Tax Code the current disincen-

tives for restructuring distressed real estate loans. It would establish a tax treatment similar to that currently available for farming debt. Taxpayers, however, would not be relieved of any tax liability. Instead, the liability to the Treasury would be deferred until the property is sold, a transaction likely to result in the funds needed to satisfy the tax obligation.

Congress should act immediately to remedy these critical flaws in the Tax Code that impede a meaningful and lasting real estate recovery, without which continued general economic growth will be difficult at best. I urge my colleagues to cosponsor this legislation, and I respectfully request prompt action on this bill by the Ways and Means Committee and the full House.

**DEMOCRATS ARE THE CHAMPIONS
OF REFORM**

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. OWENS. Mr. Speaker, Democrats in this Capitol should be reminded that campaign reform and higher standards of ethics are Democratic initiatives. Long before Ross Perot came on stage the impetus for change in the campaign financing laws and for the regulation of lobbyists was in place as a result of Democratic sponsorship. The new administration promised to broaden and accelerate these initiatives. Without the prodding of Ross Perot supporters these promises must be kept. The army of American mercenary lawyers working for Japanese corporations must be exposed. Our voters need to know that giant trade imbalances and the flight of American jobs are caused partially by day to day sellouts in Washington.

We very much need new kinds of disclosure requirements for media mercenaries who insist on describing groups who lobby for the vaccination of children as "special interests" equal to the S&L bank conspirators. Talk show hosts subsidized by the public airwaves should disclose the amount and sources of their income as they bombard their listeners with their personal propaganda. The people need to know why the talk show Napoleons treat the half trillion dollar savings and loan bank swindle with lethargy and indifference while overdrafts and gay soldiers are depicted as a threat to the national security.

Above all, Mr. Speaker, it is imperative that 2 years from now Democratic incumbents should not have to face the charge of being soft on campaign reform and higher standards of ethics in Washington. We should also not have to answer the charge that all that was done was completed only after the Perot watchdogs made us do it. Democrats must expose the incest in Washington. Performances like the instant hearings which confirmed most Cabinet members must not be repeated. In the name of efficiency we looked slick. No one would have been hurt if the nominees had been asked a few hard questions. In the next few years fuller disclosure of the mechanics of Washington dealing is inevitable. Instead of dropping the ball, Democrats should escalate

their efforts to force the doors of the invisible clubs open.

INCEST CITY

The public has a right to know
Full meaning of charges
Made by mad Ross Perot
Cocktail power's
Finest hour
Is after session
Never mind
Financial disclosures
Confess
Your intimate connections
Who's whose mama
And what's your sister's
Married name
Insider trading
Of political information
Is still a legal game
But confess
Your contacts
Hang your advantages
On the public racks
The public has a right to know
Where all the foreign trade
Bribery dollars go
Who's switching sides
And changing pace
Watch double dealing
That deadly disgrace
Carla and Ron
Have lucrative non-partisan
Client swapping fun
Maya and Clarence
Jimmy Linda Cokie
Camouflaged
Family Values
Mardi Gras masks
Complicate our tasks
Saints are marching in
While sinners
With old connections
Convene
The orgy resurrections
Duvalier's favorite men
Escorting Aristide in
The public has a right to know
Which corporate clients
Sponsored frugal Zoe
Cocktail power's
Finest hour
Is after session
Confess your contacts
Hang your privileges
On the public racks
Old revolving doors
Still turning
Taxpayers' dollars
Still burning
The public has a right to know
Full meaning of charges
Made by mad Ross Perot.

IN RECOGNITION OF RALPH
TASKER

HON. JOE SKEEN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SKEEN. Mr. Speaker, this past weekend, a major national landmark was achieved in the city of Hobbs, which is located in my district in southeastern New Mexico.

The local high school basketball coach, Ralph Tasker, commanded his players to another victory at home, against their opponents from Alamogordo. Another Friday game at home; another win. It's been that way for over four decades.

But this win had a little more significance. It was the 1,027th win for Coach Tasker and his Hobbs Eagles and placed him in the national record books as the winningest high school boys basketball coach. Coach Tasker, 73, now has 1,027 wins and only 252 defeats in his 43 seasons as the coach at Hobbs High School. Mr. Tasker previously coached in Lovington, NM, High School, and at Sulphur Springs, TX, prior to moving to Hobbs in 1950.

Coach Tasker is a source of pride and honor to Hobbs, NM. His dedication and commitment to his students, school, and community has not gone unnoticed and has put Hobbs High School on the national high school basketball map.

On behalf of my colleagues, I would like to extend my hearty congratulations to Coach Tasker and all his players throughout the years who contributed to this important record.

Mr. Speaker, I insert the enclosed news article from the wires of the Associated Press in recognition of Mr. Tasker's accomplishment:

IN RECOGNITION OF RALPH TASKER

HOBBS, NM.—Ralph Tasker came within eight seconds of missing out on a national record, but Tyrone Haynes' 15-foot jumper with 8 seconds left sent Hobbs into overtime and overdrive.

With an 87-77 victory Friday night over Alamogordo, the Hobbs Eagles made Tasker the winningest high school boys basketball coach ever.

Tasker, 73, now has 1,027 victories and 252 defeats, one win better than previous record holder Leslie Gaudet of Louisiana's Pine Prairie High School. Gaudet had 1,026 victories and 353 losses in a career that ended in 1970.

Tasker tied the record Jan. 22 with a 61-51 victory over Roswell and moved into sole possession of the mark Friday night.

"The past 10 days have been the longest of my life," Tasker said afterward. "I don't know how my boys could have won if they were as tired as their coach. I knew the record was on the line, and my boys worked so hard to get it."

Of overtime, he said: "It made it special, didn't it?"

"Tonight I'm the happiest guy, not just in New Mexico but the entire Southwest. This win ranks right at the top. It meant a lot to us. Everybody in Hobbs has been pointing toward it. As time goes on, it will mean more and more to me. Right now, I'm going home, sit down and let it sink in."

Typically, the Eagles used their patented full-court press the whole game, and the press forced four crucial Tiger turnovers in overtime.

In regulation, Hobbs had been ahead 68-62 with 3:20 left, but tentative play by the Eagles on offense allowed the Tigers to catch up, and then Hobbs fell behind 70-68 with 48 seconds left.

Haynes tied it for the Eagles with eight seconds left in regulation. Alamogordo tried an 18-footer that missed at the buzzer. And the score was 70-70 at the end of regulation.

Overtime stayed close for about 3 minutes. But with 1:45 remaining, the Eagles turned on their offense and began an 8-0 run that put them up 81-74 with 41 seconds remaining.

The Tigers' Jeffrey St. Julien scored a 3-pointer with 33 seconds left to get Alamogordo within 81-77.

The tigers then began fouling to stop the clock, but the Eagles made four of six free throws down the line to clinch it.

Tasker began his career at Sulphur Springs, Ohio, in 1941, losing the first game he coached, 72-38.

"I didn't speak to my wife for days," he said in a recent interview.

World War II limited him to one season at Sulphur Springs, where he compiled a 5-11 record, then joined the Army Air Corps. He finished his tour of duty at Kirtland Air Force Base in Albuquerque in 1945 and took a job coaching basketball at Lovington, about 25 miles northwest of Hobbs.

Lovington had three straight winning seasons capped by a State championship in 1949.

Hobbs hired Tasker in 1950, and he's been here ever since, winning 11 more State championships. He installed a full-court press in 1956, and it has been the hallmark of Tasker's defense ever since.

Through every season and in every game, the sideline refrain from the Hobbs bench has been a constant "press, press, run, run, run."

And he never forgot Sulphur Springs.

"I just want everyone to know that I'm representing all the kids at Hobbs, at Lovington and the kids in Sulphur Springs who played for me all these years," he said Friday night.

REAL ESTATE STABILITY AND RECOVERY AMENDMENTS ACT OF 1993

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. ANDREWS of Texas. Mr. Speaker, while recent economic figures indicate a modest economic recovery in this country, we all recognize that we still have some important structural weaknesses that demand our attention.

Our economic foundation has many components. One of the most significant, and one of the most neglected, has been the real estate market. Presently, the real estate industry contributes more than a fifth of the annual gross domestic product of the U.S. economy, with more than \$1 trillion in debt secured by real estate. This makes the real estate industry roughly equivalent to the corporate bond market.

However, real estate's stability has slid in recent years. Commercial real estate values have declined by \$500 billion in the 1990's, not only halting new construction and encouraging the abandonment of existing structures, but sparking a debilitating crisis in the banking industry. As Federal Reserve Chairman Alan Greenspan has recently indicated, banks and other lending institutions are not likely to launch aggressive lending campaigns until real estate values clearly stabilize.

Unfortunately, much of the blame for this instability in the real estate markets lies with the Federal Income Tax Code. Under the passive loss rules, owners of property are frequently prohibited from deducting any losses on that property against their gross income.

The Real Estate Stability and Recovery Amendments Act of 1993 that I have introduced with a majority of my colleagues on the House Committee on Ways and Means, addresses this flaw in the Tax Code in three ways.

First, this legislation would reform the passive loss rules that continue to create difficulty

for real estate investors 6 years after their enactment. Under current law, an investor in real estate, unlike an investor in a shoe store for example, cannot typically take a deduction against gross income due to losses from the investment. My bill would allow full-time real estate entrepreneurs—taxpayers who spend 50 percent of their time in a real estate trade or business and who are 5 percent owners of that business—to take a deduction against gross income for losses incurred due to the ownership of real estate. The current passive loss rules fail to recognize the true economics of owning and operating rental real estate and effectively discourage owners from working out troubled properties. For that reason, these rules have abetted the slide in real estate values and diminished local tax bases while discouraging a sustained economic recovery. A study by the Mortgage Bankers Association last year concluded that such a change to the passive loss rules would increase commercial real estate values by 3 to 5 percent across the board.

The second provision would remove current law disincentives for restructuring troubled real estate debt. Under this provision taxpayers would still bear their tax liability, but would be allowed to satisfy it over time. Current law provides an incentive for a taxpayer to deed the property back to the lender or place it into bankruptcy. That's because the tax liability of doing so is frequently lower than the immediate tax obligation that results from restructuring commercial real estate—even though no cash is received in the transaction. This change, currently applicable to restructuring farming debt, will help encourage property owners to work even harder to make the troubled property a viability and not a liability. Clearly, these are the business decisions that our public policy should encourage.

The third and final provision would modernize the rules applicable to pension capital investment in debt-financed real estate. With their long-term liabilities, pension funds are a logical source of capital and credit for long-term real estate investment. However, several existing rules serve as unnecessary obstacles to investment and should be changed. These proposed changes, largely technical in nature, would help ease the credit crunch that continues to hamper even the most basic business transaction in the industry.

The benefits for our entire economy are evident, and not just in the commercial lending sector. Stabilizing the real estate market has a direct correlation to economic development and jobs.

Not that swift enactment of this legislation will, in and of itself, ensure long-term economic growth. It will, however, remove the current risk that further reserves may have to be set aside by banks to cover potential losses on real estate loans. As Chairman Greenspan noted last Friday, this risk has led banks to bolster book capital, widen lending margins, and approach new credits with caution. At a minimum, my legislation will ensure that lenders will be more confident that prices will not continue to fall, eliminating uncertainty and allowing an injection of liquidity into real estate markets by unshackling investors from the current tax law inequities that prevent responding to the free market rather than tax law.

EXTENSIONS OF REMARKS

THE COMPULSORY LICENSE
CLARIFICATION ACT OF 1993

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BOUCHER. Mr. Speaker, today I am pleased to be joined by the gentleman from California [Mr. MOORHEAD] the ranking member of the Subcommittee on Intellectual Property, in introducing the Compulsory License Clarification Act of 1993.

Our objective in introducing this legislation is to clarify Congress' original intent when it amended the Copyright Act in 1976 to create the compulsory license, which permits cable systems to carry broadcast programming without incurring copyright liability. This clarification is needed because of a January 29, 1992, ruling by the Copyright Office which we believe interprets the 1976 amendments too narrowly, and would strip at least one emerging video technology, wireless cable, of its right to the license.

In 1976, Congress amended the Copyright Act with respect to cable system retransmission of broadcast signals. Recognizing that it would be impractical and unduly burdensome to require every cable system to negotiate with every copyright owner whose programming was retransmitted through the carriage of local broadcast signals on cable systems, Congress created a compulsory license scheme by which cable systems could meet their copyright responsibilities.

Under the Copyright Act, cable systems are eligible for the license. The language of the Act shows that Congress did not intend to limit eligibility for the compulsory license to coaxial cable systems. In section 111(f) of the Act a cable system is defined as—

A facility, located in any State, Territory, Trust Territory, or Possession, that in whole or in part receives signals transmitted or programs broadcast by one of more television broadcast stations licensed by the Federal Communications Commission, and makes secondary transmissions of such signals or programs by wires, cables, or other communications channels to subscribing members of the public who pay for such service. [Emphasis added.]

Although this language is clearly broad enough to encompass transmissions through wireless cable technology, a little over a year ago the Copyright Office issued a final rule denying wireless cable systems the benefits of the compulsory license. The Copyright Office concluded that the phrase "other communications channels" was intended merely to extend the compulsory license to coaxial cable systems that utilize wireless technology to extend their signal into unwired areas—so-called "hybrid systems." We do not believe this strained interpretation is supported by the plain language of the Act. This view in effect reads an "and" into the statute where an "or" clearly exists.

Moreover, the legislative history of the 1976 amendments to the Copyright Act indicates that when Congress created the compulsory license, it intentionally used language flexible enough to include advances in technology, such as the emergency of wireless cable tech-

nology. For example, the House Report accompanying the 1976 legislation states that the definition of the term "transmit" in section 101 "is broad enough to include all conceivable forms and combinations of wired or wireless communications media, including but by no means limited to radio and television broadcasting as we know them." (H. Rept. 1476, 94th Cong., 2d sess. 63, reprinted in 1976 United States Code Cong. & Admin. News 5659, 5678.) Clearly, Congress used broad language in the 1976 amendments to ensure that the Act would be able to operate in the face of technological changes.

The fact that Congress enacted the Satellite Home Viewer Act of 1988 in order to extend the compulsory license to satellite carriers does not in any way argue against the interpretation of section 111(f) that we are advocating. Satellite carrier transmissions were clearly outside the scope of the definition of "cable system" contained in section 111(f) because they do not originate from "a facility, located in any State, Territory, Trust Territory, or Possession." Rather, they originate from a satellite in space. In contrast to satellite carrier transmissions, wireless cable transmissions do originate from a facility located within a State. In fact, a wireless cable system functions exactly like a coaxial cable system—it sells the same product to the same audience from a local site.

Recognizing that its decision to deny the compulsory license to wireless cable systems is a controversial one that could have a serious adverse effect on the wireless cable industry, the Copyright Office has delayed until January 1, 1994 the effective date of its rule. In granting this delay, the Copyright Office expressly intended to give Congress adequate time to adopt legislation clarifying the eligibility of wireless cable systems for the compulsory license.

The wireless cable industry has utilized the compulsory license since the first wireless system became operational in 1986. The future of the wireless cable industry depends upon the continued availability of the compulsory license. As a practical matter, without the compulsory license a wireless cable operator will be unable to clear the copyrights of each program it wishes to carry on an individual basis.

The Compulsory License Clarification Act will amend the definition of a cable system in the statute to ensure the availability of the compulsory license for wireless cable and "any other technologies employed for the local distribution of secondary transmissions of broadcast programming." This modest amendment will ensure that the compulsory license is available on a technology-neutral basis and will help ensure that alternative video transmission technologies will be able to provide competition to the cable television industry.

THE LIFE OF THURGOOD
MARSHALL

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Ms. PELOSI. Mr. Speaker, Justice Thurgood Marshall said he wanted to be remembered as

someone who, in his words, "did what he could with what he had."

As law scholar, pillar of the civil rights movement, and finally Supreme Court Justice, what Thurgood Marshall was able to do was nothing less than fundamentally change the way American society deals with race, and with each other.

As the director of the NAACP Legal Defense and Educational Fund for more than 20 years, Thurgood Marshall blazed a trail of court victories culminating in the historic *Brown versus Board of Education* decision in 1954. That decision was 1 of 29 cases Marshall won before the Supreme Court.

Unlike so many who have reached the pinnacle of the legal profession, Thurgood Marshall was not a child of privilege. His great-grandfather was a slave. He did not attend an Ivy League school; they would not admit him because of his skin color. He was not the scion of a wealthy family; his father was a steward at an all-white yacht club. His mother, a school teacher, pawned her wedding and engagement rings to pay for her son's law school entrance fees.

Those values, and the hard lessons he learned as he traveled the Deep South fighting injustice as a young lawyer for the NAACP, handling as many as 450 civil rights cases at a time, are what Thurgood Marshall brought to the Bench. His hope and vision of an integrated and fair society is what he fought for once there.

When President Johnson named him to the Supreme Court in 1967, it was yet another achievement of an already glorious career. Thurgood Marshall had accomplished more in the years before being named to the Court than most of us could hope to accomplish in a lifetime.

Besides the distinction of being the first African-American to serve on our Nation's highest court, Thurgood Marshall had what a former law clerk called "a heroic imagination." He had the ability to see through the darkness of segregation, lynching, and injustice and into the daylight of equality, freedom, and justice.

While others used laws and courts to deprive many of their legal rights, Thurgood Marshall used the constitution as his weapon to fight inequality and segregation.

Mr. Speaker, to truly honor Justice Marshall, we must continue his work fighting injustice and inequality. I pray this American hero will rest well, knowing that he truly "did what he could with what he had."

**NATIONAL CENTER FOR
BIOLOGICAL RESOURCES**

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mrs. MORELLA. Mr. Speaker, yesterday I introduced a bill to establish a National Center for Biological Resources. The United States leads the international community, and it seems to me that this bill takes a modest step toward getting our own house in order before we encourage less developed countries to conduct biological inventories and to conserve their biological resources.

The Earth Summit's Agenda 21 is described as "a workplan for sustainable development into the 21st century." The establishment of a center at the Smithsonian Institution, I believe, is a must do item on Agenda 21's list. Almost 2 years ago, at a hearing of the Science, Space, and Technology Subcommittee on Environment, Dr. Peter H. Raven, director of the Missouri Botanical Garden, estimated that there were 250,000 species of organisms within the boundaries of the United States, yet no more than 150,000 of them had been identified. And identification is only one aspect of the problem. Biological resources are being reduced throughout the world. The tropical forests of Puerto Rico and Hawaii are rich in rare plants and animals, but they are disappearing at an alarming rate. The tropical rain forests are severely threatened. The loss of unique plants and animals, however, is occurring in all habitats.

A September 1990 report by the Scientific Advisory Board of the Environmental Protection Agency entitled "Reducing Risk: Setting Priorities and Strategies for Environmental Protection," listed the following environmental risks as relatively high-risk: First, habitat alteration and destruction; and second, species extinction and overall loss of biological diversity. The report warned that loss of species over time has grave implications for the future health of the human race.

The center would set research priorities and would provide coordination for the understanding and promotion of knowledge of the plants and animals within the United States, the effect of human activities on the biota, and would make this knowledge available to the people of the United States and to others working on research in biological resources throughout the world.

Mr. Speaker, I ask my colleagues to join me in supporting the establishment of the National Center for Biological Resources. Secretary Curtis Bohlen in his report to Congress on the Earth Summit stated: ". . . Rio set us on a path toward a better future from which there is no turning back." The establishment of the Center for Biological Resources at the Smithsonian will keep us moving forward.

**CORNELIUS VANDERBILT "SONNY"
WHITNEY HAS LEFT US, AND
THE LOSS IS GREAT**

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SOLOMON. Mr. Speaker, now that Congress has reconvened I would ask this House to add its condolences and posthumous tribute to a great man who passed away last December 13, Cornelius Vanderbilt "Sonny" Whitney of Saratoga Springs, NY.

It is hard to imagine what Saratoga Springs would be like without the enormous contribution of C.V. Whitney. The word Renaissance man comes to mind when describing him. He was a generous philanthropist, a well-known horseman, a highly successful businessman, and devoted public servant.

He had impressive blood in his veins. He was a descendent of Eli Whitney, inventor of

the cotton gin. His mother was a talented sculptor who founded the Whitney Museum of American Art in New York. And he was the great-great-grandson of Commodore Cornelius Vanderbilt, who built a fortune in railroads and steamships.

His paternal grandfather, William Collins Whitney, was Secretary of the Navy under President Grover Cleveland. C.V. Whitney himself was Assistant Secretary of the Air Force and Undersecretary of Commerce under President Harry Truman.

His accomplishments were dazzling. He played a major role in establishing the Saratoga Performing Arts Center and the American Museum of Natural History. He founded the National Museum of Racing, Pan American Airways, the Whitney Museum of Western Art in Wyoming, and the Marine Studios in Florida.

He wrote four books and produced such films as "Gone With the Wind," "Rebecca," and "A Star is Born." I might add that he helped finance the development of Technicolor and Cinemascope.

C.V. Whitney was the owner of top thoroughbreds, including two Belmont Stakes winners.

Our condolences go to his gracious wife, Marylou, and to his many children, stepchildren, grandchildren, and great-grandchildren.

And so, Mr. Speaker, I would ask you and all Members to rise in tribute to a man for whom the description great is inadequate, to a man who crowded several impressive lifetimes into one, Cornelius Vanderbilt, "Sonny" Whitney, Saratoga Springs' most illustrious son.

**SPEECH OF THE BAHRAINI AMBASSADOR
TO THE UNITED STATES**

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BURTON of Indiana. Mr. Speaker, the Gulf State of Bahrain is a trusted and valuable friend to the United States. That friendship has endured for over 60 years now, and I am pleased to note that our relationship with Bahrain in the economic, cultural, and diplomatic spheres, is a solid one.

I look forward to continued cooperation between our two countries, and I would like to submit for the RECORD the text of a recent speech delivered by the Bahraini Ambassador to the United States, the Honorable Abdul Rahman Bin Fares Al-Khalifa.

ADDRESS TO THE AMERICAN-BAHRAINI
FRIENDSHIP SOCIETY

(By H.E. Abdul Rahman Bin Fares Al-Khalifa, Ambassador to the United States from the State of Bahrain)

As a relative newcomer to Washington, it is a great pleasure to find myself at this gathering of old friends. The generous invitation afforded to me by the Directors of the American-Bahraini Friendship Society and the kind words of introduction by Admiral Bayne remind me that this is, indeed, Bahrain's American family.

I would like to begin my remarks by conveying to you the greetings of the President

Emeritus of our Society, His Highness Sheikh Isa Bin Salman Al-Khalifa, the Amir of the State of Bahrain. He sends a warm welcome to the members of the American Bahraini Friendship Society. This evening bears witness to the value of human sentiment in building cooperation among nations. The celebration of our friendship gives us pride in the past and optimism for the future.

This is a notable gathering tonight. In June of this year, in Bahrain we celebrated 60 years of successful economic cooperation between our two nations. This, then, is a good moment to reflect on where we began and how far American-Bahraini friendship has grown.

I hope you will pardon my very concise rendering of our shared history. I see many people before me here tonight who have played an important role in the events I am about to summarize. Surely your own memories would fill volumes and give depth and color to the official history as I am about to tell it.

Bahrain is an ancient country and has long been a cross-roads of the region. However, it was only at the turn of this century that missionaries from your nation arrived on our shores. In setting the stage for future cooperation, they established a school and the American Mission Hospital—a facility which still exists to serve Bahrain's citizens and which is particularly dear to me: It is where I was brought into the world.

History is full of irony. Beginning in the late 1920s, the mood in Bahrain grew bleak for a variety of reasons. British engineers reported that the Gulf region was "devoid of all prospects for petroleum." The world economic depression dramatically lowered demand for Bahrain's warm-water pearls, while favoring Japan's emerging industry for the production of lower-quality and less expensive cultured pearls.

In June 1932, however, American initiative helped to bring us back from the brink of despair and propelled us forward into the modern age. A forerunner of the modern day CALTEX invested its faith in unexploited concessions abandoned by the British and drilled the first major oil production well in the Gulf. This was but the first of many American-Bahraini joint ventures which have prospered during the past half-century.

Following the allied victory in World War II and in recognition of America's growing influence in the world, Bahrain granted port facilities to the United States Navy. This announced a broadening of Bahrain's international relations, which for years took place in the shadow of Great Britain's strategic interests. I would, in fact, like to acknowledge and salute those of you in the audience this evening who served in Bahrain during and after this very signal period, helping to ensure security for Bahrain's people. Your contributions to peace in our troubled region are dear to our hearts.

When Bahrain attained independence as a modern state in 1971, the United States was among the first nations to establish a diplomatic mission in Bahrain. And I remember the day I was at the airport to receive our friend Mr. John Gatch when he arrived to represent the United States as the first head of Diplomatic Mission in Bahrain. I prefer to think that this was not so much an investment in future cooperation as it was a testament to the bond of friendship which already existed between two peoples.

International cooperation requires order and freedom, and, sadly, we in the Gulf have had to remain vigilant on that issue. In 1991, the people of Bahrain joined with the mem-

ber states of the United Nations in an effort to restore the rightful freedom of the Kuwaiti people. As a nation and a people, we are proud of the role we were able to play, and we are grateful for the leadership provided to that initiative by the United States.

The liberation of Kuwait was an acknowledgement of that fundamental truth: in unity there is strength. In Bahrain, alliances have always been the result of shared vision, rather than momentary opportunity. We celebrate our victory for the same reason we celebrate our friendship today—in the knowledge that understanding among peoples will always be the greatest safeguard of our sovereignty and our freedom.

How successful have we been in building bridges between our nations? I can only tell you that our success in this regard came in a meeting that I had several months ago with then-U.S. Deputy Secretary of State Lawrence Eagleburger. The Secretary pointed out that relations between our two nations are stronger than they have ever been before, holding great promise for the future.

As we focus towards the future of American Bahraini cooperation, we can do so in the knowledge that the goals of this Society are also those of Bahrain's people: to celebrate existing friendships; to pass our legacy of personal ties to a new generation of friends; and to encourage and support cooperative efforts for the mutual benefit of our citizens and our nations.

Neither the American nor Bahraini citizen of the year 1900 could have imagined the technical and economic progress that we have made together. Nor could they have imagined this gathering tonight, the wealth of experience that we have shared, and the many fruits of our friendship.

It is my sincere hope that generations to come will continue to be inspired by the friendships we have begun. I wish them the same satisfaction, warmth and promise that I and the people of my nation feel among you today.

TRIBUTE TO JACQUELINE R.
JOLLY

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to Jacqueline R. Jolly who is retiring from the position of director of the Clinton Township Senior Center after 14 years of dedicated service.

Jacqui has been a champion for senior citizens and is held in high esteem in our community. When she began as director in 1979, it was a volunteer position and remained so for the next 3 years. Since then, Clinton Township has built a senior center with a gymnasium and a weight room. Jacqui's philosophy on aging is, "As you get older your intellect gets keener, your self-esteem improves and life is more beautiful than ever." Because of Jacqui, life is more beautiful than ever for seniors in our area.

Jacqui was never known not to try something innovative just because it had never been done before. We should all heed her advice, "Each year try something you have never done before, conquer a fear." Indeed, Jacqui has tried many new programs to improve the quality of life in our community.

Jacqui is a pioneer for senior citizens. She established the first site-to-site transportation program for seniors, which was then used as a model throughout Macomb, Oakland, and Wayne counties. She was responsible for the first hospital open house for seniors at St. Joseph Hospital. The most successful first-time Health-O-Rama was held in a senior center because of Jacqui. The program provides screening for major health problems.

The Clinton Township Senior Center, under Jacqui's direction, was the first center to train older adults in a peer support group, the first to hold educational classes for high school credit, the first to organize a medical advisory committee, and the first to establish a county-wide fashion show in celebration of Older American Month, in which seniors modeled. She also organized the first Ms. Senior Michigan Pageant for women 60 and older.

Jacqui was the organizer and founder of the National Association of Senior Citizens Softball Tournament held annually in Clinton Township, MI. This was the first Senior Citizen Softball Tournament in the Nation held for seniors 50 years and older. She also organized the first Pan Am Softball Classic in Great Britain.

She has spoken to many groups to get her message out, including ABC Sports and the AARP radio seminar. She has spoken at colleges and universities including Wayne State University, Macomb Community College, and Madonna College. She was a presenter at the National Conference on Aging.

She has been a member of numerous professional organizations including the National Council on Aging, the National Institute of Senior Centers, Northeast Senior Adult Coordinators, Michigan Parks and Recreation, Michigan Society of Gerontology, SCAN II, International Myomasethics Federation, Macomb Inter-Faith Agency, Michigan Pre-Retirement Planners, National Association of Older Workers, and the Private Industry Council.

She has attended the University of Michigan Institute of Gerontology, Madonna College, Catholic University in Washington, DC, and Macomb Community College.

I ask that my colleagues in the U.S. Congress join me in saluting the accomplishments of Jacqueline R. Jolly. She has made life more beautiful for our community seniors.

ADDRESS TO THE ADJUTANTS
GENERAL ASSOCIATION OF THE
UNITED STATES NATIONAL
GUARD

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SKELTON. Mr. Speaker, on Tuesday, February 2, I had the pleasure of addressing the Adjutants General Association of the U.S. National Guard at the association's headquarters here in Washington. As the new chairman of the House Armed Services Subcommittee Military Forces and Personnel, I spelled out some of my thoughts regarding the future of our National Guard. I attach here a copy of my address:

ADDRESS BY CONGRESSMAN IKE SKELTON

Thank you for your generous introduction. I am honored to be with you today, the Adjutants General of America's National Guard, the uniformed leaders from each of our States, who give added meaning to the term "twice the citizen."

Allow me to also thank Generals Conaway and Rees for all the good work they do for you and our nation's security. I meet with them more than you might realize and have been able to draw upon their good advice on more than a few occasions.

