

## EXTENSIONS OF REMARKS

H.R. 2135, A BILL TO ESTABLISH A  
NATIVE AMERICAN VETERANS'  
MEMORIAL

## HON. CRAIG THOMAS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. THOMAS of Wyoming. Mr. Speaker, I rise today on behalf of myself and Representatives RICHARDSON, YOUNG of Alaska, MONTGOMERY, ROSE, MILLER of California, VUCANOVICH, ROBERTS, GALLEGLEY, SMITH of Oregon, STUMP, KYL, DOOLITTLE, CALVERT, MEYERS, BEREUTER, GEJDENSON, SCHROEDER, WILLIAMS, McDERMOTT, SPRATT, FALCOMA, TORRES, JOHNSON of South Dakota, ABERCROMBIE, MINK, ENGLISH of Arizona, and FURSE to introduce legislation to establish a National Native American Veterans' Memorial.

From the Revolutionary War through our present peace keeping efforts in Somalia, native Americans have proudly served in all branches of the Armed Forces in defense of their country and to uphold the freedoms we all cherish. Many tribes supported the fledgling United States in their fight for independence from the British, in many instances making the difference between a battle fought and a battle won. In World War I, native Americans served gallantly in all major battles, many making the ultimate sacrifice. Members of the Choctaw Nation devised the only code used during that war that the enemy was unable to break.

During World War II, native Americans again displayed uncommon valor, fighting in numbers far exceeding their representation in the general population of the United States. Like the Choctaw code talkers before them, members of the Navajo Nation could deliver and receive communications in a manner that the Axis was unable to decipher, without any of the loss of time involved in the usual processes of encoding and decoding.

Native Americans continued to serve and die for their country in every conflict after that date in which Americans fought. Most recently, Eric Bentzen of the Sisseton-Wahpeton Sioux Nation and Michael Noline of the San Carlos Apache Tribe gave their lives in Operation Desert Storm protecting the ideals for which this country stands.

Native American veterans count among themselves a number of Medal of Honor recipients, like Lt. Ernest Childers of the Oklahoma Creeks and Lt. Jack C. Montgomery of the Cherokee. Their numbers are also conspicuous in the ranks of those who have received other decorations for valor and distinguished service.

Sadly, though we may acknowledge their military prowess and their great contributions, we have not always acknowledged our debts to them. After the conflicts in which they fought have ended, they have returned home only to be rewarded with second-class citizen-

ship and poverty on the reservations. That lamentable truth is captured in the life of Ira Hayes, a member of the Akimel O'odham who served in the Marine Corps during World War II. Across the Potomac River in Arlington National Cemetery, Ira Hayes stands immortalized in the Iwo Jima Memorial, planting the American flag atop Mount Suribachi. Tragically, his heroism was all but forgotten after the war and he died a broken man, victim of alcoholism.

On reservations and in native American communities throughout Indian country one of the most prominent and deeply felt observances is Veterans' Day. On the Wind River Reservation in my State, home to the Northern Arapaho and Eastern Shoshone Tribes, these observances are led by two very active veterans' groups: the Arapahoe American Legion Post 84 and the Richard Pogue American Legion Post 81. As these native Americans honor those of their brethren who have served their country, so too should we.

H.R. 2135 provides a small step toward this Nation honoring the service and sacrifice of our native American citizens. It would provide for the establishment of a Native American Veterans' Memorial in the soon-to-be-built National Museum of the American Indian located on the Mall. The museum was established by Congress to advance knowledge and understanding of native American cultures and the contributions those cultures have made to our society. The memorial would further the purposes of the museum by giving all Americans the opportunity to learn of the proud and courageous tradition of service of native Americans in the Armed Forces of the United States. The memorial would be financed entirely by private funds.

The National Congress of American Indians has recently called for the establishment of such a memorial. In addition, the Smithsonian Institution, under whose aegis the museum will be operated, "warmly supports the establishment of a memorial to Native American Veterans." The Secretary of the Smithsonian, however, has previously raised two minor concerns with the concept of such a memorial: First, that the Smithsonian has not yet had the opportunity to sound out the tribes on their views regarding the size, character, and placement of the memorial before detailed plans for it are made; and second, that the cost of a large memorial may be burdensome to the museum's planned fundraising efforts.

These concerns are addressed by the legislation. The bill leaves the design, size, placement, construction, and maintenance of the memorial entirely in the hands of the museum. The museum is free therefore—in fact, required by the language of the bill—to consult thoroughly with the tribes to tailor the memorial to both the wishes of Indian country and to any budgetary or architectural constraints they may have. As a result, the Smithsonian now fully supports the memorial.