Let me take this opportunity to wish the senior adjutant general of this group, my good friend Charlie Kiefner, a fond farewell at this last meeting for him. I have known him for a more than a few years and can say that he has served both the State of Missouri and our nation well. I voted to confirm him when he first became adjutant general for the State of Missouri when I was in the State Senate back in **** let's just say that both of us had less grey hair back then.

All of us are justly proud of the performance of the men and women of our country's National Guard, particularly during the past few years. They have met unexpected challenges at home and abroad: Rioting in Los Angeles; hurricane devastation in Florida, Louisiana, Hawaii, and Guam; participation of the Panama crisis; and major involvement in the Persian Gulf war, the Somalia relief operation, and Yugoslavia.

Several years ago, I was asked to speak to the recently promoted Brigadier Generals in our Army. Wishing to make the point that many active duty military officers were completely uninformed about Congress or their elected representatives, I told them that I would randomly pick a name from the list of new Brigadier Generals that was in front of me, and I would ask that person to tell me who represented him in the U.S. Congress. You could see nearly every new army one-star slinking down in his seat with the hope that I would not call on him. A Missouri National Guard Brigadier General, Dick Dean, was in the audience, and I called on him. Dick, unhesitatingly, said "Ike Skelton." I had made my point as the nervous laughter of the others revealed.

Of course, that is not the case for you, the adjutants general of our National Guard. Each of you is aware of the political process, at both the State and Federal levels. You know that the United States Congress is charged with the constitutional duty of raising and maintaining the military forces of our Nation.

It is especially fitting that the first speech I make as chairman of the House Armed Services Subcommittee on Military Forces and Personnel, is to you, leaders of America's National Guard. Yours is an institution which has played an important role in the defense of our Nation down through the years. It is the role of all who serve in uniform of which I speak today.

END OF THE COLD WAR

Looking back through the pages of history, America has always been in a rush to disarm at the end of a war—to "bring the boys home." That has been true of every major conflict within my memory—World War Two, Korea, Vietnam, and more recently, Desert Storm.

This is especially true again today in light of our victory in what was the cold war. Because the Soviet Union has splintered, and the Warsaw Pact has ceased to exist, there are many, including some of my colleagues in the Congress, who would have us go on a disarmament binge. Nothing would be more unwise.

Many Americans view the military "as useful as a summer chimney", and the defense budget as a cash cow to solve all our domestic problems. This is unfortunate.

We have just passed through—successfully, we should remember—the cold war era. The Soviet Union and its satellites are no longer the threat to the Western freedom that you and I cherish so much. But this is still a dangerous world, and the kaleidoscope of events shows us the renewal of old hatreds, and the emergency of nationalistic, ethnic, and religious tension.

Of course, we are already cutting our defense structure to meet the new realities of the federal budget deficit and the dissolution of the USSR. But we must do it wisely and well, or there could be a heavy price to pay at some future date. We met the cold war era with forces to counter an onslaught from the East. We must now face the decade of disorder that is upon us, and fashion forces that can meet the uncertainties not only of regional conflicts, but of what could sadly and unexpectedly mushroom into larger, multinational conflicts. Men and women who wear the uniform of our country should well remember the shot fired in Sarajevo in June of 1914 and how, unpredictably, that incident led to what came to be known as the Great War. It lasted more than four years and came to involve many uniformed Americans in 1917 and 1918.

IMPROVING THE ACTIVE/GUARD/RESERVE RELATIONSHIP

Over the last three years the Department of Defense has been engaged in crafting a new defense strategy based on regional contingencies and implementing a base force to support that strategy. The base force includes components from both active and reserve forces. Reductions were scheduled to continue until 1995, when the size of the force would have leveled out. The new Clinton administration will reduce the active force level by a further 200,000 which will probably stretch the timetable a further two years to 1997.

Yet, despite this era of retrenchment, I believe we have the opportunity to build a much better relationship between the active and reserve components. Those Guard and Reserve forces that were called to active duty during the Persian Gulf crisis two and a half years ago did an outstanding job overall. There was a fundamental validation of the total force concept. The active Army now understands that the Reserve components not only will be called up but that they will also bring along the support of the American public.

Over the last two years active duty force levels have been reduced without any changes made by the Congress. However, over the same period, the National Guard numbers were not reduced as recommended. Congress set the 1993 Reserve component numbers at 703,000, instead of the recommended figure of 640,000. This political tug of war, between the National Guard on one hand and the nation's senior military leaders on the other, could continue to be an annual legislative battle. Conceivably, it could come at the expense not only of active duty end-strength, but of our training and readiness budget. We cannot afford the time, effort, and anguish of this annual political battle. In the end, America and American interests in the world would be the big losers.

A proposal recently put forward by retired General Maxwell Thurman deserves thoughtful consideration by both the Pentagon and Capitol Hill to resolve this serious issue. I see a great deal of merit in his idea to base

Army National Guard and Reserve strength on a proportion of the American population. For example, using a .275% figure of the U.S. population as a base would mean a combined reserve component strength of 700,000 this year and approximately 742,000 by the year 2000.

The Bush administration's base force envisioned a Reserve component of 567,000 personnel by 1995. This would be the force that would be available for supplementing the active army on short notice. Peacetime training would have to be restructured to improve those early go to war skills for combat maneuver units. Contingency operations are far more likely to occur than the full or partial mobilizations planned for during the cold war. There would be a higher premium placed on readiness.

Congress, however, allocated 703,000 for this fiscal year, a difference of 136,000 from the Bush administration's 567,000 figure. General Thurman has made the suggestion that the 136,000 be placed in the "reconstitution" pillar of our defense strategy. As you know that strategy has four parts to it—strategic deterrence, forward presence, crisis response, and reconstitution. The 136,000 "reconstitution force" would also be available to support State missions on a moment's notice. It would consist of infantry, engineer, military police, communications, medical, and helicopter transportation units. It would also constitute the basic building blocks to reconstitute our forces in the event of a renewed global-scale threat.

Once we have established a top line strength, we could then get on with the serious business of determining appropriate missions and what the structure and composition of the force should be. Realistically, we must design a National Guard and Reserve that are complementary to the active force and can support our national defense policy.

In making this assessment, we need to consider the types of units that can best be trained in the reserve environment, what levels of readiness can be realistically expected, and what type and size units can be mobilized and deployed quickly. From the gulf war experience, it is clear that most combat support and service support units can be deployed soon after mobilization. However, large combat maneuver units require more time because of the complexity of tasks they must be able to perform.

The Army Guard must look at the experience of the Marines and the Air Force. They deployed smaller combat units and integrated them into their active units. Companies and batteries, and battalions can be deployed faster than brigades. If the Guard wants to provide roundup and roundup combat units for contingency forces, and it should, then you need to seriously consider providing companies and battalions to supplement active duty forces. Let me be clear about my view here: I am skeptical about training the Guard to fight at the brigade and division level. And in the immediate contingency operations of the future, companies and battalions will have a greater chance of being called up than brigades. I support the Guard organized in divisions and brigades, but battalion or company units are more likely to be mobilized.

THE RAND STUDY

Due to the different perspectives of the executive branch and the Congress on the proper mix of Active and Reserve components, the Rand Corporation undertook a study on this important matter as part of the Defense Authorization Act of fiscal year 1992. Rand was chosen because an earlier report done by

the Defense Department simply did not do the job. In a word it was biased, favoring Defense Department policies that had already been decided upon by former Secretary Cheney and his advisors.

The Rand report finally came out late last year and my perusal of it tells me its a pretty good study. I plan to hold hearings on it late this year in order to craft together proposals that I hope can improve the functioning of both Active and Reserves components. General Powell will soon issue his report on roles and missions and this will also provide us much food for thought. The Rand study, General Powell's roles and missions report, and continuing budget pressures will provide the Defense Department and the Congress the opportunity and incentive to design a defense force structure that will serve the Nation for the decade of disorder and beyond.

RECENT CONGRESSIONAL INITIATIVES

The 1993 defense authorization bill contained a section that addressed some of the problems identified during the Desert Shield/Desert Storm mobilization. Known as the Army Guard Combat Reform Initiative, the areas covered included establishing an improved readiness evaluation system; improving and focusing training; increasing active duty experience levels, and strengthening personnel standards.

As you know, I am very interested in professional military education. In 1987, Les Aspin, the former chairman of the Armed Services Committee asked me to chair a panel to examine the professional military education system for officers to determine if it was capable of developing officers competent in military strategy, tactics, and joint warfighting to meet the requirements of Title IV of the Goldwater/Nichols Act of 1986.

In 1991, the panel began looking into professional military education for Reserve and National Guard officers. It became quite clear that, for a multitude of reasons, most Reserve officers do not have access to a quality professional military education similar to their active duty counterparts. Professional military education is important to the development of an Active officer and it should be no less important to the Guard or Reserve officer.

Clearly there is a need for a managed professional military education system for reservists similar to the system for active duty officers. To be effective, such a program requires that we do a better job in providing military education opportunities for those officers who are unable to attend active duty courses. The 1993 Defense Authorization Act directs the Secretary of the Army to develop a test plan for a program that would incorporate the concept of assigning reservists to attend nonresident military education courses in a paid drill status and the development of a system for managing the selection and assignment of officers for schooling and unit positions.

I believe that a successful test program can lead to an improved U.S. Army Reserve forces school system that would be responsible for providing all nonresident professional military education courses. Eventually, it should be possible for a reservist to complete the command and general staff course in one year instead of the two and three years that are currently required.

As you know, I have also been concerned by the percentage of officers in the Army National Guard who do not have a college degree, which I attribute to the dependence on state OCS programs as a primary source of officers. I would prefer to see greater utiliza-

tion of ROTC graduates, especially when we are now faced with large numbers of newly commissioned 2nd lieutenants who must be assigned to the individual Ready Reserve because there are no available unit positions in the Active or Reserve components. I have taken steps to increase the number of dedicated ROTC scholarships for the National Guard, but I also think that you must do a better job of finding positions for these ROTC graduates who do not go on active duty.

I realize that there is going to still be a need for a National Guard OCS program. Perhaps the solution would be to establish a special Reserve component OCS at Fort Benning that could be run in three or four week segments. This may take time to work out. In the interim, I believe the National Guard could conduct OCS programs on a regional basis, as is already being done in the Northwest part of the country. It is my intention that no deserving and qualified guardsman be deprived of serving as an officer, but there should be common sources for new officers, be they Active, Guard, or Reserve.

CONCLUSION

I am a strong supporter of the total force policy. It proved itself in Desert Shield/Desert Storm. A strong and viable National Guard is vital to our national security. Our Active duty forces must remain strong and capable even as we reduce their size. I believe we now have the opportunity to strengthen that relationship between the Active and Reserve components even further.

Quality people, good equipment, tough training, and sound doctrine are the ingredients for a strong military. As I assume my new position as chairman of the House Armed Services Subcommittee on Military Forces and Personnel I promise you I will do everything in my power to strengthen that relationship.

General Douglas MacArthur once said, "Nothing is so appallingly irresponsible, and so irrevocable, as to commit untrained soldiers to battle." As the leaders of the largest Reserve component, you have a special responsibility in this regard. I charge you to live up to this responsibility and I will do my best to support you. Thank you.

INTERNATIONAL COMMUNITY MUST RALLY TO ARMENIA'S DEFENSE, END THE AZERBAIJANI BLOCKAGE

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. PALLONE. Mr. Speaker, I rise today to address an issue that many of my colleagues in this body are discussing throughout the week as part of an effort to halt an international outrage that is happening in our time. Azerbaijan's 4-year blockade against its neighbor Armenia has caused extensive suffering and a complete economic and social collapse in Armenia. The situation has now reached the critical stage. It is no exaggeration to say that the current Azeri action against Armenia, if allowed to continue, will lead to genocide.

Armenia is a landlocked nation currently experiencing a winter of subfreezing temperatures without electricity and other basic necessities. Earlier this month an explosion de-

stroyed the last fuel pipeline into Armenia, leaving tens of thousands of people in danger of death by exposure and starvation. Recent press reports have painted a disturbing picture of life in Yerevan, the formerly thriving capital of Armenia, and in other parts of the country. People there are barely clinging to life in primitive, horrible conditions similar to those being endured by the people of Bosnia. The U.N.'s High Commissioner on Refugees, the International Federation of the Red Cross, and other humanitarian organizations have attested to the looming catastrophe in the once prosperous Armenian state. The blockade is also holding back progress toward democracy and free markets in the volatile Caucasus region of the former U.S.S.R.

The lack of electricity in Armenia has raised the potential of a nuclear accident at the Medzamor nuclear power station outside Yerevan. Internal safety systems at the nuclear facility need a minimum level of electricity so that the power station can remain in stable condition. The International Atomic Energy Agency must be allowed in to this facility, and the international community must be allowed to assist in preventing a potentially devastating disaster.

Mr. Speaker, it must be the policy of the United States and the United Nations to press Azerbaijan to immediately open corridors for the transport of food, fuel, medicine, and other humanitarian supplies to Armenia. Basic human decency dictates that this step be taken immediately. Members of both Houses of Congress and from both sides of the aisle have joined in calling on President Clinton and U.N. Secretary General Boutros Boutros-Ghali to do all in their power to get food and supplies into Armenia immediately, while working for a negotiated settlement. In December President Bush and Russian President Yeltsin agreed on the need to peacefully resolve the Azeri-Armenian conflict. I believe that the new American-Russian partnership can play a positive role in resolving this dispute.

In addition, the Republic of Turkey, in particular among the nations of the region, has a special historical obligation to do something positive to end this tragedy. The slaughter of more than a million Armenians at the hands of the Ottoman Empire in the early part of this century still sears the memories of Armenians throughout the world, and weighs heavily on the conscience of all humanity. There have been some indications that Turkey may be taking steps to end the blockade and help get vital, humanitarian supplies to the people of Armenia. The world will be watching very closely to see how Turkey responds to this moral challenge.

We hope that pressure from the United States and the international community will bring Azerbaijan back to its senses and into the family of civilized nations. If international persuasion can't persuade Azerbaijan to lift the blockade, severe economic sanctions should be imposed on the Azeris.

Mr. Speaker, this tragic story is not without at least a slim ray of hope. Operation Winter Rescue is an American-led relief effort to provide food, medicine, and clothing to Armenia. The United States has provided three ships for transport and other logistical coordination, while private donors, corporations, and

churches have provided supplies. This is certainly an indication that not everyone has forgotten about the plight of Armenia. But it is going to take a far more comprehensive international effort to finally remove the shroud of darkness that has descended over this proud and ancient nation. Let us hope that a newly empowered United Nations will marshal its resources to put an end to the horror in Armenia. If we fail, history will not forgive us.

TRIBUTE TO HOWARD MATZ

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. WAXMAN. Mr. Speaker, I ask my colleagues to join me in saluting Howard Matz of Los Angeles, who has just completed his term as president of Bet Tzedek Legal Services. Bet Tzedek is a nonprofit, nonsectarian legal aid organization that provides free and low-cost quality legal services to its clients.

Howard Matz' term as president of Bet Tzedek has been marked by great success. He has presided over the most successful fundraising activities ever done for the organization and has overseen litigation with an astonishing success rate exceeding 90 percent.

Howard Matz earned a place in Los Angeles legal history with his effective leadership during the Los Angeles riots. Emergency legal aid was swiftly made available to riot victims. Mr. Matz will also be long remembered for the nationally recognized Housing Conditions Acting Team, which takes up the cause of tenants whose landlords are in violation of basic health and safety laws.

Please join me in recognizing Howard Matz for his extremely successful tenure as president of Bet Tzedek Legal Services and in wishing him good health and success in all his future endeavors.

TRIBUTE TO LAKE SENECA ELEMENTARY SCHOOL

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mrs. MORELLA. Mr. Speaker, I am proud to pay tribute to the faculty, parents, and students of Lake Seneca Elementary School in Montgomery County, MD, for winning the Blue Ribbon Excellence in Education Award from the Department of Education. Lake Seneca was 1 of only 4 schools in the State of Maryland to receive national recognition.

Lake Seneca Elementary School won this Blue Ribbon Award based on several factors, including an outstanding parent outreach program and a strategy among teachers which stresses the individual needs of each student. Under the leadership of Principal Pat Abrunzo, students, faculty, and parents at Lake Seneca work together to create a harmonious atmosphere which enriches the learning process.

Teachers go beyond fulfilling the duties of the classroom. Each teacher, with parental

permission, mentors two sixth-graders, offering friendship and guidance on a one-to-one basis. This mentoring program promotes a spirit of camaraderie and boosts self-confidence among the students.

Students and teachers at Lake Seneca take great pride in their school. The building is clean, and the walls are filled with the work of productive students.

As a former teacher, I congratulate the faculty, parents, and students of this outstanding public institution for creating an atmosphere in which learning is valued and rewarded. Mr. Speaker, I am proud of the hard-working and supportive staff, the enthusiastic parents, and the eager students at Lake Seneca Elementary School, and I wish them continued success in achieving the excellence in education needed to face the challenges of the future.

HELP OUR DOMESTIC AUTO INDUSTRY

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. GILMAN. Mr. Speaker, I would like to take this opportunity to draw the attention of my colleagues to a bill I have introduced, H.R. 718, which amends the Internal Revenue Code of 1986 to allow a refundable credit for the purchase of a domestically manufactured automobile.

As the new administration prepares its budget and continues to consider a short-term economic stimulus package, it is becoming increasingly apparent that our automobile industry continues to suffer from unfair trade practices.

Over the past year, I have had the sad task of serving on a New York State task force to persuade General Motors not to close the Tarrytown assembly plant. It is particularly disheartening to note that the Tarrytown plant was one of the most productive, successful plants in the Nation, manufacturing the popular minivan.

Yet, even though the Tarrytown plant is one of the leading auto assembly plants nationwide in terms of innovation and efficiency, General Motors has placed the plant on a list of possible closures.

The GM plant utilizes several innovative concepts such as a team concept on the assembly line, synchronous manufacturing including just-in-time inventory management, and weekly meetings of teams to discuss issues of concern and suggest improvements to name just a few. One only has to consider that this plant has been at the top of its division in terms of both the numbers of suggestions for improvement and actual payments to the workers for innovative ideas to improve manufacturing to understand the quality of its product.

Yet GM has decided that this plant cannot compete. Therefore, it is apparent that some form of Government assistance is necessary. My legislation creates a refundable tax credit of 10 percent of the cost of a new car, up to a total tax credit of \$2,500.

As you know, there has been a considerable debate over the definition of an Amer-

ican-made car. Therefore, my legislation defines a domestically produced vehicle as a vehicle containing at least 75 percent of U.S. material and labor.

Mr. Speaker, I request that the full text of H.R. 718 be inserted at this point in the CONGRESSIONAL RECORD, and I invite my colleagues to cosponsor this vital measure.

H.R. 718

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

SECTION 1. CREDIT FOR PURCHASE OF DOMESTICALLY MANUFACTURED AUTOMOBILES.

(a) GENERAL RULE.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 35 as section 36 and by inserting after section 34 the following new section:

"SEC. 35. PURCHASE OF DOMESTICALLY MANUFACTURED AUTOMOBILES.

"(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount for each qualified automobile acquired by the taxpayer during the taxable year equal to the lesser of—

"(1) 10 percent of the cost of such automobile to the taxpayer, or

"(2) \$2,500 (\$1,000 in the case of a qualified automobile described in subsection (b)(1)(B)).

"(b) QUALIFIED AUTOMOBILE.—For purposes of this section—

"(1) IN GENERAL.—The term 'qualified automobile' means any automobile if such automobile is manufactured in the United States and if—

"(A) such automobile is purchased by the taxpayer in the 1st retail sale of such automobile (within the meaning of section 4011), or

"(B) such automobile is acquired by the taxpayer in a qualified resale and such resale occurs within the 2-year period beginning on the date of the 1st retail sale of such automobile.

"(2) AUTOMOBILE.—The term 'automobile' means any 4-wheeled vehicle which is propelled by fuel (as defined in section 4064(b)(7)) and which is manufactured primarily for use on public streets, roads, and highways.

"(3) QUALIFIED RESALE.—The term 'qualified resale' means any sale of an automobile if—

"(A) such sale is after the 1st retail sale of such automobile,

"(B) such sale is for a purpose other than resale, and

"(C) no credit was allowed under this section for any prior acquisition of such automobile other than at its 1st retail sale.

"(c) SPECIAL RULES.—For purposes of this section—

"(1) MANUFACTURED IN THE UNITED STATES.—An automobile shall be treated as manufactured in the United States if at least 75 percent of the cost to the manufacturer of such vehicle is attributable to value added in the United States or Canada.

"(2) JOINT ACQUISITIONS.—If any qualified automobile is jointly acquired by two or more persons—

"(A) the aggregate amount allowable as credit under subsection (a) to such persons with respect to such automobile shall be determined by treating all of such persons as one taxpayer whose taxable year is the calendar year in which such acquisition occurs, and

"(B) there shall be allowed to each of such persons a credit under subsection (a) for such

person's taxable year in which such calendar year ends in an amount which bears the same ratio to the credit determined under subparagraph (A) as the portion of the cost of such automobile borne by such person bears to the aggregate cost of such automobile.

"(d) BASIS REDUCTION.—The basis of any qualified automobile shall be reduced by the amount of the credit allowable under this section to the taxpayer for the purchase of such automobile."

"(d) CLERICAL AMENDMENT.—The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 35 and inserting the following:

"Sec. 35. Credit for purchase of domestically manufactured automobiles.

"Sec. 36. Overpayments of tax."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to automobiles acquired after December 31, 1993.

A VERY HAPPY BIRTHDAY TO D.C. COUNCILMEMBER HARRY L. THOMAS, SR.

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BLACKWELL. Mr. Speaker, I rise today to pay tribute to a great public servant who has dedicated his life to helping the people of the District of Columbia. As ward 5 representative of the D.C. City Council, Harry L. Thomas, Sr. celebrates his birthday this week, I would like to take a moment to reflect on the wonderful contributions of a true gentleman.

Although Councilmember Thomas was born in Richmond, VA, he has lived in our Nation's capitol for nearly all of his adult life. Following years of honorable service in the U.S. Army, Councilmember Thomas decided to return to civilian life, still joining the Naval Reserve. Upon entering the Federal service, Councilmember Thomas rapidly moved up the career ladder at the Department of the Interior, where he served as assistant press relations liaison. During his years of service, the Department greatly expanded its public policy role and grew by more than 30,000 employees. Councilmember Thomas' diligent concern for human rights and justice was recognized by former Interior Secretary Cecil Andrus who appointed him to serve on the prestigious incentive awards committee. Following 37 years of faithful and distinguished service, Harry L. Thomas, Sr. retired from the Department of the Interior.

Mr. Speaker, throughout Councilmember Thomas' professional life, he worked equally as hard as a community activist, selflessly sacrificing all of his free time for the common good of the District of Columbia. His involvement with community based organizations has provided invaluable service to youth, senior citizens, and people at each and every level of society.

As one of the first elected advisory neighborhood commissioners, Councilmember Thomas developed a thorough understanding of the needs of our communities, and gained broader insight into how government can di-

rectly improve the quality of life in America's urban neighborhoods. Councilmember Thomas served in this capacity for 10 years, and was then elected as a delegate to the first Statehood Constitution Convention for the District of Columbia. As a delegate representing ward 5, he served on the judiciary and public relations committees.

As the two term chairman of the ward 5 Democrats, Councilmember Thomas provided a new level of leadership for the political community of the District's 5th ward. His intense dedication certainly earned him the respect of citizens across the District who elected him as an alternate delegate to the 1984 Democratic National Convention held in San Francisco, CA.

Mr. Speaker, in November 1986, the citizens of ward 5 cast their historic vote that sent Harry L. Thomas, Sr. to the District of Columbia City Council. Four years later, his constituents realized they had found someone who was not shy to fight for them, and returned him to city council with a stunning 87 percent of the vote. As chairman of the council's committee on public works, Councilmember Thomas has provided unparalleled leadership that has earned him the respect of both colleagues and constituents alike.

In addition to Councilmember Thomas' professional and political triumphs, he has received a countless number of awards and honors including; Leadership Award by the African Legal Defense Fund, Citizen of the Year Award by McKinley High School, and Dedicated Service Award by the Edgewood Civic Association, just to name a few.

Mr. Speaker, I would like to ask my colleagues to rise and join me in wishing the happiest of birthdays to Councilmember Harry L. Thomas, Sr. I would also like to extend our best wishes to his wonderful wife Romaine Bell, and their two lovely children, Debra and Harry Jr.

Councilmember, on behalf of the U.S. Congress, we wish you continued good health and spirits so that you may continue to provide strong leadership for the citizens of ward 5.

PLEASE COSPONSOR HOUSE CURRENT RESOLUTION 26, BIPARTISAN EFFORT TO SUPPORT OUR TROOPS IN SOMALIA

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SOLOMON. Mr. Speaker, I wish to express my appreciation to my Democrat colleagues in the House, from Congressman BARNEY FRANK to Congressman SONNY MONTGOMERY, who have already become cosponsors of my bill to support our troops in Somalia. And I would ask all Members of the House to become cosponsors of the bill.

The resolution simply commends the United States military forces for successfully establishing a secure environment for the humanitarian relief operations in Somalia.

In the past 2 years over 300,000 Somalis, including one-fourth of the children under the

age of 5, have died. Prior to Operation Restore Hope over half of the country's population of 8 million people were at risk of starvation.

Our troops have performed magnificently and are entitled to recognition. Please join me in cosponsoring legislation commending the efforts of our military forces in Somalia.

ERITREA REBUILDS AFTER LONG CIVIL WAR

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BURTON of Indiana. Mr. Speaker, the nation of Eritrea is about to achieve its age-old dream of self-determination. After a difficult struggle of more than 30 years, the Eritrean people managed to defeat the Communist dictatorship of Mengistu Haile Mariam and the DERG. In less than 2 years, the Provisional Government of Eritrea [PGE] has done a remarkable job of stabilizing the country, caring for the needs of the people, and preparing for the national referendum coming up in April. They have truly earned our admiration.

I wish all Americans could learn more about Eritrea, the African miracle. I would like to urge my colleagues to read this excellent article on Eritrea by Sarah Gauch which appeared last week in the Washington Times.

[From the Washington Times, Jan. 25, 1993]

ERITREA REBUILDS AFTER LONG CIVIL WAR

(By Sarah Gauch)

ASMARA, ERITREA.—While teenagers in nearby Somalia wave Kalashnikovs, the youths of Eritrea tote lunch boxes on the way to school or labor beside their elders to wrest a living from the arid fields.

In stark contrast to disintegration that marks its neighbor on the Horn of Africa, Eritrea is a society that is methodically—and successfully—piecing itself back together after 30 years of civil war.

"Eritrea is a haven of peace in a troubled region," said one Western aid worker. "There is tremendous solidarity here."

The Eritrean People's Liberation Front (EPLF) captured Asmara in May 1991, sparking joyful celebrations among its people and ending three decades of war with Ethiopia. But its work was far from finished.

As the new provisional government, it has had to rebuild a shattered infrastructure, construct houses, schools and hospitals, save a drought-ridden agricultural sector, and integrate hundreds of thousands of homeless refugees.

One of the government's first priorities was to establish peace and stability in a territory accustomed to violence and death. During the war, weapons were everywhere and most families lost three, four or sometimes five members.

So far the administration has succeeded. Today, no policemen are visible on Asmara's streets and crime is practically nonexistent. There is overwhelming support for the government, when it told people to stop begging and children to stop selling gum and tissues, they did.

Eritrea, which stretches along Ethiopia's Red Sea coast and holds its only seaports, was severed from the rest of Ethiopia in the late 19th century and prospered as an Italian colony.

The United Nations reunited Eritrea with Ethiopia in a loose federation after World War II, but in 1961 Emperor Haile Selassie annexed the region to his Addis Ababa-based kingdom after a controversial vote of the Eritrean legislature.

The war for independence began then and raged until rebels in the neighboring province of Tigre joined the Eritreans to help end the Marxist rule of President Mengistu Haile Mariam two years ago.

Eritrea will not officially become a country until after a referendum in April, in which 90 percent are expected to vote in favor. The new government in Addis Ababa has promised to honor the results.

Although the euphoria that followed the military victory has subsided, the people still are reveling in the area's calm. Reconstruction has been slower than expected, but they are not disgruntled.

Agricultural output increased fourfold this year after good rains and the official distribution of seeds, fertilizer and oxen. The government has planted 28 million trees and built 17 dams. Terraces, ponds and hand-dug wells were also constructed.

The administration has meager resources for reconstruction. It inherited a bankrupt treasury, and many international donors are waiting for the results of the April referendum. Revenues have come mainly from expatriate remittances, taxes and customs.

The people themselves are giving what they can. Former guerrillas, many of them now government employees, have agreed to work for two years without pay, and some government department heads still are living in military camps.

These sacrifices have paid off. Today, water and electricity are on tap in Asmara. People can telephone outside the country, and shops are full of goods. The 40 public sector factories that stood idle in May 1991 all are working.

Everywhere, the people's pride in their soon-to-be country shows. Villas, storefronts and hotels are under repair. There are freshly painted signs identifying the different government departments.

Even in Massawa, a port city 40 miles northeast of Asmara, workers have taken the time to plant bright-pink flowers in clay pots at the badly damaged port. Most buildings there remain devastated from 10 straight days of Ethiopian air and sea bombardment in February 1990.

Despite the positive signs of repair and optimism, many challenges await. The EPLF has promised a free market and multiparty democracy after the referendum, but democratic institutions, such as a credible opposition, still are lacking.

There are 500,000 refugees in neighboring Sudan who must be reintegrated and who will strain an already overburdened system.

There is not enough housing, and unemployment is estimated to be as high as 50 percent. Rusting tanks and trucks still must be removed from Eritrea's lush green landscapes.

But judging from the determination and resourcefulness shown so far, the Eritreans seem ready for the challenges ahead.