Mr. Speaker, I hope that my colleagues will join me and my many cosponsors in honoring our native American veterans by supporting passage of this legislation.

RHODE ISLAND ASSOCIATION OF  
LETTER CARRIERS

## HON. RONALD K. MACTHLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. MACTHLEY. Mr. Speaker, I rise today in recognition of the Rhode Island Association of Letter Carriers for its upcoming food drive to be held on Saturday, May 15, 1993. The food drive is being coordinated by Mike Arden, president of the Rhode Island Association of Letter Carriers, and Art Salzillo, president of Branch 15 of the Letter Carriers in Providence.

Letter carriers, through the very nature of their jobs, witness pain, poverty, joy, and wealth. It is all too easy to become so absorbed in our own lives that we lose sight of the problems and plights of others. This Saturday, the Letter Carriers of Rhode Island will be bringing much needed attention to the problems and plights of the hungry and undernourished. I am proud to extend my heartfelt appreciation to the letter carriers in the Providence, RI, area for their commitment to our community.

On Saturday, the Providence Letter Carriers will be carrying two mailbags—one to deliver mail and one to collect food donations. In exchange for Saturday's bills, catalogs, and letters from friends and relatives, the letter carriers will be taking something back. With the help of Providence residents, the letter carriers will be filling their extra mailbag with canned goods to be donated to the Rhode Island Community Food Bank.

This food drive is part of a national effort by the National Association of Letter Carriers to help the hungry. We are extremely fortunate in Rhode Island to have Mr. Arden and Mr. Salzillo to coordinate this extraordinary effort. I know I speak for the people of Rhode Island in thanking them both for their dedication and compassion.

## NORWEGIAN INDEPENDENCE DAY

## HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. ROTH. Mr. Speaker, because of its beautiful green forests and stunning lakes, it isn't surprising that so many Norwegian immigrants chose to settle in northeast Wisconsin. It reminded them of home. Today, the de-

● 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.

scendants of these people continue to honor their ancestors through membership in the Sons of Norway.

I rise today on May 17 as a fellow Son of Norway to wish all the members of the Sons of Norway in the Eighth Congressional District of Wisconsin a happy Norwegian Independence Day. Or as they say in Norway, a "flott Syttende Mai."

Norwegians celebrate May 17 in a wonderful manner. Throughout Norway, children dressed in traditional Norwegian folk costumes walk together in a children's parade through the streets of the town. And of course, there is plenty of music to dance to and wonderful Norwegian pastries and food to consume.

My district is home to many chapters of the Sons of Norway. One of these chapters is the H.R. Holand Lodge in Sturgeon Bay, which will be holding a dinner in celebration of May 17 this very evening. I wish the lodge's president, Gordon Anderson and its members a very "koselig" evening, and "lykke til"—good luck—with all of their other activities throughout the year.

#### TRIBUTE TO PALO ALTO HIGH SCHOOL BOYS BASKETBALL TEAM

### HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Ms. ESHOO. Mr. Speaker, I rise today to honor Palo Alto High School boys basketball team on the occasion for their winning the California Division 3 State Championship.

This team, whose cocaptains are Grant Elliott and David Weaver, is coached by John Barrette. Team members in addition to the cocaptains are Seniors David Jefferson, Rod Mann, Boyd Smith, Chad Smith, and Josh Wetzel; and Juniors David Bennion, Ilan Ben-Yaacov, Andrew Brown, Ryan Derby, Jimmy Farris, Mikey Smith, Vonn Sumner, Mark Thompson, and Scott Young. Never before in the 100-year history of Palo Alto High School has the boys basketball team won a State championship. It is also the first time the team has won the Central Coast Championship, and the first time since 1927 that the team has won the Norcal Championship.

The camaraderie evidenced by the great teamwork of this group of boys has been an inspiration for both students and townspeople. Record crowds, of which I was fortunate to be part, turned out for the games to see the team work their special magic. School pride swelled as records were broken. This group of talented and hard working athletes are models for younger children. Not only are they members of a recordbreaking team, their collective grade point average of 3.7 is the highest of any high school boys basketball team in the central coast section.

Mr. Speaker, I am proud to represent Palo Alto and the Palo Alto High School 1993 boys basketball team. I am honored to have this opportunity to congratulate the players and coach on the occasion of their becoming State champions.

#### NEGOTIATED RATES ACT OF 1993

### HON. NORMAN Y. MINETA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. MINETA. Mr. Speaker, today I am introducing legislation that addresses a serious problem in the American economy. It is commonly referred to as the undercharge problem or the negotiated rate problem. It has been with us too long, and it needs to be resolved soon.

Many of you have heard from businesses in your districts about this problem. These businesses complain that they reached a mutually agreed to price for shipments by truck, then years later they receive enormous bills for amounts well above anything they and the trucking company ever agreed to.

The problem emerged as the result of certain practices that had occurred in the trucking industry. Carriers were quoting rates which the shipper and the truck carrier agreed to and which the shipper paid. However, in many cases the carriers were providing service at those quoted rates without filing them at the Interstate Commerce Commission [ICC], as required by regulatory laws. Often, the shipper had no idea what the carrier was or was not filing, and in some instances the shipper had no idea what the carrier was or was not required to file.

Subsequently, some of the carriers went into bankruptcy, and trustees for the bankrupt carriers began billing the shipper for the difference between the rate that was quoted and paid the carrier's rate which was on file at the ICC. A debate ensued as to the legality of these claims, with the ICC maintaining that pursuance of such claims was an unreasonable practice, and therefore, shippers need not pay them. In 1989, a coalition of shippers, brokers, and motor carriers brought this problem to my attention, and I cosponsored legislation to address the matter. No further action was taken during that Congress.

In 1990 the Supreme Court decided in *Maislin versus Primary Steel* that the rate on file at the ICC is the rate which must be paid by the shipper. Immediately following that decision, I held hearings on undercharges in July 1990 and received testimony from carriers, shippers, bankruptcy trustees and transportation brokers. Despite efforts to reach a resolution which continued up to the end of the last Congress, a disagreement on how best to handle the growing problem persisted mainly because of concerns about the possible effect pending proposals might have on back wages and pension fund payments due to employees of bankrupt carriers. Again, no further action was taken on pending relevant legislation.

In this Congress, I am renewing my efforts to bring about a fair and equitable solution to this problem. Following many meetings with representatives of both sides in the last several years, I am introducing a bill which I sincerely believe represents a fair and reasonable solution to the problem and which provides a mechanism whereby all parties will benefit.

The fact is that this issue, because it has been left unresolved, is creating great busi-

ness uncertainty and economic inefficiency all across our country. Shippers do not know how much of these enormous bills they will ever have to pay, or when. Those with standing in the bankruptcy process do not know what proportion of these disputed amounts will ever be paid into the estate of the bankrupts, when, or even more importantly, how much of it will be left after paying all the legal expenses and other process costs which are now an enormous burden to everybody.

This is not a burden and an inefficiency which our economy needs at this time. All parties will be better off if we can quickly and equitably resolve this dispute, rather than leaving it to fester for years in the Federal courts, the bankruptcy courts, and before the ICC. We need to step in and resolve this issue, and we need to do it sooner rather than later.

The bill I am introducing provides three options to the shipper for resolving the undercharge claims. One maintains existing regulatory remedies and another provides a defense for claims arising up to 2 months after the *Maislin* decision. The last one is establishment of a settlement procedure which allows payment of a certain percentage of the difference between the carrier's applicable filed rate and the rate originally billed and paid. The settlement option allows the shipper to resolve the claim at a lower cost, while at the same time assuring that some money will be funneled into the bankruptcy pool for payment to unsecured creditors including employees for back wages and pension funds.

The bill further provides for changes in other rate matters such as outlawing phantom rates, requiring the ICC to issue regulations for contract carriage, and sanctioning the use of coded rates in the past, but requiring that customer names be used in the future. These latter provisions should go a long way to prevent additional rate problems in the future. Some of these provisions are supported by labor.

This problem has gone on far too long at a cost to everyone involved that is too great to estimate. I would note that many Members in this House share that view, and many have urged me to take action to bring this to a conclusion. I am particularly pleased that Mr. SHUSTER not only shares this view, but has agreed to cosponsor this bill as well.

The subcommittee on Surface Transportation, chaired by Mr. RAHALL, will hold hearings on this and all bills dealing with this issue in preparation for passing legislation in the House as quickly as possible.

I therefore invite my colleagues to cosponsor this legislation and I urge them to support its enactment.