HOME OWNERSHIP FOR LOW INCOME PEOPLE

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, one of the least understood issues in public

policy in recent years has been the question of how best to get home ownership for low income people. That is a very attractive idea. But it is also one far more difficult to execute than some people have been led to believe. And it is also one which, if done in the wrong way, may wind up hurting rather than helping the low income population of our country. Walter Ramos has been a member of the Housing Authority in the city of New Bedford, and I was very pleased recently to come across an article he had written some time ago which cogently summarizes the problems with the approach to the sale of public housing attendance which had been advocated by former HUD Secretary Jack Kemp. While this article is more than a year old, its relevance remains very strong, and because this is an issue to which we will be returning this year, and because this article shed so much useful light on it, I ask that it be printed here.

FROM PUBLIC TO PRIVATE: HOUSING QUESTION SHOULD GIVE US PAUSE

(By Walter J. Ramos)

Home ownership in the United States is an intricate part of the American Dream. That dream has failed to materialize for the working poor and moderate-income families throughout the nation. Governmental public housing policies originally designed to make public housing a "temporary home" have consistently missed the mark. Public housing tenants do not have the ability to move into the private housing market, and their stay in public housing is more likely to be longer than intended and, in some cases, permanent.

For those on the lower rung of the socioeconomic ladder, the possibility of home ownership in their lifetimes has become unattainable. That is why some tenants and involved citizens from the oldest public housing facilities in New Bedford, Bay Village and Presidential Heights, have approached the New Bedford Housing Authority.

The request appears simple enough. Bay Village and Presidential Heights were built in 1940. Some tenants, many of whom have lived in these facilities most of their lives, want a share in the American Dream. They want the opportunity to purchase their own apartments and manage their own complex.

This prospect, at first glance, has some attractive qualities. It provides home ownership to those who otherwise would never have the opportunity to do so. Hand and hand with home ownership comes neighborhood and community pride—a powerful force in maintaining property and safety. Tenant ownership would provide residents with a purpose to maintain not only their own apartments, but the common areas, as well. At the same time this endeavor would relieve the federal, state and local governments of the operating and management cost of public housing. This prospect should lift even the heaviest of conservative and liberal eyelids in Washington.

However, it also has some disturbing possibilities. Conversion of public housing to private ownership forever eliminates those particular housing slots for other poor people. Nationally, replacing housing now averages \$70,000 per unit. With a substantial federal and state deficit, not to mention lack of buildable lots and neighborhood revolts against any new development, the prospect of low-income and moderate-income housing replacement is bleak.

The most frightening of possibilities is the threat of financial failure of public housing

turned to private ownership. If the financial numbers can be met for public housing tenants to purchase their apartments, will the income be adequate to maintain and repair them when necessary? Could a public-to-private conversion give false hope to public housing tenants who transform from public tenants to private tenants and then to foreclosure and homelessness? Will the quality of life be better or will it deteriorate further?

Tenant ownership of public housing, if considered desirable, must be carefully designed if it is to avoid creating far greater hardships than public housing itself.

If we are to alleviate the problems of affordable housing and home ownership today, we must first examine where the problems exist, and then apply the appropriate remedy.

Statistics from the Joint Center for Housing Studies of Harvard University show that the percentage of families owning their own homes rose on a regular basis until 1980, when private ownership peaked at 65.6 percent of all households. In 1989, a short nine years later, there were 2 million fewer homeowners (63.8 percent). The most devastating decline in home ownership is among households with people under 34. Many people in these households have jobs that pay well, but they are rent-poor, unable to save enough money to make a down payment on their first home.

This fact, coupled with the fact that people 65 or over are living longer and staying in their homes longer, has resulted in an affordable-housing shortage.

Apartments that normally would have become available for lower-paid workers have remained occupied by young and middle-aged moderate-income people. This breakdown in the housing market chain has caused a blockage in what has been called the "filtering process" in the housing market. The market has responded accordingly, regularly increasing rents well beyond the once-standard 25 percent of a person's income, further compounding the problem.

These factors have frustrated the middle-income earners, and have devastated and demoralized the working poor. They have contributed to the growing problem of homelessness throughout the nation.

This juggernaut in our housing market has denied middle-income people the ability to move up the housing scale, freeing apartments for up-and-coming renters who also would eventually enter into home ownership.

The working poor who live in public housing are trapped, unable to move up and out.

As a result, "tenant ownership of public housing apartments" will become a familiar phase in the decade ahead. We need to take a closer look, before making an irreversible or reactionary response to the proposition.

Bay Village and Presidential deserve a second look in the 1990s.

The Housing Authority and the city of New Bedford must respond appropriately to the increasing call for tenant ownership of public housing.

Involved citizens should not move too quickly into tenant ownership without proper study and review, and the Housing Authority should not brush the issue aside for another day, for the ramifications of either direction are too far-reaching to ignore.

**SHERIFF EARL LEE RETIRES
AFTER 20 YEARS OF SERVICE**

HON. GEORGE (BUDDY) DARDEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. DARDEN. Mr. Speaker, today I rise to recognize Mr. Earl Lee, who for the past 20 years served as sheriff of Douglas County, GA. On January 1 of this year, Sheriff Lee ended his long-time career in law enforcement, the longest in Douglas County history.

Staff writer Kerry Jackson of the Douglas County Sentinel has captured Sheriff Lee's legendary story in an article which I would like to share with my colleagues at this time. I also take this opportunity to commend Mr. Lee on his many years of devoted service to the people of Douglas County and wish him well in his retirement from law enforcement work.

A LEGEND RETIRES

(By Kerry Jackson)

He will officially leave office at the very moment millions will celebrate the new year, but Douglas County Sheriff Earl D. Lee wishes he could turn back the clock just a bit.

"It's sad," he says of his impending retirement. "I dread it. I wish I could change my mind."

But Lee, who has served in law enforcement longer than anyone else in Douglas County history, is leaving the post he has held the last 20 years with no regrets except for a lingering feeling that he might have accomplished more.

"I wish I had worked harder," he said, though he later admitted that he likely could not have humanly done more.

A notorious workaholic who had little or no interests outside of law enforcement, the 61-year-old Lee said he is not planning a quiet retirement of fishing and hunting.

"I never cared that much about them," said Lee, sitting in an office where a card table replaces the large desk he once sat behind and directed a powerful department he crafted from a handful of men in 1972. "The only thing I know how to hunt" is criminals.

Apparently, it is hard to expect a man who has spent the last 28 years of his life trying to clean up his county to merely leave his office without a struggle. Especially if his name is Earl D. Lee.

Lee began his career in 1964 as a deputy training in Fulton County. Then "I came here the first day in '65" to become a Douglas County deputy. Eight years later he beat his boss, Claude Albercrombie, in the sheriff's election and initiated an era in Douglas County law enforcement that some have bitterly criticized and others have supported without reservation.

"His reputation, whether you agreed or disagreed with him, has been an influence that has caused Douglas County not to have the crime rate that it otherwise might have had," said Ron Shadix, a 13-year veteran of the Sheriff's Department and the current chief deputy.

"It wasn't a job, it was a way of life for him."

Maj. Phil Miller, a 16-year veteran of the Sheriff's Department who knew Lee as a deputy while he was working for the Douglasville Police Department, also said the reputation took on a life of its own.

"The greatest thing he did for Douglas County is the reputation he built over the

years. It's amazing how many criminals, because of this reputation, will not come out to this county to complete drug deals, illicit deals or deals involving stolen goods."

Before he became a deputy Lee worked for his father-in-law's grocery and feed store business for 12 years and for Firestone tires for eight years before that. He boasts of having "only three jobs in my life," and quickly confesses that law enforcement is by far his favorite.

Ironically, Lee's career was initiated by Albercrombie who asked him as far back as 1959 to get into law enforcement.

"I hadn't really thought about it, but I'm glad I did it," he said.

The highlights of Lee's career include more than a few firsts. He was the first sheriff to serve on the Organized Crime Council and the first Georgia sheriff to investigate a fellow sheriff.

Because of the reputation, Lee also investigated a number of high-profile cases outside of Douglas County. He coaxed the first confession among the suspects in the Alday family murders in December 1973 in Seminole County. He was instrumental in finding who he and other investigators believed to be responsible for killing the Matthews, a husband-and-wife psychology team that was murdered in Cobb County in 1976.

He was also the first Douglas County law officer to attend the FBI Academy.

"I learned how much I didn't know," he said.

But after a lifetime of hideous and baffling murders, well-publicized violent crimes and an endless string of bizarre cases, Lee said the saddest thing he can think about is putting away his star. He's simply not going to go easily.

"The thing that's foremost in my mind is putting it down. I'm going to miss it," he said.

If Lee were to change anything, he said he would strike at crime at its most elemental level. He would have attacked the career criminal before the career could have had a chance to take root.

"I'd probably try to get involved in more kids' lives and turn them around. It's a sad state of affairs when a young person wastes his whole life by committing crimes," he said.

Whether he intended to or not, Lee created a legend over the years. It likely began in 1974, almost two years after he first took office.

In December of that year, he and Georgia Bureau of Investigation agent Ron Angel were taking a murder suspect, Paul John Knowles, to a sight where Knowles said he disposed of a gun he used in at least one murder. But before the men could even get out of Douglas County, Knowles, who was in leg irons and handcuffs that were locked to a chain around his waist, lunged over the seat and got his right hand on Lee's gun. In the struggle, Lee's gun was fired at least once, but it was Angel's gun that killed Knowles.

"It became widely rumored that Sheriff Lee and Ron Angel executed Paul John Knowles," said Douglas County District Attorney David McDade. "I think it's fair to say those rumors definitely contributed to the reputation Sheriff Lee was an extremely tough lawman."

A bent paper clip found in the back seat of Lee's car was likely the pivotal piece of evidence in the case. Authorities ruled that Knowles used the clip to pick the locks on the handcuffs and waist chain, enabling him to get a hand free to go after Lee's gun.

"Ron Angel is credited with saving Earl Lee's life by shooting and killing Paul John Knowles," McDade said.

McDade said the rumors were unfounded and both a coroner's jury and the GBI Crime Lab cleared Lee and Angel. But the Atlanta media focused on Lee and the legend was birthed.

That legend only grew when Lee began to handle high-profile cases outside the county. He was trusted and respected so much among his peers that his presence in these cases became almost routine.

"He has an unduplicated, uncanny investigative ability," said McDade. "He literally has a gift. He can assess any situation quicker than anybody I've ever seen."

Lee also solved a few infamous crimes in his own county. He was a relentless investigator and admits that "I've gone three days and nights without taking off my shoes."

That was when he was looking for Christie Ann Griffith, a young girl who disappeared in 1984, only to be found dead a few days later.

"I kept thinking I'd find her alive," Lee said.

"If Earl said it was three days, it was longer than that," McDade said.

Her killer was eventually found and now sits on death row.

The most difficult crime Lee solved is still fresh on many minds. Judy Small, a mother of four, was killed in August 1990 when a 46-pound rock crashed through the windshield of the family car on Interstate 20.

With no evidence and no motive, Lee interviewed 96 people in less than a month and "kept the pressure on."

"All you can look for is somebody talking and that's what happened," said Lee.

Small's killers were eventually arrested and convicted for "just an act of foolishness that cost a person her life."

"Whatever it takes," said Lee. "I always preached to never quit."

While developing the legend, Lee also developed a rare loyalty among his deputies and his supporters became legion. But more than once it has been called demagoguery.

"He's more than just a boss," said Miller, offering a possible explanation. "He's a good friend."

Lee said he has merely "treated the people right who work here." That treatment, he said, produced a loyal and hard-working department.

"People here know I wouldn't ask them to do something I wouldn't do. I never have and I never will," he said.

"If people realize the sacrifice he made for law enforcement, the time he spent away from his family, in time he'll get the respect he deserves," Miller said.

But with the unabashed loyalty came the enemies. His supporters, however, say that the foes were simply a by-product of Lee's fierceness, his hunger to make sure the law was the law.

"Earl never backed down from any fight," McDade said. "You're going to have to make enemies" if you do what is right by the law.

Through it all, Lee survived. He was re-elected four times and persisted through numerous battles with his adversaries and the Atlanta media.

"I've really enjoyed it. It's been a challenge every day. I've never dreaded coming to work one day in the last 28 years," Lee said.

As prizes go, Lee has surely been granted his share. But the memory he wants to take with him is rich with satisfaction.

"The best reward is when an adult nudges you on the elbow and says 'Remember me?' You really don't, but then they cite an experience you had with them about changing their lives and turning them around," he said. "That's the best reward."

With less than a week before he leaves office, Lee said he is not sure what direction his life will take. He said he can go on to some other things, but he is in no hurry.

"I'm going to wait, relax and make a decision," he said.

So ends the crimefighting career of Earl D. Lee. Every man is mortal and will one day meet his end. But legends can last forever.

A NATION'S DISASTROUS SMOKING ADDICTION

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. JACOBS. Mr. Speaker, George Will slams one home again, this time about the national pastime of smoke induced suicide.

A NATION'S DISASTROUS SMOKING ADDICTION

(By George F. Will)

WASHINGTON—At Barnes Hospital in St. Louis in 1919 a doctor summoned some medical students to an autopsy, saying the patient's disease was so rare that most of the students would never see it again. It was lung cancer.

That story, from Dr. John A. Meyer's article "Cigarette Century" in the December American Heritage, illuminates like a lightning flash this fact: much of America's hideously costly health care crisis is caused by unwise behavior associated with eating, drinking, driving, sex, alcohol, drugs, violence and, especially, smoking. Therefore, focusing on wellness—on preventing rather than curing illness—will reduce the waste inherent in disease-oriented, hospital-centered, high-tech medicine. The history of the connection between cigarettes and lung cancer illustrates the fallacy of associating health with the delivery of medicine.

One of those 1919 medical students later wrote that he did not see another case of lung cancer until 1936. Then in six months he saw nine cases. By the 1930s advances in immunology and public health measures were reducing the incidence of infectious diseases. But the nation was about to experience an epidemic of behaviorally driven disease.

The lung-cancer epidemic can be said to have sprung from the 1881 invention of a cigarette-making machine. Prior to that, commercial manufacturing of cigarettes was, Meyer says, a cottage industry. But by 1888 North Carolina's James Buchanan Duke (whose fortune endowed the university) was selling nearly a billion cigarettes annually. Next, war, the shaper of our century, worked its transforming force. Duke's company and the National Cigarette Service Committee distributed cigarettes free to soldiers in France during World War I.

Between 1910 and 1919 U.S. cigarette production increased 633 percent from 10 billion to almost 70 billion annually. Meyer notes that O. Henry's meticulously observed short stories, written at the turn of the century, almost never mention cigarettes, but the expatriates in Hemingway's *The Sun Also Rises* smoke constantly. By the 1930s physicians were struggling with the consequences of the new, "emancipated" behavior.

In 1930 the lung cancer death rate among men was less than five per 100,000 per year. By the 1950s, after another war in which cigarettes were sold for a nickel a pack and were distributed free in forward areas and were included with K rations, the death rate among men was more than 20 per 100,000. Today it is more than 70 per 100,000, women's lung cancer rates are soaring and lung cancer is far and away America's leading cause of cancer death.

We have come a long way from the early days of television, when the sponsor of anchorman John Cameron Swayze's *The Camel News Caravan* required him to have a lit cigarette constantly visible. The aggressiveness of today's anti-smoking campaigns is attested, paradoxically, by a "smokers' rights" movement trying to protect from employment discrimination those persons who only smoke away from the job.

The American Cancer Society is testing the tolerance of the magazine industry, which last year got \$264.4 million—4 percent of its revenue—from tobacco advertising. Some magazines may flinch from running ACS advertisements that say "Smoking promotes zoo breath" or "More Americans die each year from illness related to smoking than from heroin, crack, homicide, car accidents, fires and AIDS combined."

The social disaster of the smoking addiction illustrates why behavior modification, especially education, is the key to cost-containment regarding health. And journalism can help, as the *Washington Post's* Jay Matthews deftly demonstrated in his reporting on the Liggett company's campaign to revive the Chesterfield brand of cigarettes, a brand which has not been advertised for decades.

Launched 80 years ago, Chesterfield flourished when smoking was most glamorous, from the 1930s into the 1950s, when the "Chesterfield Girl" was a television fixture. Today 50 million addicted Americans still pay \$26 billion for almost half a trillion cigarettes each year, so if Chesterfield wins one-half of 1 percent of the market (2.4 billion cigarettes), it will be a success.

To achieve that, Liggett is merchandizing Chesterfields with a \$50 million advertising campaign featuring soft, 1930s-style photography. Matthews reported that—and this, too:

"Janet Sackman, who was the Chesterfield Girl on *The Perry Como Show* in the late 1940s, said she was not impressed. She speaks with difficulty because of surgery for both throat and lung cancer, which she blames on 33 years of smoking urged by a Chesterfield executive who thought she would look more authentic. 'People who smoke ought to take a look at me,' she said."

And at the trajectory of the epidemic from 1919 until now.

TRIBUTE TO JUSTICE THURGOOD MARSHALL

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Ms. SLAUGHTER. Mr. Speaker, to commemorate Black History Month in the past, I paid tribute to Frederick Douglas, a man who lived in Rochester, NY, and published his abolitionist newspaper, the *North Star* to help lead the fight against slavery. This year, I would like to pay tribute to one of the greatest lead-

ers in the history of the civil rights movement, Justice Thurgood Marshall.

It was with great sadness that America recently bid farewell to justice Marshall, a towering man who utilized his formidable skills as a lawyer and a judge to obtain liberation and justice from the same legal system which had been used for centuries to deny rights to African-Americans. On the day he lay in state at the U.S. Supreme Court, over 20,000 people filed past his flag-draped coffin to pay their respects to a man whose legacy made this a better Nation for all Americans.

Thurgood Marshall was born in Baltimore, MD, in 1908. At that time, Baltimore was a segregated city which meant that the public schools Marshall could attend, the restaurants he could frequent, and even the rest rooms he could use were determined by the color of his skin. Despite these restrictions which made African-Americans second-class citizens in their own country, Marshall remained undaunted and committed himself to receiving the best education that he could. With assistance from his parents and the wages he earned working several jobs, Marshall attended Lincoln University.

When he graduated from college, he wanted to become a lawyer, but was denied entrance to the University of Maryland Law School because he was black. Marshall, however, would ultimately have the last laugh. After graduating magna cum laude and first in his class from Howard University Law School in 1933, he took and won a case which overturned the racist admissions policy of the University of Maryland Law School. In 1935, the first black student was admitted to the formerly all-white institution. Marshall later said of this case, "I enjoyed it to no end."

During his early years as a lawyer, Marshall was a tireless and successful advocate of civil rights first with the Baltimore chapter of the NAACP, and then as the primary strategist and chief counsel of the NAACP Legal Defense Fund. His record as a litigator before the Supreme Court was truly impressive; he won 29 of the 32 cases he tried.

The case which brought him the greatest national attention was the 1954 Supreme Court case *Brown versus Board of Education*. The 1896 decision rendered in *Plessy versus Ferguson* claimed that the shameful policy of segregation was legal so long as institutions remained "separate but equal." Marshall powerfully and passionately argued before the court that "separate educational facilities are inherently unequal" and the justices unanimously agreed. The historic importance of the *Brown* case cannot be overstated. It marked the beginning of the end of apartheid in the United States, and according to Marshall, " * * * probably did more than anything else to awaken the Negro from this apathy to demanding his right to equality."

Marshall did not stop with this decision, and he continued to battle discriminatory housing and electoral statutes. Given his tenacity and success, he was known at home and abroad as Mr. Civil Rights. In the late 1950's, many African-Americans considered Thurgood Marshall and Dr. Martin Luther King to be the two most important civil rights leaders in the country.

In 1961, President Kennedy appointed Marshall to the Second Circuit Court of Appeals,

and in 1965 President Johnson appointed him as Solicitor General, the attorney who represents the U.S. Government before the Supreme Court. Then, in 1967, history was made when Marshall became the first African-American to be appointed to the U.S. Supreme Court. Thurgood Marshall—whose grandfather was a Union soldier and whose great-grandfather was a slave-replaced Justice Tom Clark, the grandson of a Confederate soldier.

Justice Marshall was appointed at the end of the Warren Court, and was always an outspoken advocate of the underprivileged. He once wrote: "When elected officials cower before public pressure, this court, more than ever must not shirk from its duty to enforce the Constitution for the benefit of the poor and powerless." He was vehemently opposed to the death penalty and strongly supported the rights of the individual, the right to privacy, and maintaining a strong wall between the church and state.

Marshall was also a strong supporter of affirmative action. In one of his most passionate dissents as a Justice, he eloquently wrote:

It must be remembered that during most of the past 200 years the Constitution as interpreted by this court did not prohibit the most ingenious and pervasive forms of discrimination against the Negro. Now, when a state acts to remedy the effects of that legacy of discrimination, I cannot believe that this same Constitution stands as a barrier. At every point from birth to death the impact of the past is reflected in the still disfavored position of the Negro. In light of the sorry history of discrimination and its devastating impact on the lives of Negroes, bringing the Negro into the mainstream of American life should be a state interest of the highest order.

It is important to remember that Justice Marshall brought more than just his great legal mind to the Supreme Court. He used examples from his own life and experiences as a civil rights lawyer to educate and sensitize his fellow judges about what it was like to live in this country as an African-American as recently as the 1950's. He told of how he would have to go to the back doors of restaurants to buy his food because he was not allowed to eat in the main dining area. He told of the racial epithets that were hurled at him. He told of a man who came up to him carrying a gun and told him he better be on the 4 o'clock train because " * * * the sun is never going down on a live nigger in this town."

Marshall once said of his travels,

When I was a youngster, a Pullman porter told me that he had been in every city in the country * * * and he had never been in any city in the United States where he had to put his hand in front of his face to find out he was a Negro. I agree with him.

Marshall also employed his sardonic humor to heighten awareness about the history of African-Americans in this Nation. When he declined an invitation to attend a reenactment of the Founding Fathers drafting of the Constitution, he said, "If you are going to do what you did 200 years ago, somebody is going to give me short pants and a tray so I can serve coffee." On another occasion, he remarked,

The biggest thing we brag about in this country on the ethical side is that it's the great melting pot. As I sit and look at it now at this late date, I have come to the definite

conclusion that if the United States is indeed the great melting pot, the Negro either didn't get in the pot, or he didn't get melted down."

There was a purpose to these stories and wry observations. While America for many was a promised land which offered unlimited opportunity, this was not true for African-Americans. On the occasion of the American Bicentennial, Marshall remarked:

Thus, in a Bicentennial year, we may not all participate in the festivities with flag-waving fervor. Some may more quietly commemorate the suffering, the struggle and sacrifice that has triumphed over much of what was wrong with the original document, and observe the anniversary with hopes not realized and promises not fulfilled.

Of all the great qualities this great man had, the one I admire most is his tireless and relentless pursuit of justice. Despite his failing health, he continued to sit on the bench until he was in his eighties. One of my favorite stories regarding Marshall's unyielding persistence occurred in the 1970's when he was hospitalized with pneumonia. Then-President Richard Nixon contacted the hospital to request Justice Marshall's medical records to determine whether he should look for a replacement. Fearing that he would be replaced by a Justice who would not actively champion the causes he had fought a lifetime for, Marshall scrawled on the folder before it was sent to the President, "Not Yet."

We should all take inspiration from the life of Thurgood Marshall, and strive to emulate his energy and impatience with social injustice. We must also realize that while he accomplished so much, the struggle is far from over. As was often the case, Marshall said it best at the dedication of a statue of him in Baltimore in 1980:

Some Negroes feel we have arrived. Others feel there is nothing more to do. I just want to be sure when you see this statue, you won't think that's the end of it. I won't have it that way. There's too much work to be done.

A SPECIAL SALUTE TO MAYOR MICHAEL R. WHITE, 1993 BLACK PROFESSIONAL OF THE YEAR

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. STOKES. Mr. Speaker, on February 13, 1993, members of the Black Professionals Association Charitable Foundation [BPAFC] will gather at the Stouffer Tower City Hotel in Cleveland, OH, for the organization's 13th annual scholarship and awards gala. Business and community leaders will join elected officials, civic leaders and other distinguished guests for a grand celebration.

One of the highlights of the BPAFC gala will be the awarding of the 1993 Black Professional of the Year Award. This award honors Cleveland African Americans who have demonstrated leadership in the community, in their professions and beyond. I am proud to salute the recipient of the 1993 Black Professional of the Year Award, Cleveland Mayor Michael R. White.

In honoring Mayor White, the Black Professionals Association Charitable Foundation has chosen the theme "A Champion for Cleveland, A Champion for All" for the 13th annual dinner. As a past recipient of the Black Professional of the Year Award and as an honorary co-chairman for this year's gala, I join members of the Black Professionals Association and the community in saluting Mayor Michael R. White. I rise today to share with my colleagues and the Nation some of the highlights of his distinguished career.

Mr. Speaker, Mayor Michael White was born in Cleveland and educated in the Cleveland public schools, graduating from Glenville High School. He went on to earn a bachelor's degree in education and a master's degree in public administration from Ohio State University.

Michael White has enjoyed a distinguished career in public service. In 1977, he was elected to the Cleveland City Council where he served as a member of the Finance Committee and as chairman of the Community Development Committee. In 1984, he was appointed to the Ohio Senate from Ohio's 21st Congressional District. In the Senate, Mike served as a member of the Judiciary, Ways and Means and Rules Committees. During his Senate tenure, he was twice elected assistant minority whip. These assignments were impressive and earned Mike White the respect and admiration of his colleagues.

Ever since he was 14 years of age, Michael White's desire was to become mayor of Cleveland. He often tells of how his first venture into politics was as a youngster delivering campaign materials in the campaign of Carl B. Stokes, who made history in 1967 when his election as mayor of Cleveland made him the first black mayor of a major American city. Some years ago prior to his entry into Cleveland politics, Michael White, then a recent graduate of Ohio State University, served as campaign manager in one of my congressional elections. From his initial entry into Cleveland politics, he has etched out his own meteoric career.

On January 1, 1990, Michael R. White took the oath of office as the 54th mayor of Cleveland. Throughout his tenure as mayor, Michael White has been committed to revitalizing the city and preserving its neighborhoods. He is also deeply committed to improving the lives of Cleveland residents. Mike White has been a leader in the fight against drugs, helping to reorganize the police force and close drug houses in Cleveland neighborhoods. He has been a staunch advocate of education who has brought together civic leaders, members of the business community and educators for continuing dialog on the future of the city's education system. Equally important, Mayor White has been a positive and effective role model for our youth. He encourages our children to dream, to work hard to achieve their goals and to be willing to serve their communities.

Despite a hectic mayoral schedule, Mike White devotes time to several key organizations. He serves as chairman of the Human Development Committee of the National League of Cities. He is also chairman of the Health Committee of the U.S. Conference of Mayors, where he serves as a national spokesman for health-related issues.

Mayor White has been honored for his commitment and efforts over the years. He is the recipient of the "In Tribute to Public Service Awards"; he has been named "Man of the Year" by the Baptist Ministers Conference; and just recently he was honored by the Black Women's Political Action Committee.

Mr. Speaker, I am honored to salute Mayor Michael R. White upon being named Black Professional of the Year. I also take this opportunity to extend my best wishes to his lovely wife, Tamera Kay, and his daughter, Brianna Marie. I am proud of Mayor White's achievements and I wish him continued success.

TREATMENT OF PRE-CONTRIBUTION GAIN ON PROPERTY CONTRIBUTED TO A PARTNERSHIP

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. TORRICELLI. Mr. Speaker, I am very concerned about a retroactive tax provision that was included in the energy bill during the 102d Congress. Since this provision has become law, many corporations that are currently involved in partnerships have been placed at severe financial risk.

When a partnership is formed, the majority partner may often elect to partially liquidate the minority partner's interest by distributing property to the minority partner—this procedure is commonly known as divorce provision. Prior to the passage of this energy bill tax provision, a minority partner could receive this property without suffering any adverse tax consequences.

As passed, this tax provision requires partners who contribute property to a partnership to pay tax on pre-contribution gain to the extent that other—non-cash—property is distributed to that partner within 5 years of the contribution. Unfortunately, this provision has a retroactive effect because it applies to property contributed to a partnership before the effective date of the legislation if the distribution is made after June 24, 1992. As a result, a minority partner—who may have contributed property to the partnership several years ago—can be forced to either incur an unforeseen tax liability without receiving cash with which to pay the tax or offer the majority partner substantial financial concessions to forego the majority partner's right to liquidate the minority partner's interest. This law will leave many minority partners vulnerable to any business demands that a majority partner chooses to impose in return for foregoing its right to liquidate the minority partner's interest in the partnership.

I understand that the original purpose of this tax provision was to act as a revenue raising mechanism. Unfortunately, the retroactive element involved has now placed many minority partners in partnerships at great financial risk. I do not wish to diminish the revenue raising capability of the tax provision; however, something must be done to protect minority partners prejudiced by this legislation. My solution to this problem is simple and straightforward.

Under my legislation, H.R. 545, I propose to make three changes to the tax provision that will eliminate the retroactive element but will offset the revenue loss incurred. First, the provision would apply prospectively to tax pre-contribution gains only with respect to property contributed to a partnership on or after June 25, 1992; hence, property contributed to a partnership prior to June 25, 1992 would not be subject to this energy bill tax provision. Second, pre-contribution gains would be subject to tax without netting of pre-contribution losses. Third, an interest charge would be imposed on the deferred tax liability based on the underpayment rate under section 6621 (a)(2) from the year property is contributed to the partnership to the year a distribution occurs. If implemented, these changes will protect the minority partners of partnerships and offset any revenue loss incurred by curing the retroactive effect of the tax provision.

I urge my colleagues to join me in this effort to provide smaller partners involved in partnership the protection that they deserve and to cosponsor H.R. 545.

THE TIME FOR A CARBON TAX IS NOW

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. STARK. Mr. Speaker, today I am reintroducing a bill that I introduced 2 years ago at the beginning of the last Congress, a tax on the carbon emissions of fossil fuels. The climate for a carbon tax has certainly changed dramatically in the last 2 years. The front pages of our Nation's newspapers are seriously discussing broad-based energy taxes, something 2 years ago was virtually unthinkable.