#### RECOGNIZING THE CREW OF THE S.S. "SORELDOC"

### HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. EDWARDS of Texas. Mr. Speaker, the last official paper signed by President Franklin D. Roosevelt was a proclamation designating May 22 as National Maritime Day.

Today I rise to once again recognize the patriotism and bravery of this Nation's merchant

mariners. On May 22 of this year, the surviving crew of the S.S. *Soreldac* will be celebrating 50 years since they sailed out of Mobile, AL, to defend the United States during World War II.

The Merchant Marine has always been a strong asset to this Nation's national defense. I am pleased to be able to recognize the great men of World War II who entered the merchant marine and went to sea to fight for our country.

The battles that took place in the Atlantic Ocean were pivotal to the outcome of World War II. The heroism of the merchant seamen is well documented throughout the war, and was instrumental in our victory against the Axis powers.

We owe these merchant mariners a great debt: during World War II, 733 U.S. merchant ships were sunk by Axis powers and 5,638 officers and men of the merchant marine lost their lives. Seventeen hundred United States-flag merchant ships served as part of the U.S. Navy and thousands others, though not "in uniform," also contributed directly and indirectly to the war effort by hauling the goods and supplies needed by U.S. industry and by United States and allied forces overseas.

Since World War II, the merchant marine has been called upon in every major conflict, including the Korean war, the Vietnam war and the Persian Gulf war. In each case, the merchant mariners have served with distinction and have aided their country in defending freedom and democracy.

I ask my colleagues to join me in taking a moment on May 22 to remember those who sacrificed so that we might enjoy the freedoms and privileges that we too often take for granted.

#### HONORING GENE SISNEROS

#### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. RICHARDSON. Mr. Speaker, it gives me great pleasure to publicly praise Raton, NM, resident Gene Sisneros, winner of the 1993 New Mexico Distinguished Public Service Award.

Mr. Sisneros has served as Colfax County assessor for the last 8 years. In addition to his government service, Gene has undertaken an active political life having served as chairman of the Colfax County Democratic Party since 1976.

In the 24 years of the Distinguished Public Service Award Program, only 226 New Mexicans have been bestowed this prestigious honor. Gene is one of these honorees and I am proud to call him a good friend, a fellow public servant, and a great American.

I call to my colleagues' attention a news article which appeared in Gene's local newspaper, the Raton Range. I also urge my colleagues to join me in paying special tribute to Gene Sisneros, New Mexico's latest Distinguished Public Service Award winner:

SISNEROS RECOGNIZED FOR SERVICE

(By David Wasserstrom)

As a dedicated public servant and Democratic Party leader, Gene Sisneros has

worked through the years for the betterment of Colfax County and its residents.

Recently, though, he has garnered some official recognition for his efforts.

Sisneros was one of eleven 1993 recipients honored last week with the New Mexico Distinguished Public Service Award, presented to those whose service extends beyond traditional boundaries.

"It's a real honor," said Sisneros. "There aren't a lot of people who have received this in the past, so it really means something to me."

1993 marks the 24th anniversary of the service awards program. In that time, 226 New Mexicans have been recognized for their outstanding contributions to public service. Program sponsors quote President John F. Kennedy when outlying recipient characteristics:

"Let the Public Service be a proud and lively career."

No one can deny Sisneros' career that claim. As Colfax County Assessor for eight years and Deputy Assessor for three years, Sisneros lends a unique and professional tenor to assessment procedure and gives the county courthouse a lively appearance in his presence.

"We've worked hard to bring county valuation up while bringing mill levies down," he said. "I really enjoy working with the people to make this a better place."

Recently, Sisneros was also re-elected as Colfax County Democratic Party chairman during party meetings last month.

Sisneros has served as county chairman since 1976 and said he looks forward to many more years of democratic service.

"The state democratic party has always been political in a positive sense," he said. "Locally, we try to do whatever is good for the county and help the people here as much as we can."

Sisneros said party membership in the county has remained stable since 1976, but he sees President Clinton's rise in politics as a signpost to greater interest in the party and its objectives.

The Democratic Party acts locally to represent county democrats and lobbies in Santa Fe for the party agenda. As chairman, Sisneros represents Colfax County at all state sponsored democratic functions. He also belongs to the State Democratic Committee and participates actively on that level.

"The party here in Colfax County is united and well run," he said. "We are recognized on the state level, and that helps get our agenda across to the representatives."

Sisneros said the party plans on hosting a social function with state representatives sometime this summer in an effort to boost interaction between the representatives and their constituents.