The budget deficit must be addressed. But so must serious environmental problems, especially global warming. An energy tax, based on the carbon content of fuels deals directly and effectively with both of these pressing national problems.

A carbon-based energy tax does more than just raise money. It puts the United States on the road to being an environmentally responsible world citizen on the issue of global warming. This is the type of signal the Europeans and the Japanese have been waiting for to implement their strategies for reducing carbon emissions.

The economy will benefit from this type of approach. It is axiomatic that reducing today's excessive budget deficit is good for the economy. Industry will be given appropriate signals to invest and retool in the energy efficiency technology that exists today. A portion of the revenues can be recycled to lower and middle income individuals to mitigate regressive aspects of the tax.

The carbon tax I am proposing is estimated to bring in roughly \$7 billion in the first year. Each year of the 5-year phase in would increase the revenue by \$7 billion. The 5th year of the tax would see revenue of approximately \$35 billion with a 5-year total of \$105 billion.

Mr. Speaker, I believe in President Clinton's call for change. We must change the way we

have dealt with the budget deficit and the environment. The carbon tax can be that instrument of change.

H.R.—

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

SECTION. 1. IMPOSITION OF CARBON TAX ON PRIMARY FOSSIL FUELS.

(a) GENERAL RULE.—Chapter 38 of the Internal Revenue Code of 1986 (relating to environmental taxes) is amended by adding at the end thereof the following new subchapter:

"Subchapter E—Carbon Tax on Primary Fossil Fuels

"Sec. 4691. Tax on coal.

"Sec. 4692. Tax on petroleum.

"Sec. 4693. Tax on natural gas.

"Sec. 4694. Inflation adjustments.

"SEC. 4691. TAX ON COAL.

"(a) GENERAL RULE.—There is hereby imposed a tax at the rate specified in subsection (b) on coal sold by the producer or importer thereof.

"(b) RATE OF TAX.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the rate of the tax imposed by subsection (a) shall be \$18 per ton.

"(2) PHASE-IN.—

Effective during calendar year:	The rate of the tax imposed by subsection (a) shall be the following amount per ton:
1992	\$3.60
1993	\$7.20
1994	\$10.80
1995	\$14.40

"(c) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) COAL TO INCLUDE LIGNITE.—The term 'coal' includes lignite.

"(2) TON.—The term 'ton' means 2,000 pounds.

"(3) USE TREATED A SALE.—If the producer or importer of any coal uses such coal, such producer or importer shall be liable for tax under this section in the same manner as if such coal were sold by such producer or importer.

"SEC. 4692. TAX ON PETROLEUM.

"(a) GENERAL RULE.—There is hereby imposed a tax at the rate specified in subsection (c) on any petroleum with respect to which there is a taxable event.

"(b) TAXABLE EVENT.—For purposes of this section, the term 'taxable event' means any event which would result in tax being imposed under section 4611 if—

"(1) such section were applied without regard to subsections (b)(2), (e), and (f) thereof, and

"(2) section 4612(b) were applied by substituting 'section 4692' for 'section 4611'.

"(c) AMOUNT OF TAX.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the rate of the tax imposed by subsection (a) shall be \$3.90 per barrel.

"(2) PHASE-IN.—

Effective during calendar year:	The rate of the tax imposed by subsection (a) shall be the following amount per barrel:
1992	\$1.56
1993	\$2.34
1994	\$3.12
1995	\$3.12

"(d) PERSON LIABLE FOR TAX.—The person required to pay the tax imposed by this section on any petroleum shall be determined under the principles of section 4611(d).

"(e) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(1) PETROLEUM.—The term 'petroleum' means any petroleum product including crude oil.

"(2) BARREL.—The term 'barrel' means 42 United States gallons.

"(3) FRACTION OF BARREL.—In the case of a fraction of a barrel, the tax imposed by this section shall be the same fraction of the amount of such tax imposed on a whole barrel.

"(4) CERTAIN RULES MADE APPLICABLE.—Rules similar to the rules of subsections (c) and (e) of section 4612 shall apply to the tax imposed by this section.

"SEC. 4693. TAX ON NATURAL GAS.

"(a) GENERAL RULE.—There is hereby imposed a tax at the rate specified in subsection (c) on—

"(1) natural gas received at a United States pipeline facility, and

"(2) natural gas entered into the United States for consumption, use, or warehousing.

"(b) TAX ON CERTAIN USES, ETC.—

"(1) IN GENERAL.—If—

"(A) any domestic natural gas is used in or exported from the United States, and

"(B) before such use or exportation, no tax was imposed on such natural gas under subsection (a),

then a tax at the rate specified in subsection (c) is hereby imposed on such natural gas.

"(2) EXCEPTION FOR CERTAIN USES ON PREMISES WHERE PRODUCED.—Paragraph (1) shall not apply to any use of natural gas for extracting oil or natural gas on the premises where such natural gas was produced. The preceding sentence shall not apply to any use involving the combustion of the natural gas.

"(c) RATE OF TAX.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the rate of the taxes imposed by this section shall be 48 cents per MCF.

"(2) PHASE-IN.—

The rate of the taxes imposed by subsection shall be the following amount per MCF

Effective during calendar year	lowing amount per MCF
1992	\$.096
1993	\$.192
1994	\$.288
1995	\$.384

"(d) PERSONS LIABLE FOR TAX.—

"(1) RECEIPT AT PIPELINE.—The tax imposed by subsection (a)(1) shall be paid by the operator of the United States pipeline facility.

"(2) IMPORTATION.—The tax imposed by subsection (a)(2) shall be paid by the person entering the natural gas for consumption, use, or warehousing.

"(3) TAX ON USE OR EXPORTS.—The tax imposed by subsection (b) shall be paid by the person using or exporting the natural gas, as the case may be.

"(e) DEFINITIONS.—For purposes of this section—

"(1) NATURAL GAS.—The term 'natural gas' includes any natural gas liquid which is not treated as petroleum for purposes of the tax imposed by section 4692.

"(2) DOMESTIC NATURAL GAS.—The term 'domestic natural gas' means any natural gas produced from a well located in the United States.

"(3) UNITED STATES PIPELINE FACILITY.—The term 'United States pipeline facility' means any pipeline in the United States for purposes of transporting natural gas (other than a pipeline which is part of a gathering system).

"(4) MCF.—The term 'MCF' means 1,000 cubic feet.

"(5) OTHER DEFINITIONS.—The terms 'United States' and 'premises' have the respective

meanings given such terms by section 4612(a).

"(6) FRACTIONAL PART OF MCF.—In the case of a fraction of an MCF, the tax imposed by this section shall be the same fraction of the amount of such tax imposed on a whole MCF.

"(7) CERTAIN RULES MADE APPLICABLE.—Rules similar to the rules of subsections (b), (c), and (e) of section 4612 shall apply to the tax imposed by this section.

"SEC. 4694. INFLATION ADJUSTMENTS.

"(a) GENERAL RULE.—Each rate of tax which would otherwise be in effect under this subchapter during any calendar year after 1992 shall be increased by the percentage (if any) by which—

"(1) the CPI for the preceding calendar year (as defined in section 1(f)(4)), exceeds

"(2) the CPI for calendar year 1991 (as so defined).

"(b) ROUNDING.—Any increase under subsection (a) shall be rounded—

"(1) to the nearest multiple of 10 cents in the case of a rate in effect under section 4691,

"(2) to the nearest multiple of 1 cent in the case of a rate in effect under section 4692, and

"(3) to the nearest multiple of 1/10 cent in the case of a rate in effect under section 4693."

(b) CLERICAL AMENDMENT.—The table of subchapters for chapter 38 of such Code is amended by adding at the end thereof the following new item:

"SUBCHAPTER E. Carbon tax on primary fossil fuels."

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 1992.

BILL CLINTON'S INAUGURAL IGNORED AMERICA'S VETERANS

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SOLOMON. Mr. Speaker, America's veterans should take careful note of President Clinton's inaugural speech for fear that it is a sign of the times to come.

One does not have to read between the lines to understand the importance Bill Clinton places on the contributions of our veterans * * * and I quote, "We must bring to our task today the vision and will of those who came before us. From our revolution to the Civil War, to the Great Depression, to the civil rights movement, our people have always mustered the determination to construct from these crises the pillars of our history."

What about World War II? What was that * * * a walk in the park?

Of course, we all know that Bill Clinton wrote the speech himself and no doubt conveniently left out any reference to World War I, World War II, the Korean war, and the Vietnam war out of fear it would remind us all of his role in history. It's understandable but not defensible.

Our Commander in Chief may choose to gloss over the role of the United States in World War II, for his own personal reasons, but the rest of us will never forget the contributions of America's veterans.

TRIBUTE TO MS. ARGIE JOHNSON

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. TOWNS. Mr. Speaker, I rise today to applaud an outstanding educator by the name of Argie Johnson.

We so often feel that our public schools are not doing an adequate job of educating America's children. I am pleased to say that in my congressional district we have an educational administrator who recently assumed the post of deputy chancellor for the entire New York City school system who is committed to educating the children of New York and is not afraid to talk about what has to be done.

Argie Johnson comes to this position after a distinguished career as the superintendent of Community School District 13 in Brooklyn. As superintendent of District 13, it was not unusual to find her meeting with parents in their home or visiting parents to discuss educational plans for their children. Argie Johnson has devoted her life to educating our young people. Her philosophy is that all children are capable of learning and that it is the responsibility of the school system to ensure that they do learn. I am certain with this kind of commitment and philosophy the New York City schools will move forward with Argie Johnson as the deputy chancellor for instruction. Ms. Johnson, we salute you.

FAMILY AND MEDICAL LEAVE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Ms. KAPTUR. Mr. Speaker, even though the Family and Medical Leave Act will pass the House today, I am introducing legislation today to express the sense of the Congress that family and medical leave should be included as an elective option in any national health insurance reform legislation enacted. Given a chance to purchase family and medical leave as an elective option in their health care plan will help both the employee and the employer. Everyone can win. The employee can purchase leave and the employer has costs offset by providing the leave.

My bill is also preventive medicine at its best: It allows employees to meet two important family obligations—rearing children and caring for their sick family members.

So join with me today in support of including family and medical leave as an elective option in national health insurance reform. Give half of the American population who will remain without family and medical leave after passage of this legislation the option to choose it as a benefit—and not have to choose between work and family.

REFORM OF THE FEDERAL BLACK LUNG PROGRAM

HON. NICK JOE RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. RAHALL. Mr. Speaker, today I am reintroducing legislation to reform the Federal Black Lung Program.

This legislation reflects the frustration of thousands of miners and their families with the extremely adversarial nature of the current program as administered by the Labor Department.

As it now stands, disabled miners who suffer from the crippling effects of black lung disease are faced with a Federal bureaucracy so totally lacking in compassion to their plight, that it appears intent upon harassing their efforts to obtain just compensation at every single step of the claim adjudication process.

Today, according to a recent General Accounting Office report, we are witnessing less than a 10-percent approval rate on claims for black lung benefits.

This figure does not attest to any reasonable and unbiased compartment of the facts.

Rather, it represents nothing less than a cruel hoax being perpetrated against hard-working citizens who have dedicated their lives to the energy security and economic well-being of this Nation.

The original intent of Congress in enacting legislation to compensate victims of black lung disease was for this to be a fairly straightforward program. This intent has been defeated by years of administrative maneuverings aggravated by some extremely harmful judicial interpretations. Under this bill, we will return to a program that reflects the statutory commitment Congress, and indeed, the Nation, made to compensate these coal miners and their families.

Make no mistake about it. Victims of black lung disease are not people who are looking for a handout.

They are people who worked their lives in one of the most dangerous occupations in this country.

They are people who were promised compensation by their Government. And they are people who now see their Government break that promise.

It is time, indeed, long past the time that Congress move legislation on behalf of the thousands of miners, their widows, and families who are being victimized by this program, the very program that was intended to bring them relief.

In general, this measure contains the following proposals:

First, new eligibility standards: A miner would be presumed to be totally disabled by black lung if the miner presents a single piece of qualifying medical evidence such as a positive x ray, ventilatory or blood gas studies, or a medical opinion. The Secretary of Labor could rebut the presumption of eligibility only if he can show that the miner is doing coal mine work or could actually do coal mine work.

Second, application of new eligibility standards: The new standards would apply to all claims filed after enactment of the Black Lung

EXTENSIONS OF REMARKS

Benefits Act of 1991. All pending claims, and claims denied prior to enactment of the Black Lung Benefits Act of 1991 would be reviewed under the new standards.

Third, elimination of responsible operators: All claims would be paid out of the coal industry-financed black lung disability trust fund. The purpose of this provision is to eliminate coal operators as defendants in black lung cases and the advantages they have over claimants by being able to afford to pay legal counsel.

Fourth, widows/dependents: A widow or dependent of a miner would be awarded benefits if the miner worked 25 years or more in the mines; the miner died in whole or in part from black lung; the miner was receiving black lung benefits when he died; or medical evidence offered by the miner before he died satisfies new eligibility standards. Widows who are receiving benefits and who remarry would not be disqualified from continuing to receive the benefits, and, a widow would be entitled to receive benefits without regard to the length of time she was married to the miner.

Fifth, offsets: The practice of offsetting a miner's Social Security benefits by the amount of black lung benefits would be discontinued.

A TRIBUTE TO NORTHPORT'S RESCUE AND RELIEF WORKERS

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. ACKERMAN. Mr. Speaker, I rise today to pay tribute to the valiant efforts of the many organizations and individuals that helped the people of Northport during a crucial time of need.

On December 11, 1992, the Northport area of Suffolk County, NY, including the coastal communities of Asharoken and Eatons Neck, was struck by the high winds and heavy rains of one of the worst nor'easters to hit Long Island in 50 years. Many communities were devastated by extensive flooding, power outages, substantial property damage, and impassable roads.

But local relief workers did not flinch. They selflessly provided assistance to those who required it, and made the most of an impossible situation. On February 7, the Northport American Legion will recognize these remarkable people, whom I am now pleased to acknowledge and applaud.

Those being honored include: Chief Edward O'Donnell, Eatons Neck Fire Department; Mr. Larry Cavanagh, former chief of Eatons Neck Fire Department; Mr. Frank Cass, chairman, fire commissioners, Eatons Neck; Chief W.O. Myron Verville, U.S. Coast Guard; Chief Ronald Gatto, Dix Hills Fire Department; Chief John Blanda, Halesite Fire Department; Mr. Raymond Mahdesian, administrator of the Asharoken Police Department; Capt. Geoffrey J. Slack, NYARNG Co.; Mr. John Tarduno, division manager, LILCO Gas Customer Service; Mr. Ron Truman, division manager, LILCO Electric Customer Service; Mr. Dennis O'Conner, IMC, New York Telephone Co.; Mr. Joseph Azzmara, general manager of Cable-

February 3, 1993

vision; Inspector R. Dmuchowski, Suffolk County Police Department; Mr. William Naughton, superintendent of highways, town of Huntington; Mr. Thomas Mazzola, director of HART System; Mr. William J. Brosnan, superintendent of Northport USFD; Theresa Oropallo, principal of Northport High School; Mrs. Janet Hanania, administrator of the American Red Cross; Chief Chris Hughes, Northport Fire Department; Chief Robert Howard, Northport Police Department; Mr. John McGinn, superintendent of public works, village of Northport; and Mr. Harold Knudsen, foreman of highway department, village of Northport.

JERSEY COAST BOAT SHOW: LANDMARK EVENT CELEBRATES 40TH ANNIVERSARY

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. PALLONE. Mr. Speaker, one of the most exciting events on the calendar for those of us lucky enough to come from the New Jersey shore will take place during two upcoming weekends later this month. I am speaking of the Jersey Coast Boat Show, the third-oldest show of its kind in the Nation. This year, the boat show celebrates its 40th anniversary with a wide range of displays, exhibits, and other special programs which will begin during the 3-day weekend of February 13-15, 1993, and then resume from February 19 through 21.

Forty years ago, the late Jerry Gasque, himself an avid boatman who at one time captained a tugboat bringing huge ships from around the world into New York Harbor, determined that there must be thousands of people who shared his fascination for the sea. He decided to put together an exhibit which would help people to realize what he called the third leg of the American dream: First the house, then the car, and the boat. The first show, held in Asbury Park's Convention Hall, was a huge success, and the boat show has prospered and grown ever since. The site of the show has recently moved to the Monmouth Park Grandstand in Oceanport, NJ. Indeed, many of the same dealers who participated in that first show are still exhibiting, while the show continues to attract new sources of support.

Today, Mr. Thomas H. Gasque, Jerry's son, carries on the tradition begun by his father. Now producing and directing New Jersey's oldest and largest boat show, Tom Gasque has planned an event that retains the charm and the traditions of the events of years passed while adding several new and exciting ideas. There will be the traditional captain and mates to greet the people as they enter, while the always popular model ship exhibit will be expanded. While the show is geared primarily to power boats, there will also be sailboats presented by long-time exhibitors. Marine engines and accessories, electrical necessities, nautical jewelry, clothing, and furniture are among the special items to be displayed.

As Tom Gasque says, the goal is to give the visitor the most complete boat show imag-

inable, recognizing that for thousands of people boating is a way of life. Mr. Gasque correctly points out that boating is a major part of the vacation and leisure patterns of thousands of families from all income brackets. In areas like the Jersey shore and other coastal areas, boating is central to the quality of life, and often the livelihoods, of countless residents. A boat is one of the most important investments for many families, and they spend significant time and personal resources on maintaining and upgrading their vessels, same as they would for their houses and cars. Boating is a wholesome activity that can be enjoyed by whole families and people of all ages. I salute Tom Gasque, and all of his hard-working assistants. I am sure that their dedicated efforts will result in yet another pleasant and memorable program for the thousands of current and prospective boaters who will attend the show.

As an elected official from a coastal region, I know the importance of being a representative and advocate for the large boating public. We must constantly work to enact policies that respect and protect the needs and interests of boatowners. I am not only talking about statutes and regulations specifically concerning boaters, but the full range of fiscal and tax policies as well. Boaters contribute a great deal to the Federal Treasury, through a variety of fees and excise taxes. In recent years, they have been a tempting target for the collection of even more taxes, without any increased benefits to justify these taxes. I want to reverse this trend, and I know many of my colleagues feel the same way. The boaters of New Jersey and the entire United States pay more than their share of taxes, and they are among the most conservation-minded citizens you will find. Let's work to keep America's vital boating industry afloat, for the benefit of the manufacturers, dealers, and the consumers.

LONG ISLAND FIRM RECEIVES INTERNATIONAL ACCOLADE

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to share with our colleagues and with the American people an outstanding story of American products and American pride.

On February 5, 1993, Satellite Transmission Systems, Inc., of Hauppauge, on Long Island in New York, will join the ISO 9001 registry, an elite group of worldwide industries on the cutting edge of technology.

ISO 9001, ISO 9002, and ISO 9003 are three tiers of the ISO 9000 series registry, an international forum for recognition of excellence. An honor reserved for firms of truly exceptional quality, only 621 companies in the United States are registered. ISO 9001, the most comprehensive of the three levels, requires exemplary performance in design, manufacturing, installation, and service.

ISO is an acronym for the International Organization for Standardization, an agency composed of the national standard-setting bodies of 91 countries. It seeks to promote

global commercial standardization in order to facilitate international exchange of goods and services. It awards the honor of ISO 9000 series registration to firms around the world that demonstrate a preeminent commitment to quality.

To receive the honor of registration, applicant companies must pass a stringent onsite audit performed by an independent firm according to ISO 9000 series standards. After registration, additional audits are conducted to ensure that the company's quality is maintained at ISO standards.

Registration in the ISO 9000 series is a guarantee to customers that Satellite Transmission Systems, Inc., has met the high quality standards of the International Organization for Standardization. It also ensures that Satellite Transmission Systems products and services can be measured by a common set of standards worldwide. This facilitates expansion of international markets and gives Satellite Transmission Systems an edge in global satellite systems markets.

The ISO 9000 series honor recognizes Satellite Transmission Systems individually, but the registration of a domestic firm benefits our entire Nation. In today's global economic climate there is intense competition for market control. Many nations are struggling to capture and dominate various high-technology markets in order to improve their domestic economies. As Satellite Transmission Systems, Inc., expands its international stronghold, the U.S. garners laurels as well, earning a worldwide reputation for high quality, cutting edge technology. More directly, the increased competitiveness and contract preference that comes with ISO 9001 registration means increased sales, company expansion, and additional employment opportunities.

Mr. Speaker, companies like Satellite Transmission Systems propel our Nation to a new level of international competitiveness. The quality and ingenuity demonstrated by STS should serve as a model to other American firms, proving that our Nation has not and will not lose its place at the vanguard of the global high-technology market. I ask my colleagues to join me in saluting STS and its employees. It is in the continued success of such firms that we must place our hope for the future.

THE BIOTECHNOLOGY PATENT PROTECTION ACT

HON. RICK BOUCHER

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BOUCHER. Mr. Speaker, the Biotechnology Patent Protection Act of 1993, which I am introducing today, will strengthen the protection afforded to products produced through biotechnology. I am pleased to be joined by the gentleman from California, Mr. MOORHEAD and seven of our colleagues in offering this measure.

Biotechnology allows us to replicate beneficial substances that naturally occur in minuscule quantities and produce them in sufficiently large amounts to make them commercially feasible. The United States has only just

begun to tap the potential of biotechnology, which generates billions of dollars in annual sales for our Nation's economy. Currently, American companies are spending up to \$2 billion in biotechnology research and development each year. The industry employs tens of thousands of highly trained scientists and engineers. More than 30 States are involved in the active promotion of biotechnology efforts.

The U.S. biotechnology industry has made impressive scientific and commercial inroads. Today, our industry is a clear leader over its counterparts in Japan and Europe. One of the key ingredients to maintaining this lead is an adequate and effective system of intellectual property protection. Without strong patent protection, our industry faces serious "free riders" problems from offshore competition. Our legislation provides a clear set of rules for obtaining process patents and offers strong remedies to the holders of patented biotechnology-derived intermediates.

This bill is necessary because in many instances questions of novelty and obviousness preclude patents on the end product. As a result, more than any other industry, biotechnology is dependent on process patents. These patents on the method of making an end product, or on using an intermediate, are often the only real protection available to American biotechnology firms. Unfortunately, the lack of clarity in the rules for obtaining this form of intellectual property deprives the industry of an environment in which there is strong investment certainty.

As a result of a series of confusing, contradictory, and arguably inconsistent court cases, American inventors are faced with a legal Tower of Babel when they apply for a biotechnology-derived process patent. The Patent and Trademark Office has recommended to Congress that unless clarifying legislation is enacted, the uncertainty in this area of the law will continue and grow worse.

The measure we are introducing today sets a clear congressional policy that rewards innovation. The bill accomplishes this goal in two ways. First, it creates understandable rules for determining the issue of obviousness in the context of a process patent claim for a biotechnology related process. It differs from earlier versions of this legislation in that it is limited only to biotechnology related processes.

The legislation also addresses the much discussed problem of unfair offshore competition by providing new remedies for U.S. innovators who have created an essential intermediate used in the production of a biotechnology end product. Under the measure, persons who have created a "miniature factory"—for example, a patented host cell—will have a remedy to prevent unfair foreign competitors from circumventing the U.S. inventor by using this "factory" offshore to import the end product.

The measure makes it an act of patent infringement to import into the United States, or sell, or use within the United States, a product which is made by using a biotechnological material patented in the United States. The term biotechnological material is broadly defined to include materials whose existence and use are necessary to produce final biotechnology related products.

Our legislation has been pending, in various forms, for the past two Congresses. I sincerely

hope that during this Congress we will obtain its enactment. After three hearings and volumes of analysis, there is no question that there is a need for a legislative response to the patent problems faced by the American biotechnology industry.

Our legislation has the strong support of the business community—including the pharmaceutical and biotechnology industries—and the university community. The past administration supported the bill, and President Clinton, during his campaign, indicated his support for remedies to this problem.

The Biotechnology Patent Protection Act of 1993 will promote industrial innovation and enhance fair trade.

MARINES URGED NOT TO QUIT OVER CLINTONS GAY POLICY

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SOLOMON. Mr. Speaker, for those people who believe that the President's policy of allowing gays into the military will not have serious consequences on the morale of our troops I wish to submit into the RECORD an article in yesterday's Washington Times. The article's headlines say it all * * * Commandant urges Marines not to quit.

COMMANDANT URGES MARINES NOT TO QUIT

(By Bill Gertz and Rowan Scarborough)

The Marine Corps commandant notified all personnel about changes in policy regarding the ban on homosexuals and is urging leathernecks not to quit over the issue.

Republican senators are set to introduce an amendment, perhaps as early as today to the family leave legislation that would codify the policy of excluding homosexuals from military service.

"It is not characteristic of Marines to quit their posts, either under fire or when things are not to their liking," Gen. Carl E. Mundy said in a message to his 185,000 Marines.

Gen. Mundy was reflecting concerns among military leaders that President Clinton's decision to lift the ban on homosexuals will lead to protest resignations.

Mr. Clinton requested a draft executive order by July 15. Until then, Marine recruits "will not be asked" about their sexual orientation, Gen. Mundy said.

Army, Air Force and Navy chiefs have not notified their personnel of any change and are awaiting guidelines from Pentagon and service lawyers, service spokesmen said.

Defense Secretary Les Aspin will issue implementing orders, probably before the end of this week, Pentagon spokesman Lt. Col. Dong Hart said.

A TRIBUTE TO THE JOLIET HERALD-NEWS UPON RECEIVING THE "SALUTE TO INDUSTRY" AWARD

HON. GEORGE E. SANGMEISTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SANGMEISTER. Mr. Speaker, it is with great pride that I rise today to salute a news-

paper in my district whose rich history mirrors that of the city it serves—the Joliet Herald-News. This 154-year-old publication, one of the oldest continuously published newspapers in Illinois, will be honored February 9, 1993, with the Joliet region Chamber of Commerce's Salute to Industry Award. This annual award recognizes the recipient for contributions made in the area of economic growth, community service, and human resources.

The Herald-News was founded April 20, 1839, as the Joliet Courier. A printing press had been mistakenly shipped to a community about 60 miles west of Joliet, or Juliet, as the city was called back then. When the makers of the press offered to sell it at a bargain rate in Illinois rather than have it shipped back east, 13 enterprising residents of Joliet purchased the press, and the community's first newspaper was born.

Over the years, the newspaper has changed mastheads many times: It became the Joliet Signal, then the True Democrat, then the Joliet Herald. Perhaps the most significant event in the newspaper's history occurred in 1913, when publishing entrepreneur Col. Ira C. Copley purchased the Herald. Two years later, Colonel Copley consolidated the Herald with the News, another area newspaper he owned, forming the Herald-News.

Under the guidance of the Copley family and community-minded publishers such as John Lux, Bill Blackburn, and currently George Fisk, the Herald-News has become one of the finest newspapers in Illinois. As Joliet has grown over the years, so has the Herald-News. The community expanded westward during the last half-century, and so did the newspaper, moving to its newest facility on the west side of the city in 1975. In the past year, the Herald-News began printing on a state-of-the-art offset press.

This publication combines and balances the old-fashioned journalism values of tough, but objective and fair-minded, coverage of the news with a desire to better the community that it serves. Above all else, the Herald-News still maintains the innovative, can-do attitude that marked its founding and reflects the community that it has served for 154 years.

Mr. Speaker, I congratulate all the people associated with the Herald-News on earning the Salute to Industry Award, and wish this fine newspaper continued success in the years to come.

TRIBUTE TO THOMAS CALLIHAN, SULLIVAN COUNTY CONSERVATIONIST OF THE YEAR

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. GILMAN. Mr. Speaker, today I rise in the well of the House of Representatives to invite my colleagues to pay tribute to a devoted, outstanding conservationist, sportsman, accomplished hunter, archer, fly fisherman, veteran, and friend from Sullivan County, NY.

It is no surprise that Tom Callihan is being honored by the Sullivan County Board of Supervisors as the Conservationist of the Year.

He is without a doubt one of the most widely respected voices for conservation, sportsmanship, the wise use of natural resources, and recreational land use issues in the region. Tom has been appointed by the Sullivan County Board of Supervisors as a county representative to the regional Fish and Wildlife Management Board—a volunteer organization that works with private landowners, sportsmen, and agricultural interests in a seven-county region to provide access to private lands for outdoor recreation. Tom was also appointed by the Commissioner of the New York State Department of Environmental Conservation as a volunteer member of the Neversink River State Nature Preserve Advisory Committee as well as a member of the Deer Management Task Force Citizen's Advisory Committee.

If that were not enough, Tom Callihan has also served as chairman of the Town of Thompson's Conservation Advisory Council; a hunter safety instructor; master bow hunter safety instructor; as a member of the Sullivan County Federation of Sportsmen Clubs since 1964; New York State Conservation Officers Association; the Sullivan County Conservation Club, and much more.

Accordingly, it is without reservation that I wholeheartedly congratulate Tom Callihan for his designation as this year's Sullivan County Conservationist of the Year. Furthermore, along with all of the residents of Sullivan County, I thank Tom for all of the outstanding conservationist and sportsmanship services that he has provided and shared with his region throughout the years. We look forward to Tom's continued efforts and pledge to follow his example.

TRIBUTE TO MILDRED LEONARD BURTON

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Ms. PELOSI. Mr. Speaker, San Francisco lost one of its treasured citizens recently—Mildred Leonard Burton. It is particularly fitting that we in Congress pay tribute to this delightful, strong woman who instilled such extraordinary commitment to community and the Nation in her sons that all three have devoted their lives to public service.

Mildred Burton's sons—former Representative Phillip Burton, who died in 1983; former Representative and now-Assemblyman John Burton; and Robert Burton, member of the San Francisco Community College Board—are certainly one of California's most powerful political dynasties. They have achieved enduring victories for our Nation in protecting our public lands and the rights of individuals in our society. And they will long, and rightly, be remembered for their stunning accomplishments and dedication.