Sisneros was born in Ocate, N.M. in 1943. He moved to Raton shortly after and has remained here all his life.

"This is a super place to live," he said. "The people here are what really make it special."

#### SUPPORT OF ITW SHAKEPROOF MILWAUKEE

#### HON. THOMAS M. BARRETT

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. BARRETT of Wisconsin. Mr. Speaker, I would respectfully submit for the RECORD my

testimony this morning before the U.S. International Trade Commission in support of ITW Shakeproof-Milwaukee.

Later this year, the U.S. Congress will address two very important international trade issues. That is, extending MFN status to People's Republic of China and of course, the controversial North American Free-Trade Agreement.

I support international free trade in general, but at the same time I emphatically believe that international competition must be fair and comply with laws of international trade. We must value and retain the remaining American industries and fight against unfair trade practices that harm our labor force and destabilize our economy.

TESTIMONY OF HON. TOM BARRETT BEFORE U.S. INTERNATIONAL TRADE COMMISSION IN SUPPORT OF ITW SHAKEPROOF-MILWAUKEE, MAY 13, 1993

Good morning, Mr. Chairman and members of the Commission. I am Tom Barrett, and I represent the 5th Congressional District of Wisconsin in the U.S. Congress. I would like to thank you for the opportunity to testify this morning to express my concern about a business in my district, the Shakeproof Industrial Products Division of ITW, and to learn about how the Commission conducts its investigation under the Antidumping Act.

I am aware that the Antidumping Act is complex and I am confident that the Commission will issue a decision based on its expertise.

I am here today to bring to the attention of the Commission my constituents' concern about unfair international trade practices affecting their lives and to explain to you the importance of Shakeproof to my district and the Milwaukee community.

My constituents have repeatedly asked me in their letters and in my town hall meetings about jobs—particularly stable well paying jobs. I share their concerns that creating and, most importantly, maintaining good jobs in the United States is critical to our economic growth and stability. It is important both for individual workers and for the maintenance of our competitive edge in today's global economy.

To me, Shakeproof represents the kind of industry my district needs, with the kinds of jobs we want to maintain and increase. I also know from both a political and a business perspective that it is much easier to maintain jobs than to create them.

The mellowes plant, which Shakeproof purchased in 1991, has been in Milwaukee for 37 years. While Shakeproof is a relatively small operation employing roughly 70 workers, these workers are extremely productive in today's competitive international market. With just 70 employees, Shakeproof produces billions of lockwashers every year. In 1991, they manufactured approximately over 3 billion lockwashers using American materials and American workers. According to Shakeproof, these workers are among the most efficient producers of lockwashers in the world.

This week, I had the opportunity to visit the plant and meet the hard working employees of Shakeproof. I was impressed by their obvious dedication to the production of a quality item. Like many Milwaukee workers, Shakeproof's employees are concerned about unfair trade practices, but they are confident that they can be the most efficient producers in the world, once the playing field is leveled.

Not only do the workers produce for the U.S. market, they also export. Beyond its 70 production workers, the company indirectly provides jobs in and around Milwaukee for hundreds of other workers, including its accountants, electricians, the health care providers who care for its employees. Another example of Shakeproof's indirect job-creation activities is the creation of downstream work like the plating of finished lockwashers. These Milwaukeeans also have a large stake in the outcome of this case.

The problem facing Shakeproof and other American companies is how to compete with unfairly priced imports. Under the anti-dumping law, the Commerce Department has the authority to decide whether imports are priced below fair market value. The Commission also decides whether the below-fair-value imports are injuring U.S. industries. I understand the Department of Commerce has already found that imports from Taiwan are unfairly priced. China's import prices, measured on a per pound basis, have ranged from 35 to 40 cents per pound. ITW-Shakeproof's prices, on the other hand, have varied from 60 to 78 cents.

As a Member of the House of Representatives, I support international free trade in general, but at the same time I emphatically believe that competition must be fair and that the game must be played according to the laws of international trade.

Mr. Chairman, I want to leave you with my central point. ITW-Shakeproof in Milwaukee, Wisconsin is essentially the sole U.S. manufacturer of helical spring lockwashers. Since 1980, all other U.S. competitors, for various reasons, have been forced out of the helical spring lockwasher business.

With growing political attention focused on international trade and the "global economy," it is easy to lose sight of the supreme importance of rewarding and encouraging our own labor force. The employees of the ITW-Shakeproof plant reflect the character and work ethic in Milwaukee, and we need to do everything we can to protect important jobs at home.

I would like to again thank the chairman and members of the Commission for giving me the opportunity to speak. On behalf of my constituents, I look forward to learning more about the activities of the ITC and relating this information to them.

#### SALUTE TO THE CALIFORNIA CENTRAL COAST WORLD TRADE CENTER ASSOCIATION

##### HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. GALLEGLY. Mr. Speaker, I rise today to honor a growing organization in Ventura County, CA, which is working hard to build international trade links.

The California Central Coast World Trade Center Association is a public-private partnership that is opening doors to economic development through international trade. The rapidly growing Oxnard-based center, now in its eighth year, provides information, communication services, and trade assistance to companies in the central coast region from Malibu to Monterey, and as far east as Kern County.

International trade is vital for America's economic well being, and that's especially true

along the Pacific rim. Nearly 60 percent of California's real economic growth last year came from exports, and trade creates jobs both directly and indirectly.

Business leaders in Ventura County, and elsewhere along the central coast, recognize this. The expansion of the Port of Hueneme, in which I am proud to have played a role, is just one of many examples of how our region is looking over the horizon for new markets and new opportunities.

That is why I am pleased to help salute the California Central Coast World Trade Center as it prepares to commemorate World Trade Week, which was first initiated in 1926 by the Los Angeles Chamber of Commerce and first observed nationally by the proclamation of President Roosevelt in 1935.

As part of its observance of World Trade Week 1993, the California Central Coast World Trade Center will be holding a conference, entitled "Economic Revitalization Through International Trade." A key component of the conference will be an unprecedented matchmaking meeting between trade commissioners and consul generals from more than 20 countries and participating businesses, cities, and counties throughout the central coast.

The program also will include presentations on a variety of topics, including defense industry conversion, the North American Free-Trade Agreement, and the basics of exporting—all important issues for the Nation and especially for southern California.

Mr. Speaker, I urge my colleagues to join me in commemorating World Trade Week 1993, and in saluting the California Central Coast World Trade Center Association for the outstanding job it is doing in promoting exports and job creation in the region.

#### COMMEMORATING THE 73D ANNI- VERSARY OF POLICE AND FIRE- MEN'S POST 303 OF THE VETER- ANS OF FOREIGN WARS

##### HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. SANTORUM. Mr. Speaker, it is with great pride that I rise today to recognize the outstanding history of community service of Pittsburgh's Police and Firemen's Post No. 303 of the Veterans of Foreign Wars.

This post, one of the oldest VFW posts in America, was originally organized in December 1919 by Pittsburgh Police and Firemen returning from service in the First World War. Among its members have been men who have served with honor in American conflicts from the Spanish-American War through Vietnam.

Throughout its early years, Post 303 was noted in the Pittsburgh area for its large uniformed marching band. More recently, the post's contributions have been in the form of generous donations to veterans hospitals, most notably the veterans hospitals library service. Through benefit shows and dances, Post 303 has raised more than \$87,000 for VA medical centers in the last 9 years alone.

In addition, Veterans of Foreign Wars, Post 303 has been known for its dedication to

youth activities, the Buddy Poppy program, the Boys Clubs of America, the Boy Scouts of America, Junior Olympics, and the junior rifle clubs of the National Rifle Association.

Mr. Speaker, I am particularly pleased to recognize the contributions of a constituent of mine, post commander Louis Drogoski; and the officers of Post No. 303, Constantine J. Knox, John J. Pearce, Robert C. Lang, Peter H. Turrill, Jr., Andrew A. Mammarelli, Albert H. Magnotta, and John F. McMahon.

The members of Veterans of Foreign Wars, Post 303 celebrate their 73d anniversary this year, and I salute them for their commitment to serving both America's veterans and the youth of Pittsburgh.

#### THE SMALL BUSINESS 503 LOAN REFINANCING ASSISTANCE ACT

##### HON. RONALD K. MACHTLEY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. MACHTLEY. Mr. Speaker, I rise today to announce the introduction of the Small Business 503 Loan Refinancing Assistance Act of 1993.

The 503 Loan Program, now discontinued, was created under the Small Business Investment Act of 1958 to promote small business development through long-term moderate-rate financing. In this program, the Small Business Administration loaned money to small businesses through certified development companies at what was considered at the time reasonable market interest rates.