As too often happens, history books may not give the emphasis due to the charming and steadfast woman who gave birth to, nurtured, and guided these sons in their values, their perseverance, and their intellectual honesty. Mildred had a very great sense of de-

gency and fairness which she worked to instill in her sons.

Mildred was born in Cincinnati, OH, 3 years after the turn of the century. There she met and married, in the mid-1920's, Thomas Burton. While raising their three sons, she worked to enable her husband to complete medical school. It is California's great good fortune that the family decided, in 1941, to move to San Francisco.

Mildred's lively wit, humor, intelligence, charm, and love of fun—the embodiment of her Gaelic heritage—will live on in the hearts of all who knew her. San Francisco bids a very fond farewell with our love and warm thanks to Mildred Leonard Burton.

“STRENGTH THROUGH UNITY”: A
TRIBUTE TO THE SANTA ANA
POLICE OFFICERS ASSOCIATION

HON. ROBERT K. DORNAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. DORNAN. Mr. Speaker, I would like to take this opportunity to commend the Santa Ana Police Officers Association as they celebrate the opening of their new offices in Santa Ana, CA, on Thursday, February 11, 1993.

Over the years, the Santa Ana Police Officers Association has been instrumental in recognizing the special concerns and interests of police officers dedicated to protecting the lives of their fellow citizens.

Originally designed as a support group for officers and their families back in 1948, this association has evolved into one of Orange County's most prominent law enforcement organizations. They provide a much needed voice for nearly 470 members by acting as a liaison between the officers and their superiors, as well as providing information, legal assistance and an association newspaper, *The Reliable Source*. Additionally, the association organizes community service programs and social activities for members and their families.

Their continual involvement with community youth events, activities, and sponsorships is particularly noteworthy, and the numerous photographs, awards and plaques which line the walls of their offices is evidence of the association's concern for children throughout the county.

The Santa Ana Police Officers Association's motto, “Strength Through Unity,” clearly demonstrates their commitment to working as a unified voice toward protecting our families and the entire community. They are a much needed and appreciated organization, and I wish them much success in all that they do.

On a final note, I would like to dedicate these remarks to those officers who have lost their lives in the line of duty and to the association itself which has been invaluable to the families of these loved ones.

**CHERRY SIGL: A BUDDING
CONSTITUTIONAL SCHOLAR**

HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. ROTH. Mr. Speaker, I rise today to share with my colleagues a brilliant letter I received from Miss Cherry Sigl of De Pere, WI. Cherry is an eighth grade student in Mr. Mike Taylor's class at Notre Dame Middle School in De Pere.

While she was reading through her copy of the Constitution, Cherry stumbled upon the 10th amendment. Imagine her surprise when she read this quaint defense of federalism:

AMENDMENT X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Today the ever-growing power of the Federal Government reaches into every corner of every town in America. Cherry asked me why, in light of the 10th amendment, the Congress oversteps the powers granted to it by article 1, section 8.

Mr. Speaker, the answer is that the Congress cannot resist the temptation to micromanage the Nation through the chambers of the Capitol and the corridors of the Executive agencies.

I urge my colleagues to read Cherry's letter. The next time you vote to impose another burdensome regulation on the American people, take a moment and contemplate the 10th amendment.

Cherry, thank you for providing all of us a lesson in the Bill of Rights and the Constitution. Notre Dame Middle School, Keith and Lorna Sigl, and the people of De Pere should be very proud of Cherry. One day, she may sit on the Supreme Court.

A copy of Cherry's thoughtful letter follows:

DE PERE, WI,
January 25, 1993.

Mr. TOBY ROTH,
Rayburn Building, Washington, DC.

DEAR MR. TOBY ROTH, Thank you for your answer to my letter in regards to the support of school choice. I think it's great that you agree. Maybe if we all work hard we can change the negative views on school choice.

The reason I wrote is I had a question. When I received your letter, I read through the Constitution of the United States. In it I found an amendment that was of great interest to me. In the tenth amendment it states that all powers not given to the national government by the constitution and not denied to the states, are to be given to the states or to the people of the states.

With that in mind how is it possible for the national government to control education? When reading through the constitution I found nothing granting the national government the right to control education. Is there a law that was made that explains this unconstitutional act? If so I would appreciate a written copy of this law.

Thank you for your time and concern about this issue. If you have any answers to my questions or any other information concerning this issue please write.

Sincerely,

CHERRY SIGL.

**A TRIBUTE TO STANLEY JOSEPH
PANIKOWSKI**

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to honor Stanley Joseph Panikowski III upon the occasion of his being named as a Rhodes Scholar.

After attending our Lady of Mount Carmel School, where he graduated in 1985, Stanley received a full 4-year scholarship to Saint Joseph's Preparatory where he graduated with highest honors and received 11 academic awards. This outstanding academic record was rewarded through his receiving a full 4-year Woodruff Scholarship to attend Emory University.

Throughout his tenure at Emory University, Stanley has maintained an academic record that has kept him on the dean's list. Along with this attention to his studies, he was active in student government and served as president of the Residence Hall Association, resident adviser, sophomore adviser, and national regional officer of the Catholic Student Coalition.

All of these efforts have culminated in Stanley being selected as a Rhodes Scholar. He will attend Oxford University for 2 years beginning in October 1993, and will study politics, philosophy, and economics.

I join with Stanley's father, Stanley Joseph II; his mother, Joanne; his sisters, Linda and Karen; and his brother Michael, in commending Stanley on his outstanding academic achievements and in wishing him the future successes that other Rhodes Scholars have achieved—President Bill Clinton and Senator BRADLEY among them. This is indeed an accomplishment of which Stanley is well deserved.

**THE ENERGY EFFICIENCY AND
CONSERVATION ACT OF 1993**

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. McDERMOTT. Mr. Speaker, today, I am introducing the Energy Efficiency and Conservation Act of 1993. I am pleased that Congressmen MIKE KOPETSKI, AMO HOUGHTON, and RICHARD NEAL have joined me in cosponsoring this legislation.

Energy experts across the Nation recognize conservation as the most environmentally responsible and cost-effective source of energy available today. Under the direction of the Northwest Power Planning Council, the States of Washington, Oregon, Idaho, and Montana are committed to achieving 1,500 megawatts of energy conservation over the next decade. This effort will save enough energy to meet the electricity demands of a city half again as large as Seattle.

This legislation will overturn the International Revenue Service practice that discourages private utilities from pursuing the kind of effective

conservation programs that are vital to the Nation's energy future. Longstanding IRS policy has allowed electric and gas utilities to deduct from their tax liabilities the cost of their energy conservation programs in the year in which the costs are incurred. However, the Service has begun to pressure private utilities to spread these deductions over a period of several years. The Puget Sound Power & Light Co. estimates that this could reduce its annual conservation expenditures by up to 10 percent. That amount is equivalent to the loss of the electricity conserved when 4,500 homes participate in the company's residential weatherization program.

I want to emphasize that this legislation is nothing more than an affirmation of longstanding tax policy, and a rejection of the Service's recent attempts to modify it. Utilities have deducted conservation expenditures in the current year since the beginning of these programs in the 1960's. As recently as 1991, the IRS acknowledged in a technical memorandum that conservation expenditures are, in fact, allowable as a current deduction.

Investor owned utilities, like the ones represented here today, are key to the success of conservation programs across the country. Of the 1,500 megawatts of energy savings the Pacific Northwest has committed to achieve in this decade, over half of that will come from private utilities. I am committed to supporting these companies in this important effort, and this legislation is a vital first step.

BACKGROUND

Energy conservation and efficiency are top national priorities for the United States. Across the country, and especially in the Pacific Northwest region, energy conservation is the preferred alternative for obtaining new energy resources and slowing down the depletion of the available energy supply. In order to promote energy conservation, many utility companies have energy conservation programs which are mandated by State regulators and paid for by customers through authorized electric and gas rates.

Conservation expenditures are made by utilities for products and services to enable their customers to reduce energy use, and the products are owned by the customer. Examples of conservation expenditures include: Energy efficiency audits, education and marketing programs to promote conservation and efficient use of energy, insulation and weatherization materials, and subsidies and rebates for the installation of efficient lighting, appliances, and other efficiency products.

THE PROBLEM

Some IRS auditors, in an attempt to raise revenue, are currently beginning to disallow deductions for energy conservation expenditures made by electric and gas utilities and are directing that the deductions be spread over a period of years. This is in direct contradiction to the industry practice by electric and gas utilities, since the introduction of energy conservation programs in the early 1960's, of deducting energy conservation expenditures in the year incurred for tax purposes. If the IRS's recent interpretation remains unchanged, the after-tax cost of energy conservation programs will be dramatically increased, thus discouraging conservation at a time when environmental, energy, and cus-

tomers cost considerations all argue for maximizing conservation. More importantly, utilities will also face enormous back tax liabilities for conservation expenditures made in previous years and taken as a current deduction as a result of reliance on well established accounting and tax principles.

If the IRS is allowed to continue to disallow deductions for energy conservation expenditures by electric and gas utilities, it is estimated that the expenditures utilities make for conservation programs will be reduced by up to 10 percent. For Puget Power, this is the equivalent of eliminating 4,500 homes from the company's residential weatherization program or having to sell an additional one or two average megawatt-hours of electricity per year to its customers.

PROPOSED LEGISLATION

The Energy Efficiency and Conservation Act of 1993 will establish that conservation expenditures by an electric or gas utility that promote and encourage energy efficiency and conservation are deductible for the year in which they are paid or incurred thus reducing the after-tax cost of these programs for the utility companies. The legislation only clarifies and makes explicit current tax and accounting practice.

TIME TO HELP CAMBODIA

HON. HELEN DELICH BENTLEY

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mrs. BENTLEY. Mr. Speaker, in a column printed last week in the Washington Times, Heritage Foundation analyst Richard Fisher lays out several courses of action for President Clinton regarding the unstable situation which persists in Cambodia. One suggestion is for the United States to provide direct assistance to the democratic opposition—a democratic opposition that is routinely denied equal access to newspapers and radios.

With national elections tentatively scheduled for May, it seems incomprehensible that the Khmer Rouge and the Communist Hun Sen government continues to monopolize the airwaves. The entire drama now being played out inside Cambodia is very disturbing indeed. But, despite the continued diplomatic intransigence of the Khmer Rouge, all is not lost. For 3 years, my colleague, JOHN PORTER, and I have advocated the creation of a Radio Free Asia to advance the cause of democracy where the free flow of information is reduced to a trickle.

I know that President Clinton supports Radio Free Asia because he said so on numerous occasions during the last campaign. Mr. Speaker, our new President is in a position to offer the Cambodian people a meaningful alternative to radio airwaves now entirely controlled by their oppressors. I hope that he will do the right thing.

I insert the text of the Washington Times article in the RECORD.

[From the Washington Times, Jan. 25, 1993]

AVOIDING THE U.N.'S OTHER CONFLICT

(By Richard Fisher)

In addition to Iraq, Somalia, and Bosnia, President Clinton may soon have another

international crisis on his hands, this time in Cambodia.

Since October 1991, Cambodia's future has been in the hands of the United Nations Transition Authority in Cambodia (UNTAC). As part of a peace treaty that included a cease-fire, Cambodia's warring factions agreed that UNTAC would take control of the government, disarm the factions, and conduct elections—now scheduled for May.

To support this effort, UNTAC has gathered the largest-ever U.N. peace-keeping force: about 22,000 soldiers and administrators from 44 different countries. Total cost of the effort could be as much as \$3 billion, of which the United States has pledged \$513 million.

However, UNTAC appears headed for failure as a result of continuing terrorism by the two largest factions, the communist Khmer Rouge and the Hun Sen government in Phnom Penh. The notorious Khmer Rouge were responsible for killing more than a million Cambodians during their rule from 1975 to 1979. The Khmer Rouge has, unfortunately, refused to disarm and has regularly violated the U.N. cease-fire. With some 30,000 well-armed guerrilla fighters, the Khmer Rouge probably could retake Cambodia by force if war breaks out again.

The Hun Sen government, installed by invading Vietnamese in 1978 and protected by 100,000 Vietnamese troops until 1989, has also observed the cease-fire mostly in the breach.

A former Khmer Rouge, Hun Sen has been portrayed by American liberals as a democratic reformer. He is anything but, and after 13 years of oppression, corruption, economic stagnation, and subservience to the Vietnamese, his grip on the country could be nearing its end.

Without President Clinton's active intervention, the situation in Cambodia will deteriorate and UNTAC's mission will be lost.

What can the president do? First, Mr. Clinton must insist that UNTAC do its job. Most of its well-paid soldiers stay in the cities. They need to be deployed to the countryside, where they can protect local political organizers.

Mr. Clinton also must insist that UNTAC take control of Hun Sen government ministries, as it was empowered to do in the October 1991 agreement. Hun Sen continued to use the security-related ministries, such as the Ministry of Interior, to intimidate his democratic opponents, led by Prince Norodom Ranariddh and former Prime Minister Son Sann. This will continue unless UNTAC fulfills its mandate.

Second, Mr. Clinton should provide direct assistance to the democratic opposition. Currently, Hun Sen is denying the noncommunists access to newspapers and radios. Washington should provide them with needed newsprint, and insist that Hun Sen give them equal access to radio stations.

Third, Mr. Clinton should be prepared to act firmly and immediately if the rapidly deteriorating situation breaks down completely. Mr. Clinton should warn both China and Vietnam that the United States will view with severity any resumption of military aid to their respective clients, the Khmer Rouge and Hun Sen. In addition, he should ask Thailand to end its trade with the Khmer Rouge, an important source of funds for the guerrillas, and he should make it clear that he intends to provide economic and military support to the noncommunist Cambodians.

Most important, the new U.S. government should not allow itself to be caught in the trap of equating elections with success in

Cambodia Elections will be meaningless if they are unfair and merely serve to perpetuate the strong-arm control of one communist faction or another.

THE BIOTECHNOLOGY ACT OF 1993

HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. MOORHEAD. Mr. Speaker, today Congressman RICK BOUCHER and I are introducing legislation which is necessary to cure a defect in current patent law. When Congress last amended the patent law in 1988 in the omnibus trade bill, we provided that the unauthorized use of a patented process by a person—inside or outside the United States—to produce a product constituted an act of patent infringement. This action was aimed at preventing the use of American innovation by unfair foreign competitors. Unfortunately, these amendments do not adequately address the problems of the biotechnology industry. As a result additional legislation is necessary.

Biotechnology products currently on the market in the United States are virtually all the work product of American inventors. The predominant form of intellectual property protection in this industry has been process patents. There are two types of patents that we should be familiar with, one is a product patent and the other is a process patent. Product patents cover the actual item invented. A process patent does not cover the product invented but it covers the process used to make a product. An inventor would seek a process patent when a product patent would be unavailable, for example, the development of a new way to make gasoline. You would not be able to obtain a product patent on gasoline because it's an old product but you could obtain a patent on a new process for manufacturing gasoline. Another example in the biotech area is interferon which is a natural substance found in the human body, therefore not patentable as a product. However, if you invent a process for making interferon, that process is patentable. Product patents are generally considered to provide better protection for drugs than process or use patents because the latter two types usually can be circumvented more easily. Inventors of some recombinant versions of naturally occurring products have found it difficult to obtain adequate patent protection because of the mere existence of literature disclosing incomplete information about the product. When this occurs a patent may be denied for lack of novelty, in other words, as far as the Patent and Trademark Office [PTO] is concerned it has already been discovered. A second problem is that the PTO may find that a process is unpatentable because it is obvious, that is, its basic properties, before they have been isolated in a substantially pure form by use of recombinant technology are known and therefore deemed unpatentably obvious. Before you can obtain a patent it must be novel and nonobvious to someone skilled in the particular field of discovery.

This legislation addresses both of these problems. The bill we are offering today clarifies the rules of obtaining biotechnology-relat-

ed process patent claims, and offers meaningful remedies for firms with U.S. patents on essential intermediates. This legislation will return the rules for obtaining process patents to the case law exemplified by *In re Mancy* and effectively overrule in the case of *In re Durden*, insofar as the biotechnology industry is concerned.

The second change in the bill will prospectively change the anomalous result that confronted the California biotechnology firm, Amgen, when they attempted to exclude from the United States products unfairly made in Japan using an essential intermediate—also known as a host cell or miniature factory—patented by Amgen. This part of the bill makes it an act of patent infringement to make, use, or sell products produced by patented biotechnological materials. The biotechnology materials envisioned by the bill include host cells, DNA sequences and vectors. But for the discovery of these patented materials and their application to create a commercially viable product there would be no meaningful discovery. Thus, it makes sense for us to extend the reasoning of the 1988 process patent amendments to this category of materials. Moreover, as the court of appeals for the Federal circuit said in the Amgen case, the remedies available to these innovative American firms is a question of policy best addressed by Congress.

This bill is the first step toward a recognition by the Congress of the need to nurture an innovative, high technology industry that has strong growth potential. Our U.S. industry is currently ahead of our major trading partners in this technology. In order to maintain that lead we need to assure that the risk taken, the scientific breakthroughs achieved, and the investments made, are rewarded by a system of adequate and effective intellectual property protection.

I urge early action on this legislation.

DELEGATE VOTING IN THE COMMITTEE OF THE WHOLE

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. HYDE. Mr. Speaker, today I must comment upon the deplorable decision of this body to allow delegates to vote in the Committee of the Whole. The following remarks, addressed to a citizen, set forth my views:

If you haven't given much thought to American Samoa recently, you should know that this U.S. territory consists of seven lush islands and coral atolls sitting atop New Zealand in the South Pacific—some 4,800 miles from Los Angeles. Its main industry is tuna fishing and canning. The 51,000 residents are not U.S. citizens, but U.S. nationals (who cannot be drafted into the armed forces). You may be more familiar with the U.S. Virgin Islands, perhaps having vacationed there. The Islands' 99,000 residents are U.S. citizens, but do not pay income taxes to the U.S. Treasury. They are dwarfed by the 1,000,000 tourists who visit each year.

What do these two American territories have in common? The majority Democrats in the House of Representatives have forced through a change in the rules of the House

that will allow the two territorial delegates of Samoa and the Virgin Islands, along with the delegates of the District of Columbia, Guam, and the resident commissioner of Puerto Rico, to participate in votes on the House floor. This is a privilege presently possessed only by 435 U.S. Representatives by virtue of our each representing about 570,000 Americans.

Why was the change approved? Politics, raw and simple. It is no accident that the five delegates in the 103rd Congress are Democrats. The Democrats' majority in the House of Representatives was reduced by ten on November 3—and the party simply wants to regain some of their ground lost at the ballot box. It was such a blatant power grab that 27 Democrats voted against it, all demonstrating political courage for representatives who vote against their party on procedural matters do so at their own peril.

This rule change dilutes the political power of those Americans living in the 50 states by giving voting privileges to representatives of sparsely populated territories, whose residents do not always have to shoulder the burdens borne by other Americans. If the territories want full representation in Congress, they can get it the old-fashioned way—they can apply for statehood! Anyone interested is free to consult Article IV, Section 3 of the Constitution.

It is true that delegates would not be given the right to vote on the final passage of legislation, only on amendments that are offered in the "Committee of the Whole." (I should explain that the Committee of the Whole, as its name implies, is comprised of the entire House. It is merely a procedural device employed by the House of Representatives when it sits in the House Chamber debating and amending legislation prior to final passage.)

However, most of the victories Republicans will win in the House over the next four years will not be over the final enactment or defeat of legislation. We Republicans are an embattled minority in the House and we can no longer threaten a presidential veto of bad legislation as we could with George Bush in the White House. Our victories will likely be on amendments. Votes in the Committee of the Whole are therefore of crucial importance.

Perhaps embarrassed by the scathing reaction of editorial writers nationwide, the Democrats at the last minute modified the rule to require a vote of the House—minus the delegates—"whenever a recorded vote on any question has been decided by a margin within which the votes cast by the [d]elegates . . . have been decisive." At first glance, this move seems to make a mockery of the aspirations of the delegates: they can vote as long as their votes do not count. However, anyone familiar with the rough and tumble of the legislative arena knows that one legislator can influence the votes of a whole horde of others simply by offering to "logroll," to promise future support on legislation of interest to those members. The Democrats are too clever by half.

Not only is this a quintessential example of the arrogance of power, but it is most surely unconstitutional. The Constitution specifies that the legislative power belongs to the House and the Senate and that "[t]he House of Representatives shall be composed of Members chosen every second Year by the People of the several States . . ." This is why House rules prevent delegates, who are not members of the House, from voting on the floor, the place where the House takes formal legislative action. Delegates have ad-

mittedly been granted the right to vote during deliberations of the various standing committees. However, these committees are purely advisory bodies, creatures of the House and not of the Constitution, and their actions do not bind anyone since they can be reversed on the floor in the Committee of the Whole. In the 101st Congress, 345 bills and joint resolutions were reported by House and Senate committees and yet not considered by the full bodies. Conversely, bills stalled in committee can reach the House floor through "discharge petitions" signed by a majority of House members. And, depending on the liberality of the ground rules governing consideration of legislation on the floor, members may be able to offer amendments previously rejected by a committee. But amendments rejected by the Committee of the Whole are generally not later voted upon by the full House. In essence, the decision of the Committee of the Whole is final.

Thus, delegates could usurp the legislative power reserved to House members. It is more than a little interesting that present House Speaker Thomas Foley stated over 20 years ago that "a constitutional amendment would be required to give the Resident Commissioner [from Puerto Rico] a vote in the Committee of the Whole or the full House."

Perhaps it is a reflection of the times that House Democrats are so willing to trample on rights of the minority, and the Constitution as well.

House Republicans had no choice but to bring suit in federal court challenging the constitutionality of the Democrats' move. What an abysmal way to begin the Clinton administration.

HEALTH CARE REFORM: BENEFITS OF A SINGLE-PAYER HEALTH CARE SYSTEM TO CONTAIN COSTS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. CONYERS. Mr. Speaker, I wanted to bring to the attention of my colleagues the following article in today's Wall Street Journal entitled "House Panel Told Health-Care System Run by Government Would Be Cheapest."

As reported in this article, in congressional testimony yesterday Robert Reischauer of the Congressional Budget Office noted that "the likelihood of success [in controlling health costs] increases with a single-payment mechanism."

Representative JIM McDERMOTT [D-WA] and I, along with other Members of the House will shortly introduce the American Health Security Act—comprehensive health care reform legislation that will create single-payer mechanisms in each of the 50 States. This bill is based on last year's efforts of our colleague Marty Russo, which garnered the most co-sponsors of any reform legislation introduced in the House.

Under our proposal, through each State single-payer a global national health care budget, tied to the growth of GDP, will be adhered to. Annual budgets for hospitals and nursing homes will be negotiated at the State level to promote greater efficiency; professional fees and prescription drug prices will also be negotiated to control exorbitant increases.

Equally important, such a single-payer mechanism will dramatically reduce the enormous paperwork burden generated by 1,500 different insurance companies with their separate forms and filing requirements. In a report prepared for the Committee on Government Operations, which I chair, the General Accounting Office estimated that about 10 percent of health care costs could be eliminated with a single-payer mechanism. That's about \$90 billion in 1993—more than enough to provide health insurance to all those without it!

I urge my colleagues to join us in cosponsoring this legislation.

[From the Wall Street Journal, February 3, 1993]

HOUSE PANEL TOLD HEALTH-CARE SYSTEM RUN BY GOVERNMENT WOULD BE CHEAPEST (By Hilary Stout)

WASHINGTON.—A national health-insurance system financed and operated by the federal government may have the best chance of controlling medical cost, the director of the Congressional Budget Office suggested to a House health panel.

Robert Reischauer, CBO director, testifying before a hearing of the House Ways and Means Committee's health subcommittee, asserted that government-imposed limits on medical expenditures "could substantially reduce the rate of increase in health spending."

But he added that "the likelihood of success increases with a single-payment mechanism," restrictions on the ability to purchase health care outside the regulated system and government-set budgets for hospitals and other institutions. Currently, the only so-called single-payer systems are government-financed systems such as the one in Canada.

President Clinton, however, has said he will propose a cap on overall health spending in the U.S., not a government-run single-payer system. He wants to maintain a system based on market competition, with private insurers as well as government programs.

The health-care task force headed by his wife, Hillary Rodham Clinton, is still weighing various options. Mr. Clinton's goal is a bill that provides health insurance to everyone, curbs the relentless rise in medical costs, and shrinks the bulging budget deficit.

Mr. Reischauer's views are important because his office, along with the White House budget office, will calculate the potential savings of the plan President Clinton will submit to Congress to overhaul the nation's health-care system.

In addition to the expenditure cap, Mr. Clinton advocates an approach known as "managed competition," a system whereby large purchasing networks negotiate for the best health plan on behalf of employers and individuals, forcing health providers to compete for their business on price and quality.

The CBO director told the panel that to be effective at curbing costs, a managed competition system must include all of the following ingredients:

Universal health coverage.

Large health-insurance purchasing cooperatives that bargain for health insurance on behalf of consumers and oversee the insurance market.

Limits on the amount of health benefits that workers can receive tax-free from their employers, and caps on the amount of money employers can contribute to their employees' health benefits.

Uniform, reliable data on costs, outcomes of specific medical services and quality.

Fewer insurance firms.

Limits on an insurer's ability to raise premiums based on the health of beneficiaries, and "an accurate method to adjust for differences among insurers in the health status of their enrollees."

Together, Mr. Reischauer said, these elements "could result over time in a reduction in the rate of increase in national health spending." But he warned that "omitting some of these elements from a proposal for managed competition would significantly lessen its potential effectiveness."

Mr. Clinton hasn't said whether he will propose the most controversial element on that list, limited tax breaks for employer-provided health benefits.

The health-care task force is studying the possibility of imposing a so-called tax cap, but hasn't yet made a decision. In an interview with The Wall Street Journal in December, Mr. Clinton said he "was inclined to agree" with the idea. But he has been warned that the political consequences of proposing to tax some health benefits could be dire.

Separately, a study by Lewin-VHI Inc., a consulting firm, estimated that the country could save an average of \$35.8 billion over the next five years by reducing the "defensive medicine" doctors practice to avoid malpractice suits.

The firm defined defensive medicine as tests and procedures that have either no benefit or a marginal benefit to the patient and are simply performed as a protection against potential malpractice claims. The group cited the administering of skull X-rays to all patients with head injuries and fetal monitoring of routine births as examples of procedures that often aren't necessary.

The study was released by a coalition of health and business groups pushing for reform of the medical malpractice system. The coalition advocates, among other things, limiting the damages that can be awarded in medical liability suits and protecting physicians from malpractice claims if they follow certain guidelines.

LEGISLATION TO EXTEND THE DUTY SUSPENSION ON METAL OXIDE VARISTORS

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SHAW. Mr. Speaker, today, I am introducing legislation which extends the duty suspension on metal oxide varistors which was first enacted into law in 1990. This legislation is very similar to H.R. 4828, which I introduced during the 102d Congress, to continue the duty suspension on this product for an additional 5 years.

Prior to 1989, when duties were set under the Tariff Schedules of the United States, metal oxide varistors entered the U.S. duty free under a tariff heading devoted to diodes, transistors and other similar semiconductor devices. When the United States converted to the Harmonized Tariff System in 1989, metal oxide varistors were reclassified under a non-semiconductor, dutiable heading. Action taken by Congress in 1990 suspended the duty on this product in response to a view by American industry that the reclassification under HTS incorrectly removed this product from the

zero duty category accorded to other semiconductor devices.

The action I am taking today extends the duty suspension which has been in place on this product since 1990 and is identical to H.R. 4828 except that it incorporates a change suggested by the International Trade Commission. The change limits the scope of this legislation to small-scale metal oxide varistors weighing less than 2.5 kilograms, a change which will clearly distinguish small scale metal oxide varistors from large scale arrestors. This modification will also alleviate concerns from domestic suppliers of large scale arrestors who have indicated that they face closed foreign markets for their products.

Mr. Speaker, in 1990 and in 1992, the U.S. Department of Commerce's International Trade Administration had no opposition to congressional passage of this legislation. The Department's position was based upon the fact that no adverse effect on domestic industry from the duty free treatment of metal oxide varistors was expected since the product entered duty-free previously with no adverse effect.

Passage of this legislation is very important to several segments of America's electronic industry since the duty in effect for the past few years expired at the end of 1992. I encourage the Committee on Ways and Means to move expeditiously on this measure to minimize the financial disruption caused by resumption of the duty.

SALUTE TO LISA POWELL

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. GINGRICH. Mr. Speaker, I rise today to recognize the years of dedication to me and the entire Sixth District of Georgia by Lisa Powell. Lisa served on my staff for 2 years and her hard work and commitment to the constituents of the Sixth District of Georgia should not go unnoticed.

Whether it is resolving constituent problems, organizing district-wide activities, assisting the district's veterans, or helping service academy candidates, she always approached her job with a high level of professionalism and dedication to duty that had a profound effect on helping the constituents of the district.

We will all miss Lisa and wish the best for her, her husband, and her daughter.

RECYCLING MARKETS IN WESTERN NORTH CAROLINA

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. TAYLOR of North Carolina. Mr. Speaker, I would like to have entered into the RECORD a recycling report prepared by the Western North Carolina Environmental Council which advises me on solutions to the environmental challenges facing both my district and the Nation as a whole.

EXTENSIONS OF REMARKS

RECYCLING MARKETING IN WESTERN NORTH CAROLINA

(Prepared by the Western North Carolina Environmental Council)

I. INTRODUCTION

The Western North Carolina Environmental Council was created in May 1989 by Executive Order of Governor James G. Martin. During the two years ending in May 1991, in which the Council operated under the Governor's office as a public forum for the discussion of economic and environmental issues, the Council addressed many issues of pressing importance to WNC.