However, interest rates declined over the last few years, leaving businesses enrolled in the 503 program with high interest loans. Some of the interest rates on these loans are as high as 15 percent. When small business owners try to pay off their loan early in order to take advantage of the market's lower interest rates, they must pay a prepayment premium—or what some people call a prepayment penalty—in order to get out of the loan. Some businesses are paying penalties in excess of \$150,000.

There is nothing remotely comparable to the 503 prepayment provision in the commercial banking industry.

There are 57 outstanding 503 loans the State of Rhode Island worth \$14,197,000. Throughout the Nation some 3,700 small businesses are effected by this problem. One of my constituents, Dan McKee, owner of Woonsocket Health and Racket Club, estimates that if he were to prepay his 503 loan, he would have to pay somewhere between \$35,000 and \$40,000 in penalties alone.

It seems to me, Mr. Speaker, that if small businesses were given an opportunity to refinance their loans at today's lower interest rates, they would be able to expand, create new jobs and finance the many alterations to their businesses required by Government regulation. In short, any money which might be lost to the Treasury would surely be offset by lower unemployment rates and the increased tax revenues paid by 503 borrowers.

Today I am introducing the Small Business 503 Loan Refinancing Assistance Act, along

with RON WYDEN and a number of our colleagues, in an effort to solve this problem which is unique to the 503 program. This bill would allow participants in the 503 Loan Program to prepay their 503 loan based on a more equitable formula or allow borrowers a reduction of the interest rate on their loan. This reduction, to be decided by the Treasury Department, would be calculated by the market rate of Government Treasury notes plus 4.5 percent. Interest rates would be between 8 and 12 percent.

Mr. Speaker, lately everyone is talking about small businesses and their ability to employ workers and invest in the community. With small businesses creating two of every three new jobs, producing 40 percent of the Nation's gross national product and inventing more than half of our country's technological innovations, it is important that entrepreneurs are able to reinvest in their ventures. If we are genuinely interested in helping these small companies, let's start by correcting a problem that has plagued many businesses and prevented them from making investment and expansion possible. I encourage my colleagues to cosponsor the Small Business 503 Loan Refinancing Assistance Act.

THE ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT ACT

HON. GERRY E. STUDDS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. STUDDS. Mr. Speaker, today I am introducing legislation that will improve the conservation and management of our valuable nearshore fisheries along the Atlantic coast. The Atlantic Coastal Fisheries Cooperative Management Act of 1993 will create a partnership between the States and the Federal Government to protect and rebuild these troubled stocks.

No one can dispute that many of these stocks, and the commercial and recreational fisheries that rely upon them, are facing a bleak future. Total landings of weakfish have declined by 85 percent in the past decade. Total landings of summer flounder have dropped by 70 percent in just the past 4 years.

The Atlantic States Marine Fisheries Commission—which is comprised of representatives from each of the 15 Atlantic coast States—has written conservation and management plans for many of these species. Unfortunately, a number of the plans have not been fully implemented by the States. The sad result is that stocks continue to decline and in the meantime, a disproportionate share of the conservation burden is carried out by States like Massachusetts that have done their part to implement the plans. This situation cannot continue.

Faced with a similar crisis in 1984, I authored the Striped Bass Conservation Act, which is widely credited with bringing the striped—or rockfish—back from the brink of extinction. Today, fisheries such as weakfish and summer flounder may actually be in worse

shape than the striped was in 1984. We must do for these species what we did for the stripers back in 1984.

The Atlantic Coastal Fisheries Cooperative Management Act would authorize a cooperative effort between the States and the Federal Government to ensure that everyone does their fair share in conserving these species. While the responsibility for managing coastal fisheries would remain with the States and the Commission, the legislation provides the States with access to the resources of the Federal Government to enforce Commission rules, encourage the implementation of conservation measures, and provide financial assistance to facilitate these efforts.

For years, our small coastal communities have relied on the sea's resources for their livelihoods and recreation. With the passage of this legislation it is my hope that the sport fishermen on Martha's Vineyard will once again have a viable weakfish fishery, that the commercial fishermen on Cape Cod will see the return of the summer flounder, and that fishermen all along the coast will reap the benefits of a coordinated conservation and management program.

INTRODUCTION OF THE MADRID PROTOCOL IMPLEMENTATION ACT

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. HUGHES. Mr. Speaker, today I, along with Mr. MOORHEAD, am introducing the Madrid Protocol Implementation Act. This legislation is introduced in anticipation of the United States becoming a member of the Madrid protocol, an agreement concerning the international registration of trademarks.