Recycling was among the topics which were addressed. In the final report to the Governor, Lt. Governor Jim Gardner wrote the following:

"Many counties and municipalities across the state are faced with a shortage of landfill space. This shortage is even more severe in Western North Carolina where there is limited space for new or expanded landfills. Consequently, the Council placed considerable emphasis on discussing recycling options and opportunities * * * The Council made a special effort to invite local government officials from the region to attend meetings on recycling. Many officials were able to learn more about ways to reuse, reduce and recycle solid waste" (Gardner 12).

Acting in response to the shortage of landfill space, the North Carolina Legislature passed N. C. Senate Bill 111 in 1989 and passed N. C. House Bill 1109 in 1991. According to Secretary William Cobey of the North Carolina Department of Environment, Health, and Natural Resources, these bills addressed alternatives to landfill disposal of solid waste through waste reduction at the source, recycling and reuse, composting and incineration. Specifically, these two bills include the following provisions:

1. Establish waste reduction goals for waste received at solid waste management facilities.

2. Provide that plastic bags and polystyrene containers provided at retail outlets to retail customers must be recyclable, and that 25% of such bags and containers must be recycled by certain dates.

3. Ban yard trash from MSW landfills effective January 1, 1993, except under special provisions. Yard trash may be accepted at a solid waste disposal area where the yard trash is composted.

4. The state and counties must develop comprehensive solid waste management plans consistent with state policy and state waste reduction goals.

At the directive of Congressman Charles Taylor, the Western North Carolina Environmental Council, which has operated under the auspices of the Congressional office since May 1991, examined the impact of both state and federal government action on local recycling markets. Recycling was the focus of the Council's quarterly meetings held in January and March 1992.

The goals of the Council were two-fold. The first goal was to develop a clear understanding of the mechanics of those markets in Western North Carolina and how they were affected by government mandates. The second goal was to provide recommendations to help local governments and businesses comply with the federal and state legislation.

Speakers at the January meeting were: Dr. Tim Wilson, Chairman of the Board of Directors of Quality Rubber Manufacturing Co., Inc.; Alston Macon and Ben Bridgers of Appalachian Second Resource, Inc.; Tom Weaver of EEE ZZZ Lay Drain Co.; Kenneth Pankow of Pankow Engineering; Nancy

McGraw and Andrew Kao of Champion International Corporation; Russell Duffner, plant manager of G & H Industries, Inc.; Don Wood, general manager of Jackson Paper Manufacturing, Co.

Speakers at the March meeting were: Robin Mitchell, environmental scientist with the office of Solid Waste EPA Region IV; Al Ebron, local government specialist of the Energy Division of the North Carolina Department of Economic and Community Development; Sig Huit of the Carolina Glass Recycling Program; James Morrow, production supervisor of Webster Enterprises; and Tom Rhodarmer, Director of Environmental Affairs for Dayco Products, Inc.

The program for the second meeting was designed by the recycling sub-committee of the Environmental Council. Sub-committee members are: Charles Roudane, Russell Duffner, Tom Rhodarmer and Don Monk. Among the issues addressed at the second program were defining recycling and reuse; understanding the state mandate; and gaining a basic knowledge of the scope of federal guidelines.

II. FINDINGS

Speakers at both meetings unanimously agreed that in contrast to the establishment of new landfills, the activity of recycling has very positive public support. James Morrow stated that, "Recycling gives the average person something 'hands on' to do for the world he lives in." This positive perception generates active public participation in recovery, the process of gathering recyclable materials.

An additional factor driving the recovery of materials for recycling is government initiative (NC Senate Bill 111). The EPA has a goal of 25% reduction in the waste stream—North Carolina has a two tiered goal. In "Marketing Recyclable Materials in North Carolina," Al Ebron of the N.C. Department of Economic and Community Development states, "Two major items came out of this bill. The first was that the state should achieve a 25 percent recycling goal by January 1, 1993 (which has been changed by HB 1109 to a 25% waste reduction goal by June 30, 1993). The second was that state and local governments needed to take an active role to get the process moving (Ebron 1)." Additionally, the bill sets a goal of 40% reduction of the waste stream by June 30, 2001.

In spite of these goals, however, according to Robin Mitchell, EPA figures indicate that Americans are generating increasingly larger quantities of solid waste. Currently, four (4) pounds of solid waste per person per day are being generated. By the year 2000, the EPA estimates that this will total 216 million tons per year.

With the continued heavy supply seemingly ensured, refinement of handling of the stream is a major technical aspect. All speakers pointed to the problems in acquiring an uncontaminated source. For instance, Russell Duffner stated, "A shared problem is contamination of the 'junk'." Al Ebron reiterated, "What item is the most important when marketing recyclable materials? Contamination!"

Ms. Mitchell agreed that industries need consistent, high-quality supply, though there is no uniformity between states' requirements. Anyone using federal funds must comply with procurement guidelines set by the federal government. These guidelines cover five areas: 1. paper and paper products, 2. retread tires, 3. re-refined oil, 4. building insulation, and 5. cement and concrete made with fly ash. Additionally, the EPA has proposed guidelines for using the terms "recy-

pled" and "recyclable," though the Federal Trade Commission will probably be responsible for enacting these guidelines and sharing any information with state agencies.

Al Ebron recognized one further result of the ease of obtaining a voluminous supply of recovered materials when he stated that, "In North Carolina we have set up great programs before we have had markets." Certainly, with some recyclable materials, those people who are involved in processing, transporting, or marketing to an end-user are feeling the effects of managing an increased supply. Jay Morrow said that processors such as Webster Enterprises, which handles and processes recyclables for the Cherokee Tribal Council and five western-most counties of WNC, are struggling. He called response on the supply side "overwhelming." He continued that for Webster Enterprises, "Volume is increasing every day, and is currently at 240,000 pounds per month of processed waste. I can't imagine," he said, "what it would take to reduce 25% of the waste stream."

To a significant extent, the pressure expressed by Mr. Morrow is the result of government mandates. In 1989, a Legislative Research Commission of the N.C. General Assembly released their, "Development of a State Strategy for the Management of Solid Waste and Infectious Wastes." This document outlined the numerous requirements imposed by SB 111. First, the bill establishes a hierarchy of solid waste management methods, in descending order of preference, as follows:

1. Waste volume reduction at the source;
2. Recycling and reuse;
3. Composting;
4. Incineration with energy production;
5. Incineration for volume reduction;
6. Disposal in landfills (Legislative Study Commission 3).

Additionally, SB 111 set forth new responsibilities for several state agencies including the N.C. Department of Environment, Health, and Natural Resources. Among others, the Solid Waste Section of the NCDEHNR was given the following duties:

1. To develop a comprehensive solid waste management plan by 3/1/91;
2. To provide additional technical assistance;
3. To develop a recycling and resource recovery directory;
4. To educate the public by providing descriptive literature regarding recycling;
5. To develop composting standards;
6. To develop standards and guidance documents for local government recycling programs.

The N.C. Department of Economic and Community Development was given assignments to:

1. Identify and analyze present and potential markets for recyclable materials in this State, other states and foreign countries and to develop and distribute that information to business industry and local governments;
2. Investigate and report on potential markets for composted materials; and
3. Submit an annual report to the General Assembly beginning March 1991, assessing the recycling industry and recyclable material markets in the State, and identifying the manner in which composted materials can be effectively marketed.

According to the Legislative Study Commission, "the development of markets for recycled goods is recognized as essential to the success of recycling. DECD will modify various ongoing activities within the Department to accommodate the Department's re-

sponsibilities to expand recycling markets (Legislative Study Commission 7)."

Following these directives, the N.C. Department of Economic and Community Development issued a report entitled "Assessment of the Recyclable Materials Markets and Market System in North Carolina," which states the following:

"Three important elements must be in place for end-use markets to exist. First, there must be an adequate supply of raw materials. Second, the physical capacity, or capital equipment, must be in place to convert those raw materials into a finished product. And finally, there must exist the ability to profitably sell that finished product. All three elements must exist and be in balance for the market to sustain itself. * * * The long term success of local markets (hence, local recycling programs) is dependent upon end-use markets. If the local market is characterized in the short run by an inelastic supply and a limited or constrained demand, it should be remembered that, in this situation, one seller benefits from another seller's loss" (NCDECD 2-2,2-3).

The report continues with significant analysis when it states that:

"Government is constrained by the fact that its product (i.e., recovered materials generated as a result of programs, policies, or mandates aimed at reducing solid waste disposal, rather than for making a profit) is not sensitive to variations in value or, at least, is highly insensitive. The supply of this material is, therefore, highly inelastic. * * * While this approach by government appears to result in an increase in recycling on the local level, on a larger level, it is merely displacement" (NCDECD 2-3).

The demand for a product is paramount. As Dr. Tim Wilson pointed out, "Customers are not endeared by the world 'recycled.' The product has to be good."

The North Carolina Department of Economic and Community Development defines end-user demand as the willingness and eagerness of a company or institution to purchase a material need to produce an end product. End-use product demand is the willingness and eagerness of consumers to purchase a material or good (NCDECD 2-6). The Legislative Study Commission stated that, "The Committee heard again and again that the long term success of recycling depends on the accessibility of markets for the goods recycled (Legislative Study Commission 11)." Indeed, existence of a viable market in Western North Carolina varies by material and is reflected in reported demand. Materials comprising the bulk of the waste stream are glass, paper, aluminum and ferrous metals, plastics, tires and yard waste. According to the NCDECD, there are a total of 50 recycling businesses in the mountain section of North Carolina. This number, which was compiled through March 1, 1991, includes six end-users, 21 processors, 21 handlers, and 2 brokers (NCDECD 2-18).

PAPER

Nationwide, waste paper comprises approximately 40% by weight of the MSW stream (Porter). In the seventeen western-most counties of North Carolina that are now (prior to 1/93) included (either partially or totally) in the 11th Congressional District, there are two end-users, three processors and two handlers (NCDECD 3-21-3-23). In Western North Carolina, processors and handlers of waste paper are experiencing serious stress because of excess supply. Also, according to Jay Morrow, many of the end-marketers are located in Atlanta. The cost of transporting one truck load to Atlanta

from Jackson County is \$300.00 and processors are becoming more selective, some refusing to take newspaper. The NCDECD states that:

"As the supply of newsprint continues to grow, prices will recover only to the extent that additional capacity is built to process ONP. * * * To justify (the required) investment, the long-term relative price of virgin fiber has to go up and/or the demand for paper products with high levels of recycled content has to increase dramatically" (NCDECD 3-4).

Mr. Morrow stated that specifications set by end-users are increasing costs. For instance, Beauwater in Tennessee sets specifications for their purchases; i.e. newspapers have to be bailed and must weigh a set amount. Yet equipment to bail has become so expensive that the ability to handle ONP may be an opportunity only for larger businesses. Mr. Morrow states that from his perspective, in Western North Carolina, "We have a supply that we can't control."

Jackson Paper Manufacturing, Inc. which is an end-user of old corrugated containers and some old newsprint has developed a system whereby they are also an end-user of waste biomass resulting from the timber industry. This firm uses waste wood as a fuel.

In ordinary operations of Champion International Corporation, paper is reclaimed within the plant and returned to the process. Additionally, in response to customer demand, they have introduced a line of stationery which is of recycled material. Nevertheless, according to the NCDECD, "Although a high value is placed on discarded printing and writing paper, little demand exists for it in domestic mills. Most high-grade paper is exported (NCDECD 3-6)."

GLASS

After paper, by weight, glass comprises the second largest recyclable in the waste stream. According to Porter, "Glass makes up about 8% of MSW, with recycling largely confined to beverage containers, which are 40% of glass wastes. About 20% of these containers are recycled." In Western North Carolina there is an end-user of waste glass, three processors and two handlers (NCDECD 3-32-3-34). Though the only end-use for recyclable glass in North Carolina is the manufacture of new glass containers, the Western North Carolina demand for recyclable clear glass is vigorous. According to Sig Huit, though there is a green glass glut, there is no reason for glass to end up in a landfill. In fact, the NCDECD states, "It is not clear that sufficient infrastructure exists to supply end users with additional quantities of high quality recycled glass containers. The most critical need is for processors that possess the more advanced systems capable of minimizing contaminants (NCDECD 3-28)."

METALS

However, the composition of the solid waste stream is changing. According to the Congressional Research Service, "The percentages of paper and plastics have been increasing while the percentages of glass, metals, and organic waste (food and yard waste) have been decreasing (McCarthy 2)." Porter states that, "Aluminum wastes are about 2% of MSW, with half being aluminum cans. Over 60% of these cans are now recycled. Ferrous metal wastes are about 7% of MSW. Steel food and beverage cans make up 25% of these wastes About 2% of such cans are currently recycled." In the 11th Congressional District, there are no end-users of metal wastes; there are seven processors, five handlers and two brokers (NCDECD 3-46-3-52).

Jay Morrow reported that there is continued demand for aluminum recovered in Western North Carolina.

PLASTICS

Plastics comprise about 7% of the municipal solid waste stream and are recycled at a 1-2% rate. (Porter), Plastics are either thermosets, which cannot be easily recycled, or thermoplastics which can be reshaped over and over (NCDED 3-57). According to the NCDECD, the far-western seventeen counties of the state have one end user, five processors and one handler.

A problem that has been identified in relation to polystyrene recycling is the reluctance of state government to permit innovative uses of the plastic. The EEE ZZZ Lay Drain Company relayed their experience with state regulators. EEE ZZZ Lay uses discarded polystyrene pieces as a substitute for gravel in drainage fields. Drainage pipes are wrapped with a layer of chipped polystyrene and buried for use in sewer systems. This use of the material requires less labor than gravel and diverts material from landfills. However, while their product has been accepted in other states, North Carolina has not approved this use.

The NCDEC reports that:

"North Carolina can look forward to continued growth in plastics recycling opportunities. Currently, the greatest opportunities exist for polyethylene terephthalate (PET) and high density polyethylene (HDPE)" (NCDECD 3-62).

Other sources, however, are critical of current plastics recycling efforts. Lisa Collatin of the Environmental Action Foundation was quoted in Greenline:

"We do think (the coding system stamped on the bottom of plastic containers) is a bit of a sham. * * * because plastics are too cheap to produce to be worth recycling, and because current recycling efforts do not remove enough plastic from the waste stream (Helm 6)."

Nevertheless, the NCDECD calls the value of plastic resins "inherently high and likely to remain so (NCDECD 3-62)."

TIRES

The NCDECD notes that rubber tires are becoming an environmental problem for the United States and North Carolina. The Scrap Tire Disposal Act which is part of SB 111 directed the N.C. Department of Transportation to expand its current use of these recovered materials in its construction programs. This use may result in a higher price for road construction since the Rubber Manufacturers Association indicates that the cost of rubberized asphalt is 10 to 400 percent greater than traditional asphalt (NCDECD 3-73).

Other uses are roadway fill, tire-derived fuel, artificial reefs, retreaded or recapped truck and passenger tires, dock and trailer bumpers, containers, mats, pads and floor tile. Dr. J. Tim Wilson of Quality Rubber said that discarded tires could be "black gold." He stated, "Solving the problem of tires is going to take decades and will require a systematic program." Wilson suggested that tires should be cracked and stored in separate land fill areas so that at a later period, when technology has developed, they can be retrieved for use.

Currently, North Carolina is the largest recycler of tires in the United States (NCDECD 3-73).

OTHER RESPONSES

One of the alternatives in dealing with municipal solid waste is incineration. The proposal shared by Appalachian Second Re-

source described a comprehensive system whereby MWS is sorted; and that which may be safely incinerated is compacted into small fuel cubes. This company is looking for a place in WNC in which to locate one of these facilities.

Western North Carolina is also fortunate to have corporate citizens who have devised good-neighbor plans to reduce the waste that derives from their operations.

Tom Rhodarmer, Director of Environmental Affairs for Dayco Products, Inc., described the systematic approach taken by his fifty-year old company to reduce waste that is landfilled from a single source. The oldest Dayco facility is in Waynesville and employs 885 people.

The plant is currently collecting and recycling 25,000 pounds of cardboard per month; and has a contract with a waste hauler, though there is no profit involved. Additional material comes in on wooden skids. A contractor reworks the skids and returns them to Dayco at a rate of 50 to 75 per day.

DRUG FREE TRUCK STOP ACT OF 1993

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. CLEMENT. Mr. Speaker, I rise today to introduce legislation which addresses an important issue related to highway safety and the role of illicit drug use along our Nation's highway system.

Despite extensive initiatives, illegal use of drugs continues at an alarming rate across our Nation. Unfortunately, it has become popular for drug pushers to distribute many of these narcotics at truck stop facilities and highway rest areas. These areas are defined as locations where drivers frequently stop for fuel, vehicle maintenance, relaxation, and rest. The National Association of Truck Stop Operators estimates that drug use or distribution occurs at approximately 50 percent of these areas.

During the 101st Congress, and again during the 102d Congress, I introduced the Drug Free Truck Stop Act. This legislation establishes drug-free zones around truck stops and highway rest areas, and it mandates, for the first time, minimum penalties and increases the maximum penalties and increases the maximum penalties for distribution or possession with intent to distribute illegal drugs at or within 1,000 feet of these areas.

Specifically, the Drug Free Truck Stop Act designates truck stops and highway rest areas along our Nation's highways as drug-free zones. Under this legislation, a first-time drug offense would establish a minimum jail sentence of 1 year. The legislation then doubles the maximum sentence for first time offenses and triples the penalties for a second offense occurring in the drug-free zone.

During the 101st Congress, I offered the Drug Free Truck Stop Act as an amendment during House consideration of the Omnibus Crime bill. While the amendment passed on voice vote, it was subsequently dropped from the final conference report.

During the 102d Congress, I reintroduced the Drug Free Truck Stop Act. When the House of Representatives considered the Om-

nibus Crime Bill, I offered the Drug Free Truck Stop Act as an amendment. By a recorded vote of 371-48, the amendment passed and was included in this legislation. Despite overwhelming support for the amendment, the Omnibus Crime bill was not enacted by the 102d Congress.

Mr. Chairman, the effort to reclaim these facilities will make our Nation's highways safer for everyone while further discouraging the flow of illegal drugs in our communities. By making America's rest stops safer, we also offer those fatigued drivers a protected area to relax, an effort which will surely decrease the number of traffic fatalities in our national highway system.

This legislation is supported by the National Association of Truck Stop Operators, the American Trucking Association, the National Private Truck Council, the Owner-Operated Independent Drivers Association, and the Professional Truck Drivers Institute of America.

I urge my colleagues to support this worthwhile legislation.

TRIBUTE TO ED BRADLEY

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BLACKWELL. Mr. Speaker, I am extremely delighted to stand here today to pay tribute to Mr. Ed Bradley, an exceptional gentleman who is well respected for his extraordinary accomplishments and contributions in the field of media broadcasting.

Born in Philadelphia, as the only child of Edward and Gladys Bradley, Ed Bradley has long been known for his ability to boldly face any challenge that is set before him with professionalism and vigor.

In 1959, he entered Cheyney State College as an education major. In addition to his interest in the field of education, Bradley also exhibited a profound enthusiasm in the area of media broadcast. In the early 1960's he worked as an unpaid news reporter and disc jockey at WDAS-FM in Philadelphia whereby he made a remarkable contribution.

Upon graduation from Cheyney, Bradley began his teaching career in a Philadelphia elementary school. While teaching the sixth grade in the 1960's, he became increasingly interested in events that took place during the historic civil rights movement. As a result, he utilized his journalistic talents and spent 48 hours covering the race riots in Philadelphia.

Following that event, he divided his time between teaching, working as a disc jockey, and as a news reporter. In 1967, Bradley made the decision to become a news reporter on a full-time basis. He vigorously sought out to begin his career by applying for a job with WCBS radio in New York.

Many say that the secret to Ed Bradley's success has a lot to do with his honesty, innovative style, and commitment to quality productions.

In 1971 he joined CBS News as a stringer in the Paris Bureau. By September 1972, he was reassigned to Southeast Asia where he covered the Vietnam war as a television cor-

respondent. Unfortunately, during that time he was wounded by mortar fire while on assignment in Cambodia. Nevertheless, his injury did not halt his commitment to his work. In 1974 he returned to Southeast Asia to cover the evacuation of the last Americans in Vietnam.

In 1976, Bradley was assigned to cover the Presidential campaign, covering Jimmy Carter. After Carter became President, he served as a CBS White House correspondent. In 1976 he left that position to become the principal correspondent for CBS Reports.

Bradley received much praise and notoriety for his reports, some of the most outstanding include:

"The Boat People," written in January 1979; won: Emmy, Alfred I duPont Columbia University, and Overseas Press Club Awards;

"The Boston Goes to China," written in April 1979; a report on the historic visit by the Boston Symphony Orchestra to China; won: Emmy, George Foster Peabody, and Ohio State Awards;

"Blacks in America: With All Deliberate Speed?" written in July 1979; won: Emmy and Alfred I duPont-Columbia University Awards.

This list of outstanding works, led Bradley to attain overwhelming success and respect as a leader in his field. As a result, in 1981, he joined the well-known "60 Minutes" as a co-editor.

During the time that he has been with "60 Minutes," Ed Bradley has completed a number of phenomenal reports. His valuable work has been both insightful and inspiring. Much of Ed Bradley's work has exposed both the positive and negative things that occur in the world around us; but most of all, he has helped to educate millions of people through the broadcast media.

Mr. Speaker, I am extremely happy to congratulate Ed Bradley on his vast achievements. He is definitely a role model and a highly skilled professional. Most of all, he has gained his place as a significant part of African-American history, of which we can all be proud.

ORPHAN DRUG ACT

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. WAXMAN. Mr. Speaker, few pieces of legislation passed by Congress in recent years have been more innovative than the Orphan Drug Act of 1983. The word pioneering is an adjective that is often misapplied, but truly it can be said that the Orphan Drug Act was a pioneering, landmark piece of legislation.

What it did was to declare, for the very first time, that the afflictions endured by the 20 million Americans with rare disorders represent a massive problem that had gone untended for too long and that cried out for concerted, national attention.

It set up a system of incentives to make it worthwhile for pharmaceutical and biotechnical companies to engage in the research and development necessary to produce treatments for these diseases, whose patient populations are usually very small.

The result has been a resounding success. In the last 10 years, more than 50 orphan drugs have been designated by FDA and 87 of these have been approved for patient use. This compares to a mere 10 orphan drugs approved in the decade before the law was passed, and what it means is that many thousands of rare-disease patients who had previously felt abandoned now have hope—and, in many cases, they also have a new lease on life.

The Orphan Drug Act did not, of course, just happen on its own. It was the product of the hard work of many, many people. But, Mr. Speaker, there was one person whose contribution stands out above all others, and as we mark the 10th anniversary of the passage of this law, it is fitting to give this person, Mrs. Abbey S. Meyers, the recognition she so richly deserves.

There are thousands of people who contributed to the beneficial effects of this legislation, who labor in research laboratories and medical facilities to develop, test and perfect treatments, and who do all the necessary work—in industry and at FDA—to get these treatments approved and to the people who desperately need them. All these people in their own way are striving to create a secure future for rare-disorder patients. Yet no one—I repeat, no one—has been more active and more dedicated to this cause than Abby Meyers.

She was there on the front line battling for passage of this law when it was just a gleam in the eyes of a few sponsors; she was there when amendments to this law were needed to make it more workable, and she was there every day, for every sufferer of a rare disorder, serving as a symbol of hope and a constant source of encouragement and support.

I suspect there are few in this chamber who have not been visited by Mrs. Meyers as she has made her rounds to champion the needs of rare-disease sufferers. And she had applied the same tireless energy to pushing for rare-disease progress within the medical and scientific communities, with industry, and among patients and their families.

As the first and only executive director of the National Organization for Rare Disorders [NORD], located in New Fairfield, CT, she has also led the way to many advancements outside of government. She has, for example, been the architect of numerous programs of patient and family support, as well as the NORD rare-disorder database, the definitive source of information or rare disorders that is relied upon by doctors, scientists, and other professionals not only in America but worldwide.

Among other things, Mrs. Meyers also provides living testament to the power of voluntarism in America. She knew nothing about rare disorders until her two children were diagnosed as having such a disease in the 1970's. And it was only when an experimental drug with which here children were successfully being treated was withdrawn that she became actively involved in this field. One thing led to another, and when the idea for the Orphan Drug Act was born, hers was perhaps the strongest and most persistent voice arguing for it.

Today, she is in the forefront of encouraging others to form nonprofit, volunteer organiza-

tions dedicated to the abolition of various rare diseases. She has been a powerful, constructive force for the good.

On February 23, 1993, there will be a reception and dinner here in Washington to honor the 10th anniversary of the Orphan Drug Act and various people who made the law possible. Among the honorees will be Mrs. Meyers. It will be an honor richly deserved, and I think it is important that this RECORD reflect that Mrs. Meyers deserves the thanks, not just of those concerned with rare disorders, but of all Americans who want our Nation to be happier and healthier.

THE MULTI-BILLION-DOLLAR CONSUMER RIP-OFF

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. CRANE. Mr. Speaker, Detroit's Big Three automobile manufacturers and the United Auto Workers [UAW] are hard at work pressuring the Clinton administration to slap an exorbitant 1,000 percent tariff increase on imported passenger minivans and Jeep-like sport/utility vehicles, commonly known as multipurpose passenger vehicles [MPV's]. They want the new administration to define these passenger vehicles as cargo vehicles—trucks. If these passenger vehicles, popular with the American middle-class family, are reclassified as cargo vehicles, the tariff rate will change from the current 2.5 percent rate applied to passenger vehicles to the 25 percent rate applied to light-duty cargo vehicles.

Here is what will happen if the Big Three and the UAW get their way:

The average price of imported MPV's will increase by nearly \$4,000, according to consumer analysts. Consumer analysts also predict that, given the penchant for the Big Three to raise prices when they get import protection, the average price of the Big Three's models will increase by more than \$1,300. With annual U.S. sales of almost 2 million MPV's, that's like stealing billions of dollars a year out of the pockets of middle class American consumers!

Import competition, which has been so important to bringing competition to the marketplace, will be virtually eliminated by this tariff hike, returning us to an era when the Big Three dominated consumer choice—and prices.

American families with children, disabled individuals, commuters and school, church, and community organizations will all pay the price.

American jobs at automobile dealerships and U.S. ports will be lost.

Calling these vehicles cargo vehicles and raising the tariff on them by 1,000 percent could also lead to trade retaliation. The tariff hike would violate GATT, as our trading partners have warned, and require the United States to compensate our trading partners by more than \$500 million or face GATT-sanctioned retaliation against U.S. products. Ironically, because the European Community recognizes these vehicles as passenger vehicles, the Big Three benefit from lower tariffs on their MPV exports to the EC.

Among the many recent articles and editorials pointing out the folly of the minivan tariff hike—and protectionism in general—the three below, from the New York Times, the Wall Street Journal and the Washington Times, command attention.

A 1,000 percent tariff hike on MPV's simply does not make sense. President Clinton, who promised to give government back to the people and reduce the tax burden on the middle class, should resist the call for such a blatantly protectionist and anticonsumer act.

[From the Wall Street Journal, Jan. 27, 1993]

A FIGHT WORTH PICKING

Bill Clinton could use a victory about now. But to win, he's got to pick a fight. From where we sit, beating up on Colin Powell and Sam Nunn would appear to produce the victory that is called Pyrrhic. Why not take on an opponent on behalf of the middle class, which must be feeling pretty jilted these days. Take on the protectionists in Detroit.

In the weeks since the election, the Big Three have been lobbying for a crippling 25 percent tax on Japanese minivans. From the way they carry on, you'd think it was in the bag for them. But the American middle class loves these hybrids—half station wagon, half van. Detroit's auto makers deserve full credit for inventing them, but auto consumers like the array of minivan choices they've got. Though apparently Detroit would rather rest on its laurels than compete.

Their CEOs practically did a victory dance on the President-elect's lawn after a preinaugural visit to Little Rock. Then it was off to deliver "coordinated speeches" at the Economic Club of Detroit, laying out their demands for the new administration. Now the Big Three are reportedly considering yet more trade complaints against virtually all imported autos, not just minivans. If successful under our zany trade laws, this would be a multibillion dollar tax hike on U.S. car buyers.

Chrysler, Ford and even GM have all made well-earned progress in recent years. But that doesn't justify this effort to offload their problems onto the car-buying public. A presidential rejection of this soak-the-nonrich strategy couldn't come at a riper moment and would save the President grief in the long run.

Mr. Clinton's reign is barely a week old, but he's already being treated as an easy mark. Let's try to count the industries that are suddenly crawling all over him, clamoring for protectionist favors: steel, domestic oil, airlines, makers of ceramic computer-chip housings. The line will ring the Beltway.

It's worth remembering why this is bad and worth stopping. America's President is the closest thing the world has to a leader, and for the last half century, Presidents have recognized a special duty to protect humanity's stake in an open trading system. Today, GATT and Nafta are both hanging in the balance. The director-general of Japan's MITI was murmuring darkly this week about retaliation against unilateral trade sanctions. With one of the few growing economies, thanks largely to exports, America hardly needs a trade war. Yet trade policy is in danger of degenerating into a special-interest *pinata*.

The confirmation testimony of Commerce Secretary Ron Brown of Patton, Boggs & Blow couldn't have been comforting to the world's hardworking masses. It was one long come-hither for special pleaders. "Action, not ideology, will be my watchword," he blathered. "We have to stop getting rolled."

Until last week, Mickey Kantor's most famous statement on trade was to advise Candidate Clinton to politick against Nafta. In his testimony on the way to becoming Special Trade Representative with an office in the White House, he proudly declared himself "theology"-free.

Which brings us back to the middle class. Every act of protectionism is a direct tax on consumers, most of whom, interestingly, aren't the evil rich. Princeton's Allan Blinder, now a member of Mr. Clinton's Council of Economic Advisers, spelled it out in his Business Week column a few years ago. "More often than not, protectionist measures redistribute income from average citizens to those doing better than average while harming economic efficiency in the bargain," he wrote. "That is why economists on both the left and the right are mostly free traders."

If the industries now lining up for import protection get their way, the prices of lots of things will go up. Mr. Clinton should step in between these special interests and U.S. consumers and tell the protectionists to pick on someone their own size.

[From the New York Times, Jan. 28, 1993]

ECONOMIC SCENE

(Peter Passell)

While Treasury Secretary Lloyd Bentsen acknowledged this week that the White House was agonizing about a middle-class tax increase to pare the deficit, Mr. Bentsen was not advertising the fact that the Treasury could soon impose a new tax aimed squarely at the middle class with the stroke of a pen.

The catch: Most of the revenue would end up in the pockets of Detroit's auto makers, which are reportedly pressing on a variety of fronts for a helping hand from Uncle Sam. Well, make that catches. The tax—actually a tariff on imported mini-vans and Jeep-like sport utility vehicles—would further sour economic relations with Japan and distract the "strategic" trade issues in high technology.

The levy, on the agenda of the first meeting of President Clinton's new National Economic Council, which will most likely be held in early February, would come innocently packaged as a Customs Service reclassification of some 200,000 imported "multipurpose vehicles," like Toyota's Previa mini-van and Mitsubishi's Montero, as trucks rather than passenger cars. The resulting increase in the duty to 25 percent, from 2.5 percent, would add thousands of dollars to the imports' sticker prices. More ominous, it would give Detroit's Big Three, which already have more than 80 percent of this market, a freer hand to raise prices.

This tale, no joke, began with the Great Chicken War of 1962. When West Germany tripled duties on imported poultry to please its European Common Market partners, America retaliated with a batch of tariffs that applied to all countries, but were really aimed at the Europeans. The bird battle was settled long ago, and most of the retaliatory tariffs have been rescinded by Presidential order. But the 25 percent light-truck tariff, initially aimed at Volkswagen, is still on the books. And it gives Detroit an edge against Japanese rivals who were innocent bystanders in the chicken war.

Irony has since been piled on irony. As a favor to American makers of mini-vans and short utility vehicles, Congress initially classified these newly popular vehicles as trucks in order to exempt them from strict auto emissions and safety regulations. And

while hardly anyone—certainly not the ad agencies—thinks of Dodge Caravans or Ford Explorers primarily as commercial cargo haulers, Detroit has been using the break it got on safety and emissions standards as a wedge to demand that the Treasury reclassify the almost entirely Japanese competition as high-tariff trucks.

The Bush White House offered an arbitrary concession to Detroit in 1989, applying the 25 percent truck rate only to sport utility vehicles with just two doors. But the issue arose again in the 1992 elections. In September, Congress barely defeated a bill to do for Detroit what George Bush would not. And in the last week of the campaign, with polls tightening in Michigan, Clinton-Gore strategists ran a television ad deriding President Bush for giving "the Japanese an unfair advantage over our trucks, and our workers."

This not a policy question that generates a lot of head-scratching among mainstream economists. "There is no argument for a developed country to protect old-line producers of middle technology with a 25 percent tariff," declares Robert Crandall of the Brookings Institution.

Moreover, the 25 percent could mean real money for middle-class families, the sort that use their \$15,000 mini-vans to cart around three tots, four bags of groceries and scads of old newspapers bound for recycling. Even "buying American" would not exempt consumers from the inflationary clout of the import reclassification. Citizens for a Sound Economy, a nonprofit Washington group that lobbies against economic regulation, used earlier academic studies of auto protectionism to project that Detroit would raise multipurpose vehicle prices by 40 cents for every extra dollar of tariff—an average of \$1,300.

Is the deal wired, as reports following President-elect Clinton's private Jan. 5 meeting with auto executives suggested? Maybe not. When pushed on the NBC News program "Meet the Press" on Jan. 17, Al Gore responded that "no commitment was made" at the auto meeting. And there are reasons to believe that Laura D'Andrea Tyson, the newly appointed chairwoman of the President's Council of Economic Advisers, will oppose the change. Ms. Tyson, known as advocating "cautious activism" in trade policy, may want to take pains to differentiate the championing of American cutting-edge technologies from garden-variety protection of an influential industry undergoing hard times.

In the end, of course, the choice will be President Clinton's. His decision could say a lot about how he plans to cope with conflict between the old, blue-collar constituencies and the suburban pragmatists, who apparently voted Democratic this time because they were frustrated by stagnating living standards.

Mr. Clinton has long argued that globalization of the economy cannot be slowed, only better molded to American interests. That mold would be hard to fashion on the precedent of a long-forgotten food fight with Europe.

[From the Washington Times, Jan. 28, 1993]

DUMPING ON FREE TRADE

Just when we thought it was safe to buy American cars again, Detroit goes and does something really stupid—tries to start a trade war. Competition has been great for the domestic auto industry. Well, not great if you are a union auto worker and want to slap together junkers for \$50,000 a year. But terrific if you are a consumer who wants a

decent and affordable car and doesn't mind buying American.

Sensing that the new president is less than committed to free trade, the U.S. auto industry is preparing to ask for radical trade protection from the Clinton administration. Chrysler, Ford and General Motors plan to file a complaint with the Commerce Department claiming that European and Japanese automakers are dumping their product in the United States, using predatory pricing to drive the domestic industry out of business. If the Big Three find a friendly protectionist in the White House, it will be bad not only for international trade as a whole but bad for American car buyers and even bad for domestic carmakers.

Remember when the Big Three owned the auto market? Fat and lazy, the industry treated us to such fine vehicles as the Mustang II. American cars from the 1970s were basically dreck. That is why European and Japanese companies were able to make such dramatic inroads into the U.S. market. Their products were better designed and better made. In the 1980s, American automakers realized they had better do better and began creating cars that were worth driving. It took a while of course. Longer for some U.S. companies than others. General Motors was still trying to fob off as a luxury car the Cadillac Cimmaron after Ford took its lineup in an original and exciting direction with rounded, aerodynamic cars. The most enduring of those designs is the Taurus, which is a well-made, attractive family car at a good price. Last year it outsold the leading Honda product, the Accord, for the first time in years. Competition doesn't destroy American companies. If anything, competition kept U.S. automakers from destroying themselves through sheer mediocrity.

But now the auto industry wants the federal government to once again present consumers with substandard choices at extravagant prices. If the carmakers get their way, Japanese and European cars will be slapped with \$1,000 import duties. The U.S. companies can then boost their profitability—on the backs of U.S. consumers—by charging an extra \$1,000 on each of their own makes. Import duties just end up being a new tax on consumers. That's not how the car companies sell it—it's all about protecting America from the yellow peril, we are told. Nonsense. It would be more honest if the automakers just asked Congress to raise taxes and hand the booty over to the Big Three.

The industry tried the protectionist racket last year, hoping to get duties placed on imported minivans, and failed. But now it expects the Commerce Department and the International Trade Commission to be more accommodating. If these agencies want to rule in favor of U.S. auto companies, they can. The dumping laws under the General Agreement on Tariffs and Trade are notoriously shoddy, written in a way that allows a government to find illegal predatory pricing almost anywhere it looks. Mexico, for example, has taken advantage of these loopholes to protect its markets from competitors north of the border.

One of the ways that an industry can show its competitors abroad are dumping their goods on the U.S. market is by proving that the foreign firms charge more for their goods at home than they do in America. The idea is that high prices in a protected home market give companies monopoly profits that they then use to subsidize their operations in the U.S., where they use low prices to bankrupt their American competitors. In practice, this is not what is going on, in most

cases. But the dumping laws are screwy and it can almost always be made to look as though foreign firms are charging more at home than abroad. The reason? Because in doing the calculation, the Commerce Department averages the foreign home market prices and then compares that average against specific prices charged in the United States.

For example: In January, a Japanese company might sell its product for \$3 both at home and abroad; in February the price drops to \$2 and in March even further to \$1 in each market. To get the price in the Japanese market, the Commerce Department averages prices from January through February, and finds that the average in Japan was \$2.

Commerce then compares that average with the prices charged in each of the months in the U.S. In January the price in the United States—\$3—was more than the average in the Japanese market; but in March the U.S. price—\$1—was less than the average Japanese market price. Dumping! Not really, but clearly in this way, dumping can always be found, even if actual prices are the same in every country at any given moment.

The only restraint on the use of this system is the realization among politicians that retaliation would be devastating. If the United States plays the dumping game with the \$45 billion automobile import market, all free-trade bets are off. If Mr. Clinton thinks a trade war is the way to revitalize the American economy, he should think again. Otherwise his electoral base in 1996 may be limited to the executives of three auto companies and the United Auto Workers. A governing coalition it isn't.

TRIBUTE TO DONALD FISCHER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. SKELTON. Mr. Speaker, today I pay tribute to Donald Fisher, immediate past president of the Missouri Farm Bureau Federation, for his career in service to rural America and Missouri farmers. Don is a resident of Corder, MO, in Missouri's Fourth Congressional District.

Don Fischer has spent his entire lifetime in agriculture. He was born and raised on his father's farm in Lafayette County, and he currently farms 655 acres in a general farm operation near Corder that includes soybeans, corn, and wheat. He has been active in the Missouri Farm Bureau for over 25 years, and he has served in several key positions. In 1975, he was elected to the board of directors. In 1985, he was elected vice president. Then in December 1988, he was elected president.

Don's involvement with agriculture does not end with the Missouri Farm Bureau, however. He also serves on the Governor's Advisory Council on Agriculture, as chairman of the State Soil and Water Districts Commission, and as a member of the State Corn Grower's Board. In addition, he has served on the Missouri Opportunity 2000 Commission, represents the Farm Bureau as a trustee for the 4-H Foundation, and has been an ASCS committeeman.

Mr. Speaker, Don Fischer's agricultural accomplishments alone would warrant recogni-

tion. But he has also been active in his community, his local schools, and his church. A veteran of the military he is a member and former post commander of the VFW. He has been president of the Lafayette County C-1 School Board and president of the PTA. He served as chairman of the Missouri Valley Human Resource Development Corp. He is an active member of the Corder United Methodist Church, and has been president of the board, school superintendent, and Sunday school teacher.

During his extraordinary career as a farmer, and as an agricultural and community leader, Don has been aided and supported by a wonderful family: his wife, Marcile, his two children, Gary and Debbie (Fisher) Good, and his five grandchildren.

Mr. Speaker, Don Fischer represents all that is good about rural America. He has served his Nation, his community, and his fellow farmers selflessly in time of war and peace, and I know he will continue to do so in the months and years ahead. I urge all the Members of the House to join me in recognizing Don Fischer and in thanking him for his contributions to our Nation.

CONGRATULATIONS TO VALLEY VIEW HIGH SCHOOL STATE FOOTBALL CHAMPIONS

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. McDADE. Mr. Speaker, I rise today to recognize a group of young people whose commitment to hard work and sportsmanship have made them champions. I congratulate the Valley View High School Cougars on winning the 1992 Pennsylvania Interscholastic Athletic Association class AA State football championship December 18.

In a battle of two undefeated teams, the Cougars defeated East Allegheny High School 21-13 at Mansion Park in Altoona for their first State championship. The Valley View team came back after trailing at halftime and made a formidable goal-line stand in the final minutes to secure the State title.

This achievement could not have been possible without the students, parents and community members who have shown such tremendous support of Valley View football and of the school system through the years. Buses and cars full of supporters braved Pennsylvania winter weather and made the long drive to Altoona to cheer the Cougars to victory.

This victory adds to the rich tradition of Cougar football, which through the dedication of Coach Frank Pazzaglia and his staff, includes 214 victories, 9 Big 11 titles and 5 Eastern Conference championships in the school's 24-year history. Coach Pazzaglia and his staff are congratulated for their role in helping to shape the lives of these champions and of all the young people who have participated in their program. Coach Pazzaglia teaches responsibility, sportsmanship, and teamwork—lessons which stay with his players throughout the lives.

I ask my colleagues to join me in recognizing and honoring the Valley View players,

coaches, students, parents, and supporters for their spirit, sportsmanship and dedication during this championship season.

A TRIBUTE TO BEN JARRETT

HON. DAVID MANN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. MANN. Mr. Speaker and my colleagues, I ask you to join me in congratulating Ben Jarrett of Cincinnati, OH, who has been selected to attend the National Young Leaders Conference here in Washington, DC, from February 9 to 14, 1993.

Ben Jarrett, a junior at Western Hills High School, has been selected as one of 350 outstanding high school students from across the Nation to participate in the conference. Ben has been an exemplary student throughout his educational career. He has been the recipient of many honors awards, including awards in algebra and chemistry, culminating in his recent induction into the National Honor Society.

During his stay in Washington, Ben will participate in conference programs which include meeting with Members of the House and Senate, journalists, and the diplomatic corps. Additionally, the students will participate in a mock Congress in which they will assume the roles of U.S. Representatives and debate, lobby, and vote on proposed handgun legislation.

This conference is sponsored by the Congressional Youth Leadership Council which was founded in 1985. Since then the council has been committed to recognizing outstanding youth and providing them with hands-on civic learning experience in our Nation's Capital.

Mr. Speaker, it is my hope that at the conclusion of the conference Ben will take with him a new awareness of our political process and the desire to be active participant in the policies that will take our Nation into the 21st century.

Mr. Speaker, I am extremely proud of Ben Jarrett and I ask you to join me in commending Ben and his parents, John and Linda Jarrett, on this great achievement.

A TRIBUTE TO MR. CHARLES ROBERT JONES

HON. LUCIEN E. BLACKWELL

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. BLACKWELL. Mr. Speaker, I am extremely proud to stand here today to honor Mr. Charles Robert Jones, an individual of great character and immense talent.

Mr. Charles Robert Jones has made pivotal contributions to the Vine Memorial Baptist Church of Philadelphia as its minister of music for the past 40 years. I would like to applaud him in celebration of this eminent achievement.

A native Philadelphian, Mr. Jones has had a love for music since childhood. During his

early years, he was instructed by Ida Moore of Galilee Baptist Church and later entered the Hamilton Institute of Organ, Piano, and Choral Music in Philadelphia. At the Hamilton Institute, he earned a certificate of music. Charles Robert Jones has diligently studied with the best in the field of music and developed his talent into a beautiful mastery.

His dynamic technique of transmitting the gospel through music led him to be one of the most celebrated musicians in the city of Philadelphia. Consequently, it was no surprise when the late founder and pastor of the Vine Memorial Baptist Church, Rev. Leonard George Carr, recognized Mr. Jones' gift and strongly encouraged him to carry on his work.

By the age of 17, Jones had a significant impact on the influence of music at Vine Memorial as the organist/choir master of the senior choir, the pianist for the youth choir, and pianist for the gospel chorus simultaneously. The commitment that this man gave to these responsibilities, no doubt led to his being named the church's minister of music in 1956.

For Charles Robert Jones, music is a means of expression which he has utilized to touch the lives of many. His artistic inventiveness has both astounded and delighted audiences throughout the city of Philadelphia and abroad.

He has participated in a myriad of musical performances. For instance, he has directed choirs from 300 to 1,000 voices, such as the choir which performed at the National Baptist Convention held in Philadelphia in 1960. Moreover, he has received several awards for the many contributions he has made to gospel music including the prestigious Chapel of Four Chaplains Award.

Therefore, Mr. Speaker, I am proud to pay special tribute to this incredible individual. It is a privilege to congratulate Charles Robert Jones for bringing his beautiful musical legacy both to Vine Memorial Baptist Church, as well as to the city of Philadelphia.

LT. COL. DONALD G. MASCH RETIRES AFTER DISTINGUISHED ARMY CAREER

HON. DAVE McCURDY

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. McCURDY. Mr. Speaker, I would like to take a moment to recognize the distinguished service of Army Lt. Col. Donald G. Masch, who retires this month following more than 22 years of service to our country.

A distinguished military graduate from the University of Connecticut ROTC program, Lieutenant Colonel Masch was commissioned as a Regular Army infantry officer in June 1970 and served for 7 years in a succession of challenging assignments as a troop leader and staff officer. Selected for the Army's Foreign Area Officer program, Lieutenant Colonel Masch received his master's degree in National Security Affairs with a Mideast specialty from the U.S. Naval Postgraduate School in 1980.

He was then assigned to the Assistant Chief of Staff for Intelligence, Department of the

Army, as the area analyst for Southwest Asia. He quickly earned recognition in the intelligence community and on Capitol Hill for his perceptive analysis of political events in Iran, the political-military aspects of the Iran-Iraq war, and the Soviet quagmire in Afghanistan.

In 1983, Lieutenant Colonel Masch was selected for duty as a military observer with the U.N. Truce Supervision Organization. Serving first as the senior United States observer in the observer detachment in Damascus, Syria, and then as an observer and operations officer in southern Lebanon, Lieutenant Colonel Masch earned the respect of his fellow observers for his handling of delicate confrontational situations between armed militias and for his effective liaison between U.N. agencies and local authorities.

Returning to the U.S., Lieutenant Colonel Masch next served at the U.S. Army Infantry School, where his 9 year association with research, development and acquisition programs began. He quickly became one of the Army's recognized experts on requirements for and development of infantry antiarmor weapons. Efforts he led during this time and during his subsequent assignment on the Army staff resulted in improvements to systems like TOW and Hellfire which proved invaluable to U.S. forces during Operation Desert Storm. He has also played a pivotal role in advancing the development of the Army's new Javelin antitank system.

Lieutenant Colonel Masch's work with the Armed Services Committees over the past 3 years is known to many of you. As a liaison officer in Army Legislative Liaison, he has worked closely with Members and staff personnel on missile and missile defense programs, lessons learned in Operation Desert Storm, and critical defense acquisition issues. His efforts have helped insure that our servicemen and women will continue to be the best equipped in the world. Lieutenant Colonel Masch has served his country with dedication and distinction and, as he leaves the Army, I extend to him and his family our thanks and best wishes for the future.

CERTAIN LEAD FUEL TEST ASSEMBLIES

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mrs. JOHNSON of Connecticut. Mr. Speaker, today Congresswoman KENNELLY and I are reintroducing our bill on behalf of ABB-CE Nuclear Fuel, which is located in Connecticut, to exempt from duty four entries of lead fuel test assemblies imported for testing by U.S. utilities during 1990.

This miscellaneous, technical tariff legislation is necessary because U.S. law permits duty-free importation of items for testing purposes only if they are re-exported or destroyed within 3 years, whereas the testing period for the fuel assemblies will be about 8 years. The bill we are reintroducing is identical to section 2107 of H.R. 4318 as approved by the House Ways and Means Committee and then passed by the House of Representatives last year.

THOMAS JEFFERSON
COMMEMORATIVE COIN

HON. L. F. PAYNE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. PAYNE of Virginia. Mr. Speaker, on April 13, 1993, our Nation will commemorate the 250th anniversary of the birth of Thomas Jefferson. The timing of this commemoration could not be more appropriate. We are not just recognizing the birth and the contributions of a great American patriot—we are celebrating our democratic ideals and freedoms.

Two weeks ago, we witnessed the most vivid example of the legacy handed down to us by Thomas Jefferson, the peaceful transfer of power that is the hallmark of our democratic system of government. Around the globe, nations are emerging from the darkness of tyranny into the light of freedom and self-determination, guided and encouraged by the promise of these same principles that Jefferson helped define and nurture two centuries ago.

Thomas Jefferson's legacy was profound. He believed that the only legitimate government was one which was based upon the active consent of the people. He believed that those in government must be held accountable to the governed. He believed that, if the United States was to achieve its promise, it had to secure, protect, and promote individual rights and liberties against the power—and potential abuse—of the state.

Last year, Congress recognized the importance of 1993 for our Nation by authorizing the creation of a Federal commission to assist in the planning of the celebration commemorating Jefferson's birth. As an accompaniment to this effort, the Virginia congressional delegation is today introducing legislation authorizing the minting of a commemorative coin. Passage of this bill will allow every citizen the opportunity to honor this man of the people. At the same time, proceeds from the sale of the coin will be dedicated to the restoration and preservation of Jefferson's homes at Monticello and Poplar Forest, and for the educational programs of the International Center for Jefferson Studies. There will be no cost to the Federal Government.

As Thomas Jefferson prepared for his death, he wrote this epitaph:

Here was buried Thomas Jefferson, author of the Declaration of American Independence, of the Statute of Virginia for Religious Freedom, and father of the University of Virginia.

In the simple and humble dignity of those words, Jefferson wanted to be remembered as an American citizen, not a statesman. I urge my colleagues to help us preserve his legacy and honor his memory by cosponsoring our legislation authorizing the minting of a Thomas Jefferson commemorative coin.

EXTENSIONS OF REMARKS

FIRST TIME HOME BUYER TAX
CREDIT

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mrs. JOHNSON of Connecticut. Mr. Speaker, today I am reintroducing a bill that I believe will help pull working men and women off unemployment rolls and restore the health of a major segment of our economy. The first time home buyer tax credit, last used in the mid-1970's, is a substantive attempt to jump start the economic engine called home building.

Construction, especially of single family homes, is a labor intensive undertaking and usually leads this country out of recession. As carpenters, bricklayers, stonemasons, plumbers, painters, roofers, electricians, carpet layers, furniture makers, and many others start work on new homes, they reestablish their role in a vibrant economy and carry many others along with them.

This bipartisan bill would provide a \$2,500 nonrefundable tax credit for first time home buyers for the purchase of a new or used principal residence during calendar year 1993. Half of the credit would be allowed on the taxpayer's 1993 tax return and the rest would be taken on the 1994 return. Unused portions of the credit could be carried forward for up to 5 years.

The first time home buyer tax credit also offers young families the opportunity to achieve a part of the American dream. For all of these reasons, I hope the new administration, working with the Committee on Ways and Means, will enact this initiative into law.

REAUTHORIZATION OF THE MAG-
NUSON FISHERY CONSERVATION
AND MANAGEMENT ACT

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. STUDDS. Mr. Speaker, today I am pleased to join with my colleagues from New York and Alaska, Mr. MANTON and Mr. YOUNG, in introducing a bill reauthorizing the Magnuson Fishery Conservation and Management Act, the principal law that governs the management of our Nation's valuable fishery resources.

Sixteen years ago, when we fought so hard to pass the Magnuson Act, our fisheries were in trouble, overfished by the fleets of many foreign nations. At that time, we sought to enact legislation that would provide for sound conservation and management of these resources while helping an ailing U.S. fishing industry.

Since 1977, the act has literally added billions of dollars into the economies of coastal communities like New Bedford, MA and Kodiak, AK; created tens of thousands of jobs; and helped make our Nation's fishing industry among the most modern and productive in the world. In short, the act has fulfilled its economic goals through the Americanization of our fisheries. Unfortunately, the act has not

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been nearly as successful in ensuring the long-term conservation of our resources.

As stewards of our fishery resources, we have a responsibility to balance the economic interests of our fishermen with the conservation needs of the resource. This is a fundamental principle of the act. And common sense tells us that without a healthy resource, we cannot have a healthy industry. This is why I believe it is now time to examine how our policies and priorities of the past 16 years have prevented us from achieving all that we set out to do in 1976. For example, we must determine how the crisis in the New England groundfish fishery developed and act to ensure that it is never repeated again.

The bill we are introducing today is a straightforward reauthorization of the act and merely the first step of the process. There is much more work to be done. I expect that there will be many people who will come to us with their ideas on how the act can be improved, and I encourage these suggestions. I look forward to working with all those who share our commitment to the long-term health and productivity of our Nation's fishery resources.

TRIBUTE TO MR. GEORGE "REX"
FENSTEMAKER

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. KILDEE. Mr. Speaker, it is with great pleasure that I rise now to pay tribute to Mr. George "Rex" Fenstemaker, a hardworking, devoted public servant of Clarkston, MI, who is celebrating his 50th year of service as a volunteer firefighter for the Independence Township Fire Department.

Mr. Fenstemaker's career as a fireman began in 1943 with the Clarkston Fire Department. Although the department was small, Mr. Fenstemaker and his fellow firefighters provided full support to the surrounding communities with a litany of public services, including responding to fires, medical emergencies, and personal injury accidents.

With the formation of the Independence Township Fire Department in 1952, Mr. Fenstemaker continued his outstanding career and soon was promoted to captain and then to district chief shortly thereafter.

When Mr. Fenstemaker underwent medical operations to have both hip joints replaced during the late 1970's, he stepped down from his post as district chief because he felt he would not have been able to fulfill his responsibilities as district chief. Despite injury, Rex remained loyal to his commitment, and continued with the department as a volunteer. Again in the early 1980's, Rex had another medical setback. This time it was cancer. After a few operations and much therapy Rex was right back on the job.

The people of the Clarkston area have truly been blessed to have a man of Mr. Fenstemaker's caliber as a tireless public servant for 50 years. Not only has he given selflessly to the fire department, but he has also been a devoted family man. This year he

and his lovely wife Rose, will celebrate their 53d year of marriage. They share their lives with their daughter and son-in-law, Mary and Raymond Pendergrass. In addition, Mr. Fenstermaker cares for his 98-year-old mother, tending to all of the maintenance for her home and yard.

Mr. Speaker, I would like to take this moment to ask my colleagues in the U.S. House of Representatives to join with me in wishing Mr. Fenstermaker much joy in his retirement. His selflessness has touched the lives of countless people and will continue to serve as a message of bright hope for Clarkston and Independence Township.

CONCURRENT RESOLUTION OPPOSING ANY RESUMPTION OF COMMERCIAL WHALING

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. STUDDS. Mr. Speaker, today I am pleased to introduce a resolution expressing congressional opposition to any resumption of the practice of killing whales for profit.

The resolution calls for a continued U.S. policy of opposing commercial whaling in keeping with the policies established 20 years ago under the Marine Mammal Protection Act. It also urges the establishment of international whale sanctuaries where whaling is prohibited. The Antarctic Ocean is currently under consideration as one of these sanctuaries, and I strongly urge that we actively support special protection for this unique marine ecosystem.

In 1946, nations from around the globe came together to sign what proved to be a landmark wildlife conservation treaty: the International Convention for the Regulation of Whaling. The need for the treaty was clear, since 200 years of commercial whaling had brought most of the world's whale species literally to the verge of extinction.

The treaty's success in slowing, if not entirely stopping, the slaughter has been nothing short of remarkable. Although still menaced by marine pollution and global climate changes that threaten to destroy their habitats, the great whales have slowly begun to repopulate the oceans of the world. If we do not repeat the mistakes of our whaling ancestors, we may yet see a day when we don't always hear "endangered" and "whales" in the same sentence.

But sadly, the tireless efforts of the past 47 years now face the possibility of being completely undermined by the reckless actions of a few shortsighted nations seeking to resume the practice of killing whales for profit. This is simply unacceptable to the American people and, increasingly, to much of the rest of the world.

In today's world, commercial whaling is simply an anachronism. No other group of animals has so captured the imagination of the American people—yet no other group of animals has been subjected to such relentless hunting for profit. Commercial whaling must be stopped, and I urge my colleagues to support this resolution.

SEVEN VALUES TO LIVE BY

HON. HAMILTON FISH, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 3, 1993

Mr. FISH. Mr. Speaker, I would like to insert "Seven Values To Live By," by Norman Vincent Peale, into the CONGRESSIONAL RECORD. I believe the messages contained in this Action Booklet are of great value to my colleagues and to all Americans.

SEVEN VALUES TO LIVE BY
(By Norman Vincent Peale)

INTRODUCTION

Value: A principle that reflects an ideal moral standard by which individuals guide their thoughts and actions, and from which society as a whole ultimately benefits.

How would you define real success in life? In the minds of many Americans, success means the making of a great deal of money or achieving fame and recognition. But haven't we all known people, who, possessing a great deal of money, fame, or both, are failures? And haven't we all seen people with little money who are great successes?

The standards of true success are these: Are you in control of yourself? Do you have a grip on life? Are you happy? Are you developing your spiritual life? Do you get a thrill out of everyday living? Do you know God? Are you held in esteem by other people? If money comes to you along with all these values, that is good. But money should not be your main goal. Achieving a happy, satisfying, and fulfilling life is what you really should focus on.

And the next logical question is, how do you go about doing this?

First, select and adopt a set of values. Then, dedicate yourself to living by them. This may not be easy, but the rewards of living by specific values in your life are enormous and gratifying.

Based on my years of experience as a pastor and observer of the human spirit, I have discovered that seven values, when carefully and diligently applied, will bring happiness, satisfaction, and success to any man or woman, regardless of age or circumstance.

Seven Values To Live By contains seven chapters, each of which highlights a particular value. Read each chapter thoroughly and study the value described therein. Then take the action steps that follow and practice them on a daily basis.

This will not be easy, but the task is not impossible. Once attained, these values will produce happiness, and a sterling character as well. So if you want to be continuously victorious over your problems, study and resolutely master each value: Integrity, Courage, Enthusiasm, Happiness, Faith, Hope, Love, and make them part of your life. You will achieve success beyond anything you have ever experienced before.

But there is one further principle you must apply to make these great values a powerful part of your life. You must make a *commitment* to learn them and use them. They are not easy, but by committing yourself to learning them and living them, you will acquire the basis for becoming a great person.

When you get discouraged, when you cannot seem to make it, there is one thing you must practice. It is the priceless ingredient of success: relentless effort. Never give up, never quit.

The world today is much in need of men and women who will personally do something

about wrong conditions. Our crisis times call for people who will respond positively to challenges with a "Here am I—send me," and then wade right in. Such people can bring about important changes in situations, and thereby set in motion forces that make for corresponding changes in the world at large. Thank God, it is still true that a few dedicated people can change the world.

Norman Vincent Peale

INTEGRITY: FIRM ADHERENCE TO A CODE OF MORAL VALUES

Complete honesty, complete integrity, is almost tangible. Whenever you encounter it in people, you know you can trust them. This ability to inspire trust and confidence is often a factor in their success.

I have often been struck by the realization that many highly successful people seem to live by what might be called a code of super-honesty. They're not satisfied with casual, everyday standards. They go an extra mile. They make the unusual choice.

One of the best ways to strengthen your standards of honesty is to speak out forcibly against dishonesty wherever you come into contact with it. We all tend to condone things by keeping silent, afraid we'll be disliked or that we may be considered smug or selfrighteous.

If you are easy on wrongdoers, you may wind up being too easy on yourself. On the other hand, if you speak out loud and clear in favor of honesty, you make it difficult for yourself to be anything but honest.

Once, when speaking before a large crowd, my attention became fixed on a face that reflected great anguish. The man continued to appear in the crowd at talks I gave around New York City.

Then, one day, I met him on the street and he said, "I have to tell you something. Could we talk?"

I fixed a time for us to meet. He arrived at the appointed hour and launched into this story:

"You do not know me. In my hometown, I am a prominent, highly respected citizen. I have a wonderful wife who regards me as a good husband, and my children think I am a fine father."

"Well, are you? I asked. "Are you all that good?"

He gulped and said, "No, I'm a thief and I can't tell anyone at home about it. I have got to find relief."

"Does any know about it?"

"Not a soul."

"Why don't you tell your clergyman?"

"I don't want to tell him. He wouldn't understand."

"Be explicit. What did you steal? Was it money?"

Then he told me. "The president of the company where I work as treasurer is like a father to me. But I got in over my head on personal financial matters and began to siphon money from the company."

"How much?" I asked.

"Well, I kept an exact account. With interest, it would be fifty-two-thousand dollars. Dr. Peale, I've thought of suicide, but I haven't the nerve."

"What if you confessed this to your president?"

"He would lose respect for me. I would be ruined and disgraced. If it came out, my wife and children would be disgraced, too. Why did I do it? I have been decent all my life, except for this moral failure."

"When do you go back home?"

"Tonight, on the sleeper train."

"What time do you get there?"

"The train gets in about seven o'clock tomorrow morning."

"What time does your bank open?"

"Nine o'clock."

"How much have you in the bank?"

"I have ten-thousand dollars, to meet my obligations, including college expense for two children."

"Do this. Monday morning, be the first man in the bank, and write out a check for five-thousand dollars in cash. Then go to your place of business."

"I can't do it," he said. "I can't do it."

"It will do you good. You will be rid of your guilt. Say to your president, 'I have come to confess. I was under pressure and 'borrowed' this money and quite a bit more. I meant to pay it back. Now, I want to start doing that. I went to see a preacher in New York City, who told me throw myself upon your understanding. I'm ashamed and humiliated.'"

Before he left, I had convinced him to give this procedure a try. As the man told me later, the president looked at the money and was silent. Then he spoke: "You have been in hell, haven't you? When a good man does wrong, he carries hell around with him. I trust you that the whole debt will be paid. And here is what I am going to do about you. I'm going to put you in charge of sales. Mr. Smith is retiring. You will be our new sales manager. Go and sin no more."

My new friend ended his report by declaring, "My president is the greatest man alive."

Integrity relates to character, honesty, and fidelity, all products of accepting God's standards for right living. Remember, nothing wrong ever turns out right.

The president treated my friend kindly. He said, "You are a good man despite your wrongdoing. You have learned your lesson."

When my friend, overwhelmed by gratitude, asked how he could repay this kindness, the president replied, "By being a great sales manager. Besides," he added, "our business is God's business."

This is a human story. It is also a story about integrity, theft, dishonesty, guilt, conscience, honesty, confession, forgiveness, and kindness.

It is a story that turns out well. It is a story of value, for it shows the value of integrity.

Action Steps

1. When you are on a course of dishonesty, stop it at once; no excuses, no delaying tactics.

2. Talk it over with a pastor, priest, or rabbi.

3. Rebuild your moral strength.

4. Get forgiveness from the person wronged and from God. Forgive yourself and put it in the past.

5. Right the wrong as fully and as fast as you are able, and resolve never to be dishonest again.

"The one thing worth living for is to keep one's soul pure."—Marcus Aurelius

COURAGE: STRENGTH TO DO WHAT IS RIGHT REGARDLESS OF THE CONSEQUENCES

Successful living requires courage. Perhaps courage is a basic-life quality that God gives us, since it is of the spirit. Moments may come when courage alone will stand between us and disaster. There will be times when we shall need dogged courage to keep us going when the going is hard. And what is the source of such rugged courage? It is a sense of God's presence, when we hear Him say "I am with you always."

To have courage, do three things: First, think courage. We become what we think. There is a law of attraction whereby like re-

sponds to like. If you think thoughts of courage, courage will flow to you. The more courageous your thinking, the greater the results will be. Second, act courageously. We usually get according to the way we act. And we all have built into us a capacity for acting with courage. Third, pray for courage. Pray for courage as you pray for your daily bread. God will give it to you, because He will give you Himself.

Gladys Aylward was a little person. Seated, her feet scarcely touched the floor. But she had pure and undoubting faith in God. She trusted implicitly. She came to see me in New York City. I wondered how this quiet petite lady had the courage to face the terrifying experiences that were shown in the motion picture "Inn of the Sixth Happiness." As she visited me, I asked her to tell me the story.

At a Salvation Army street meeting, in London, she became converted, completely changing her life. The gentleman for whom she worked in London had a wonderful library on China, and she began reading.

One day, her employer came in, found her reading, and reproached her. He said, "I hired you to dust and clean, not to read my books. Besides, you didn't ask if you might read my books."

"Sir," she said, "I am fascinated with China."

"Read the books then, but not until after you get the housework done," he replied.

Through her reading, Gladys came to believe that God wanted her to go as a missionary to China. She went to the mission board. The members, all highly intellectual, highly educated church leaders, gave her an intellectual test she couldn't pass. They said: "No, you do not measure up to our intellectual standards. You can't go." But did that faze her? Not at all. She had received her commission from a higher source than a mission board.

So Gladys Aylward went to China without any sponsorship and was now sitting in my study telling me about the times she spent on the streets in Yangchuan and other cities. The tiny British cockney woman told the people that no power on earth could overcome the person who gave his or her life to God and Jesus Christ. That person would become a resurrected soul and could triumph over the world. She went on telling this message week after week.

One day, the governor called her, saying, "We have a terrible situation. There is a riot in the prison where murderers and vicious men are guarded by only twelve soldiers. If we go in, they will kill us. One of the worst men in the prison has a huge meat cleaver, and has already killed two men and terrified the others. We want you to go in and take the meat cleaver out of his hands."

"You must be out of your mind, sir," she said.

"I have listened to you in the street saying that God is always with you, about Daniel in the lion's den, and how Jesus Christ in your heart will protect you."

"Ah, but you misunderstand, sir."

"Haven't you been telling the truth?" he replied. "I know what you've said, and I believed you."

She knew that if she ever wanted people to believe, she would have to go into that prison. She asked the Lord to go with her and she felt strangely peaceful. After unlocking the prison door, they quickly shut her in. There, at the end of a long, narrow tunnel she could see men wildly running about shouting and cursing. She prayed, "Be with me, Lord."

She walked to the end of the tunnel and saw the man with the meat cleaver, which was dripping with blood, chasing another man. Suddenly, he was in front of her. They stood facing each other: the little woman and the giant. She looked into his wild and feverish eyes and calmly said, "Give me that weapon." There was a moment of hesitation; then, with utter docility, he handed it to her. "Now," she said, "get in line, all of you." Quietly, they lined up.

"What are your complaints?" she asked. "I will tell them to the governor, and I assure you in his name that, where possible, they will be corrected."

As a believer, Gladys Aylward found unbelievable courage. Her secret can be found in a Scripture verse from the Psalms that gives a formula anyone can follow to find courage in any situation:

"I sought the Lord, and He heard me, and delivered me from all my fears" (Psalm 34:4).

Action Steps

1. Always be faithful to your principles and values. It may require guts to stand by them, but that is the way to build your courage.

2. Pray for courage as you pray for your daily bread. Both are vital to your welfare.

3. Courage comes naturally from spiritual commitment. So become spiritually committed.

4. Courage depends on the strength of your commitment to Jesus Christ, so deepen that commitment.

"Courage is the resistance to fear, mastery of fear—no absence of fear."—Mark Twain

ENTHUSIASM: PASSION FOR LIFE

A member of my church in New York was one of the most enthusiastic salesmen in the city, certainly one of the most successful men I have known.

Asked the secret of his long-lived vitality, he replied, "Well, it's like this: You taught me to love God, to love people, and to love life. And to keep my mind and spirit always renewed and at a high level. I followed your advice, and the result has been enthusiasm and happiness that never run down."

There is the basic answer to the problem of keeping enthusiasm. Be renewed in the spirit of your mind. The Apostle Paul believed that this renewal had great power to change life habits, for he wrote, "Be ye transformed by the renewing of your mind" (Romans 12:2).

I once met an enthusiastic lady who told me that every morning she reads a statement by Thoreau that hangs on the wall of her kitchen: "None are so old as those who have outlived enthusiasm." It became a mental pattern for her life.

Emerson wrote: "Nothing great was ever achieved without enthusiasm." And a prominent businessman once said, "Every business organization should have a vice president in charge of constant renewal."

If that is good for a business, surely it is more important for an individual to have an automatic self-motivator that keeps him alive and vibrant. Without this, such a person becomes a relic who fades further each day into the dead past. Enthusiasm puts a person into the present regardless of how many years he has lived. Such a vitalized individual cannot possibly become a has-been. He is perpetually the is-now type.

A friend who operated a drugstore, Mr. Russ, once told me of his personal battles with discouragement. As I listened to his story of difficulties, reverses, and sorrows, my depression seemed trifling indeed. "But I can tell you honestly," he declared, "that since I began a certain mental and spiritual practice, I have never had any lasting dis-

couragement. And I'm sure you will agree I'm on the enthusiastic side."

"I don't know a man of more genuine enthusiasm than yourself," I replied. "What is this mental and spiritual practice that helped you?"

"Daily mental ventilation," he replied. "That's what did it and, I may add, still does it. Keeping the mind free of darkness is a day-to-day job."

He went on to emphasize the importance of the process of daily mind-emptying. "If you allow dark thoughts, regrets, resentments, and the like to accumulate, your whole psychology can, in time, be so adversely affected that a major effort may be required to bring it back to a normal state of balance."

Since then, I have used the mental ventilation system employed daily by Mr. Russ, both personally and in other cases, with effective results in stimulating new enthusiasm. Here's what he did. At the end of every day, he "emptied" his mind to prevent unhealthy thoughts from lodging in consciousness overnight, for he knew such thoughts can take root quickly, if allowed to accumulate even for as long as 24 hours.

This mental emptying took the form of a recapitulation of unpleasant incidents that had occurred during the day: a sharp word, an insinuating remark, a hostile act by some other person. Also, a review of his own mistakes, errors, or stupidities. To these, he added disappointments, frustrations, and every form of unhappiness that had clouded the preceding hours. He held all these in a strong mental view, deliberately drawing from them all the experience and understanding they had to give. Then he "lumped" them together and mentally "dropped" them out of consciousness, saying as he did so these therapeutic words: "Forgetting those things which are behind, and reaching forth unto those things which are before . . ." (Philippians 3:13).

Mr. Russ stated that when he first began to use his "lumping" and "dropping" practice, the mental accumulation, as he put it, readily "lumped" but just did not "drop." However, the continued application of a determined and disciplined mental effort resulted in a remarkable ability to forget the useless and unhealthy items that had previously cluttered his mind, siphoning off zest and enthusiasm. In these procedures, Mr. Russ made use of the law that one can do practically anything he wants with his thoughts, provided he consistently continues the effort.

"You cannot possibly realize, until you try it for yourself, what a powerful upthrust of joy surges through your being when you find that you can actually 'lump' and 'drop' those pesky enemies of a happy mind," he declared. "Ventilate—that's the answer. Ventilate. Let them go; throw them out; 'lump' and 'drop'—ventilate the mind." By so doing, the mind will be open to developing the great value of enthusiasm.

Action Steps

1. Become enthusiastic by practicing the "as if" principle. Act "as if" you were enthusiastic, and you will become enthusiastic.
2. Begin each day thinking enthusiastic thoughts.
3. Picture yourself as being the most enthusiastic person you know.
4. Enthusiasm is catching, so surround yourself with enthusiastic people.
5. Every day, three times a day, say: "This is the day the Lord has made. I will rejoice and be glad in it" (Psalm 118:24).

"Enthusiasm is a kind of faith that has been set afire."—George Matthew Adams

HAPPINESS: STATE OF WELL-BEING AND CONTENTMENT

In writing the Declaration of Independence, Thomas Jefferson described our country as favoring unalienable rights: life, liberty, and the pursuit of happiness. It is therefore a favorite objective of the American to be happy. And an American must have freedom to be what he can be.

I have found, personally, that happiness is religiously based. All the unhappiness I have encountered in life has been where men and women lived otherwise than according to the precepts of Holy Scripture.

I have seen unhappy people fully adopt the teachings of Jesus Christ and become happy ever after. So I conclude that spiritual faith, hope, and love are involved in the state of mind we call happiness.

In reviewing a recent book, *The Pursuit of Happiness* by David G. Myers, a distinguished social psychologist, Peter Groner, wrote in the June 3, 1992, *Chicago Tribune*: "Myers, a respected scholar, measured people's feelings of happiness. He found, after reviewing thousands of studies, 'that people who are energetic, decisive, flexible, creative, and sociable are happy. They are more trusting, more loving, more responsive than unhappy people. They tolerate frustration well, and are more willing to help others. Even their immune systems function better. Physical fitness is important, as are such traits as self-esteem and optimism. Science has found that close friends bring happiness, but money and possessions won't.'"

Gorner concludes his positive review of Myers' book by these words: "To experience deep well-being," Myers says, "is to be self-confident, yet unselfconscious, self-giving, yet self-respecting, realistic, yet hope-filled."

So important is happiness that a Southern university, some years ago, offered a special course for alumni in how to be a good-humored person. This course, I understand, was popularly received. Good humor means to have an inner sense of affability and geniality. It is an attitude of urbanity and kindness. It was, in a sense, a course in happiness.

Not long ago, I was with a man who was tops in his profession. It was his 70th birthday. I asked him what was the most important discovery he had made in business that accounted for his rise to the top. I remember that he stopped as we walked on Walnut Street in Philadelphia and turned to face me. "A good question," he said, "and I can answer you instantaneously. I learned to get and keep a good-humored attitude toward life. To be explicit, I became a genuinely happy man, one day, when I met someone who changed me deep inside. When I became happy and good humored, I found less resistance to my business leadership. People started going along with me rather than opposing me."

I was curious, for my friend was an outstanding thinker and leader, professionally. But I had heard that he once had been dictatorial and difficult, even though he was a recognized genius. So I asked, "Where did you meet this amazing person who had the ability to make such a change in you?" (I was thinking of myself when I asked him that.)

"At the old Conwell Baptist Church on Broad Street, where you, too, have met Him."

There is always a reason why people act as they do. If they are unhappy within themselves, that will come out in their emotional reactions. People are motivated by a force

they do not understand. Emotional reaction is likely to be too quick. In the controlled person, it is slow. The reaction is slower in the happy personality because he likes the other fellow.

Emotion must be deliberate. The Roman philosopher Seneca said, "The greatest cure for anger is delay." Emotion by its nature is always hot. So let it cool. One man, a happy and successful fellow, told me that he never gets mad until 24 hours afterward. He waits to cool down. You can do that when you live the principle, "Rest in the Lord, and wait patiently for Him: fret not thyself . . ." (Psalm 37:7).

I like the story about the late Robert Taft, the revered U.S. Senator from Ohio. In his early political career, Senator Taft went into hostile territory to make a speech. Someone threw an over-ripe tomato. It hit the Senator in the chest and burst all over his face, his glasses, and his hair.

How did he react? He did not wipe his face, his glasses, or his hair. He just went on making his speech. He never referred to the tomato. When he finished, he stepped down from the platform and, with his handkerchief, wiped his face, and then his glasses.

"Good-by, boys," he said in a friendly manner.

As he walked down the aisle toward the door, the crowd gave him a standing ovation.

A controlled person controls. A controlled person is deeply happy and can handle difficult situations.

Action Steps

1. Happiness comes from knowing you can handle things. Become confident, and happiness will follow.
2. To be happy, find a human need and help fill it.
3. Take Jesus, the greatest giver of happiness the world has ever known, into your heart. His presence in your life will bring you joy and happiness.
4. Be happy about your struggles. They can bring you untold satisfaction as you conquer them.
5. Emotional control results in happiness. Do not allow the heat of the moment to get the best of you.

"There is no happiness in having or getting, but only in giving."—Henry Drummond

FAITH: BELIEF AND TRUST IN GOD

The Bible has a lot to say about values to live by. Perhaps the greatest statement is found in 1 Corinthians 13:13: "And now abide faith, hope, love, these three; but the greatest of these is love." The last three of our seven values will be faith, hope, and love.

The Bible is full of principles that can change your life. One of them is Matthew 17:20, "If ye have faith as a grain of mustard seed, ye shall say unto this mountain, Remove hence to yonder place; and it shall remove: and nothing shall be impossible unto you."

Almighty God never meant that His highest creature, man, should be a failure. Have you ever been conscious of your own greatness? Have you ever glimpsed what is really within you?

The science of psychology has stated that we have within us something called the subconscious mind. William James, the father of American psychology, said: "The greatest discovery in one hundred years is the discovery of the power of the subconscious mind."

The deep impulses that motivate us come from the subconscious. It is what Jesus referred to in the statement: "The kingdom of God is within you" (Luke 17:21).

When Jesus said, "Greater works than these shall He do" (John 14:12), He was say-

ing: "Think big to get big results." The sad reality is that most of us never set out sights as high as Jesus intended we should.

The reason we do not attain more in our lives is because we do not believe in ourselves. If you have faith as a grain of mustard seed, nothing shall be impossible. That means that you can get the mountain of failure, frustration, sin, and hate out of the way and, in short, "nothing shall be impossible unto you."

Come out of disbelief in yourself. Believe that God made you a good person and let it come out of you.

While autographing books in a San Francisco bookstore, the most obese woman I think I had ever seen stood before me.

"If I buy your book, will you guarantee that the slender person within me will come out?"

I answered, "No, that will only happen if you believe that a surrendered person is within you, and that God can bring it out. God has not made you what you are. You have done that to yourself. Can you look me in the eye and say, 'I believe, I believe?'"

She said, "I can do that, with God's help."

I answered excitedly, "A great lady is living within you. What date will you give me that you will be slender?"

"A year from today," she replied confidently.

A little over a year passed, and I was shaking hands with members of the audience following a meeting in Los Angeles. A lady appeared before me in the long line. She said, "Remember that huge woman who talked to you in San Francisco about a year ago?"

I answered, "She was the biggest lady I ever saw."

"Well, look carefully, for I am she." She added, "Praise God. He and I have worked a miracle on me."

Whatever personality you have created can be changed. There is a better, stronger, more remarkable man or woman within you. You will never be happy until you bring him or her out of you.

Faith is available to everyone. It does not matter what your difficulty is: physical, mental, spiritual, business, or moral; if you bear upon it, using the power of faith, it can be solved. The Bible is filled to overflowing with the truth that faith conquers all and that, by faith, all things are achieved. The secret, then, of building yourself a better future is to attack it with faith.

If you will definitely set aside five minutes every day to think about God and Christ, to confess your sins, to pray for those who have done wrong against you, and to ask for strength, a true faith will begin to send spiritual health and power through your personality.

Action Steps

1. Believe! By having faith, you can bring out all the greatness in yourself. Believe that God made you in His image, higher than any other form of creation.

2. Act upon that belief.

3. Copy from the Bible every statement of faith you can find. Then proceed to embed these faith concepts into your consciousness.

4. Believe in impossibilities; that which is impossible with man is possible with God.

"Faith is like radar that sees through the fog—the reality of things at a distance that the human eye cannot see."—Corrie ten Boom

HOPE: EXPECTATION OF SUCCESS

The second great value from 1 Corinthians 13 is hope.

When you live with hope in your heart, in your mind, and in your spirit, you have dis-

covered one of life's most powerful secrets of success.

Did you ever hear of the sermon that was made into a statue? In a big-city church, the preacher, a powerful speaker, gave a sermon depicting hope as a struggle upward against adversity, with hope triumphing.

A famous sculptor in the congregation that day was so deeply impressed, he went to his studio and molded a man struggling upward from the trials and temptations that would hold him back. The inscription on the marble base of the statue read: "Hope thou in God: for I shall yet praise Him" (Psalm 42:5).

Elbert Hubbard, one of the greatest inspirational writers this country has ever produced, wrote:

"Whenever you go out of doors, draw the chin in, carry your head high, fill the lungs, drink in the sunshine, greet your friends with a smile, put soul into every handclasp. Picture in your mind the able, earnest, useful person you desire to be. This thought will transform you into that particular individual. We become like that on which our thoughts are fixed."

The lesson here is to get hope into your thought pattern and there will be nothing you cannot overcome.

This life is not easy. It is often fraught with pain and suffering. But hope gives a tilting upthrust that takes you above the suffering. Storms sweep down upon human beings individually. And they sweep down over society. But if you hope in God, the storms will pass after a while. "Why art thou cast down, O my soul? and why art thou disquieted within me? Hope thou in God" (Psalm 42:11).

After the death of my grandparents, Mrs. Grace Williams purchased our family home and lived there for many years. I would always go to see her when I visited Lynchburg, Ohio.

During one visit, I mentioned that I was much attached to the old-fashioned doorbell that I could remember twirling as a boy. Well, a few days after arriving back in New York City, I received a package. And there was the bell. Mrs. Williams had taken it out of the door and sent it to me.

The first time I visited Mrs. Williams, she had answered the door and said, "You are one of the Peales, aren't you?"

"Yes," I replied.

"Which one are you, Norman or Robert?"

"I am Norman."

"Ah ha!" she said. "Do I know you! Your name is written all over my wallpaper. As a youngster, you apparently believed in advertising." From that day on, Mrs. Williams and I were wonderful friends.

She told me that her favorite text from the Bible was, "And now abide faith, hope, love, these three; but the greatest of these is love" (1 Corinthians 13:13).

"Stick to those three words," she told me, "and you will come out all right."

I went to a Brooklyn hospital to see a friend who had a leg amputated. Now, even the most courageous person might find himself feeling hopeless in this situation. When I asked to see him, the nurse said, "Oh, you want to see Mr. Weiss, the life of the party."

"What do you mean, the life of the party?" I asked.

"Why," she said, "he brings joy, life, hope, and excitement to all the other patients on his floor."

"Well, that's the way I know him, too, but I didn't think he would be that way in a hospital."

"He's got it, all right. No matter what he's gone through." Later, as I sat visiting my

friend, a drunk came in. He was full of a certain kind of spirit that you get from the bottle. He was very drunk, and he held a bunch of flowers he had probably bought from a street vendor. They tried to get rid of him, unsuccessfully. He said, "I want to find the happiest man here, someone who hasn't lost the spirit of hope." They tried to shoo him away, but he wouldn't leave. He went along peering into each patient's face, saying, "No, you haven't got it. No, you don't have it, either," he would say to the next.

Finally, he came to Mr. Weiss. He peered at him and then a big smile spread over his face. "You get my flowers. You're alive. You have the spirit of hope."

After he gave my friend the flowers, he asked, "where did you get it from?"

Mr. Weiss picked up his Bible and said, "Here—in the Bible. If you get your spirits out of this instead of the bottle, you, too, will have it all."

I have never forgotten the touching human scene where two men clasped hands, the drunk and the man who had lost his leg.

Hope is one of the great teachings of the New Testament.

A vital growing person cultivates hope and makes it a bulwark of strength in every endeavor. The hopeful person is joyous and confident. Be hopeful!

Action Steps

1. There is a world of difference between these two words: hopeless and hopeful. Read inspiring stories of people who find hope instead of hopelessness.

2. Concentrate your thoughts to create a hope filled attitude within you.

3. Think, talk, and act hopefully. As you do, hopelessness retreats and hopefulness takes over.

"Hope is an adventure a going forward—a confident search for a rewarding life."—Karl Menninger

LOVE: SELFLESS CONCERN FOR ALL OTHERS

According to 1 Corinthians 13:13, *love of everyone* is the greatest value.

Live with love in your heart. Do all within your power to reduce human sorrow. This will make you so spiritually victorious that you will be able to rise above all difficulty; and fear will be crowded out of your mind and heart by love.

Practice loving people. This requires great effort, for some people are not lovable, or so it seems—with emphasis upon "seems." Every person has lovable qualities, when you really learn to know him.

Now, you are probably saying, "That sounds good, but how do you do it?"

To answer that question, I think of my friend Sam Shoemaker, who genuinely loved everyone.

He was known as Sam to everyone, and really lived out his principle of loving all. Once at Christmastime, he told his story. He depicted an imaginary scene where Jesus was about to leave the heavenly home and go to earth. God said to His Son, "Those folks on earth, whom I have created, have forgotten Me. You are to go among them as a baby, for everyone loves a baby, and they will take you to their heart."

So, at the gate of heaven, God said, "Good-by, Son. I will ever bless you."

"But Father," the Son asked, "what shall I tell them is the secret of life?"

"Love. Tell them to love one another."

So Jesus came down to earth where there was little love. He came to teach the simple principle of love. And His message changed the course of history.

For the first time, a loveless world was called upon to accept the love principle in-

stead of the force principle that had dominated mankind for so long.

Even after 2000 years, we have not yet fully developed Christ's love principle. God left it to each of us to work out how to live this divine principle. We are still faltering, but have made some progress. God has been patient with us, but we desperately need to learn it today, if we are to survive.

My wife and I took our entire family, 17 persons in all, to the Holy Land one Christmas. At each site, we stopped and read from the Scriptures the story about the happening at that place. Our most memorable experience was on the shore of Lake Galilee, where Jesus gave His Sermon on the Mount to an immense crowd.

There, under the trees, we looked toward the lake, and we imagined the Master laying down the principles that later became the basis of world civilization.

Apparently, the vast audience was greatly impressed, for the Scriptures say: "Never man so spake like this man" (John 7:46).

His words remain for us in Matthew, Chapters Five, Six, and Seven. Of special note is Matthew 5:44-45:

"But I say unto you, Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you; That ye may be the children of your Father which is in heaven: for he maketh his sun to rise on the evil and on the good, and sendeth rain on the just and on the unjust."

The fact that the world has not yet caught up with this does not invalidate the greatness of the principle.

Many years ago, I had an experience that demonstrates this truth. It happened in the great Protestant Cathedral in Copenhagen, Denmark. I had gone there to see a famous statue by Thorvaldsen, the great Danish sculptor. It is considered to be one of the great pieces of art in the world. Thorvaldsen was fascinated by Jesus, but he was not a committed believer. It was the mind of Jesus that impressed him. Never did one have such a brain, so subtle, so perceptive. "With that brain, He will conquer the world," said the sculptor.

So Thorvaldsen decided to make a heroic statue of Jesus. He modeled Him in clay with authoritative upstretched arms and hands. The result was an austere, regal, dominating figure. Thorvaldsen was satisfied. "Jesus is the greatest figure in human history, and this statue will so represent Him," he said.

The sculptor left the clay model in a shed to cure. But the sea mists came in and worked a strange miracle on the clay. The upstretched arms and hands had dropped from their imperious gesture of command to one of supplication. The hands were now in a pleading position; and the face, previously raised, had lowered, giving it a look of infinite compassion. Thorvaldsen saw this as a truer portrayal of the regal figure. He inscribed on the pedestal not, "Follow My Commands," but rather, "Come unto Me."

In the cathedral that day were people of many colors: black, white, brown, yellow. They looked at all the statues, but it was the figure of Jesus that held them spellbound. I saw tears on many a cheek, and there were tears on my own. Everyone was looking at Jesus with adoration. No one can reach the human heart as He can. For no one showed us how to love as He did.

ACTION STEPS

1. To become as near like Jesus as possible, try to see the best in everyone, including yourself.

2. Avoid joining in the character assassinations that even good people at times indulge in.

3. Pray to maintain the friendship of others as you live the love principle yourself.

4. Avoid showing your disappointment in those who do not demonstrate love. Our first priority is to keep the love principle going ourselves.

"Love is the hardest lesson in Christianity. For that reason, it should be most our care to learn it."—William Penn.

SENATE COMMITTEE MEETINGS

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

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

Meetings scheduled for Thursday, February 4, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 5

9:30 a.m.

Joint Economic

To hold hearings on the employment-unemployment situation for January.

2359 Rayburn Building

10:30 a.m.

Agriculture, Nutrition, and Forestry

Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To hold hearings to examine food safety and Government regulation of Coliform bacteria.

SR-332

FEBRUARY 18

9:30 a.m.

Governmental Affairs

To hold hearings on S. 171, to establish the Department of the Environment, provide for a Bureau of Environmental Statistics, and a Presidential Commission on Improving Environmental Protection.

SD-342

Rules and Administration

Business meeting, to mark up proposed legislation authorizing biennial expenditures by standing, select, and special committees of the Senate, and to consider other pending legislative and administrative business.

SR-301

10:00 a.m.

Banking, Housing, and Urban Affairs

To hold hearings on the Federal Reserve's monetary policy report for 1993.

SD-562

FEBRUARY 23

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the Disabled American Veterans.

345 Cannon Building

FEBRUARY 25

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the Paralyzed Veterans of America, the Blinded Veterans of America, the Military Order of the Purple Heart, the Jewish War Veterans, and the Retired Officers Association.

345 Cannon Building

MARCH 2

9:30 a.m.

Governmental Affairs

To hold hearings on S. 185, to restore to Federal civilian employees their right to participate voluntarily, as private citizens, in the political processes of the nation, to protect such employees from improper political solicitations.

SD-342

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of the Veterans of Foreign Wars.

345 Cannon Building

MARCH 31

9:30 a.m.

Veterans' Affairs

To hold joint hearings with the House Committee on Veterans Affairs to review the legislative recommendations of AMVETS, the Veterans of World War I, the Vietnam Veterans of America, the American Ex-Prisoners of War, and the Non-Commissioned Officers Association.

345 Cannon Building

POSTPONEMENTS

FEBRUARY 4

9:30 a.m.

Governmental Affairs

To hold hearings to examine the General Accounting Office analysis of TRIAD cost effectiveness.

SD-342