The United States has never belonged to an international trademark registration system. The United States has been involved in negotiations concerning a protocol to the Madrid agreement which established an international registration system for trademarks. The registration system is presently administered by the International Bureau of the World Intellectual Property Organization. The protocol resolves a number of provisions contained in the Madrid agreement which were not favorable to trademark owners in the United States and did not fit under existing United States trademark law.

Although the protocol must still be finalized, the Madrid Protocol Implementation Act is being proposed now so that a full and complete public discussion can be conducted on the provisions and how it will impact the public, trademark owners, and the Patent and Trademark Office operations. The protocol is expected to provide significant advantages for U.S. trademark owners by permitting ease of registration in countries other than the United States to receive the full protection of their trademarks in those countries.

TRIBUTE TO SACRED HEART PREPARATORY SCHOOL GIRLS BASKETBALL TEAM

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Ms. ESHOO. Mr. Speaker, I rise today to honor Sacred Heart Preparatory School girls basketball team on the occasion of their winning the California Division 5 State championship.

The team members are seniors Wendy Miller and Elizabeth Rizzo; juniors Heidi Brady, Alexis Felts, Shawna Franceschini, Whitney Gould, Debbie Walery, and Elizabeth Walton; sophomores Jennifer Harris and Kobie Kennon; and freshman Lajwan Robinson. The head coach is Mike Ciardella and the assistant coach is Dan Greenleaf.

The team's final rankings place it No. 1 in San Mateo County, No. 1 in northern California, No. 1 in Division 5, and No. 4 in all divisions in California. The team won the Sacred Heart Gator Classic, the Branson Tournament, the Santa Barbara Tournament of Champions and the Archbishop Mitty Tournament. They were undefeated in their 37 game season and are girls private school champions. Their 37 wins are the most by any girls team in State history.

Mr. Speaker, I am proud to honor the Sacred Heart Preparatory girls basketball team and Sacred Heart School. I am pleased to have this opportunity to congratulate the players and coaches on the occasion of their becoming State champions.

U.S. HOLOCAUST MEMORIAL MUSEUM DEDICATION—SPEECH OF CHELSEA LANTOS-SWETT

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. LANTOS. Mr. Speaker, perhaps the key audience to whom the recently dedicated U.S. Holocaust Memorial Museum is directed are our children and our grandchildren. This wonderfully executed but deeply disturbing museum has been erected both as a memorial to honor those who were consumed in the flames of the Holocaust and as a warning to future generations of Americans of the consequences of unbridled racism, religious intolerance, and national hatred.

It is most significant that, in addition to the permanent exhibition at the museum, there is a special exhibit—"Remember the Children"—which commemorates the more than 1 million children who died in the Holocaust and also provides a presentation aimed at children so that they can understand the experience of children who suffered in the Holocaust.

Mr. Speaker, on the afternoon of the dedication of the Holocaust Museum a special program was held to dedicate the "Remember the Children" exhibit and to provide a focal point for participation of young people in the dedication of this outstanding museum.

Among the young people who participated in that event was my 10 year-old granddaughter Chelsea Lantos-Swett—the daughter of my daughter Katrina and her husband, our distinguished colleague from New Hampshire, Congressman DICK SWETT.

At the children's program, Chelsea read a letter she had written expressing gratitude to Raoul Wallenberg—the Swedish diplomat who saved the lives of as many as 100,000 Hungarian Jews during the dark days of 1944. This heroic man risked his life to save the lives of tens of thousands whom he did not know, simply because they were fellow human beings. It was most appropriate for my granddaughter Chelsea to write and read that letter since it was only through Wallenberg's dedicated and selfless action that my life and the life of my wife Annette were saved.

It was also appropriate, Mr. Speaker, to honor Raoul Wallenberg at this dedication of "Remember the Children." The exhibits at the Holocaust Museum not only highlight the brutality and callous disregard for human life, but they also reflect the occasional heroic willingness of non-Jews to risk their lives in order to save another. It is appropriate that the street upon which the Holocaust Museum is located has been named "Raoul Wallenberg Place" by act of Congress.

Mr. Speaker, I include Chelsea Lantos-Swett's letter in the CONGRESSIONAL RECORD.

**NARRATOR:** There is a Hebrew saying that "He who saves one life, saves the universe."

The Nazis' campaign of terror spread while millions stood silent fearless people throughout Europe of all religions and backgrounds risked their lives to act as rescue the victims of the Holocaust. They had the courage to care, some whom we will never know. Those known are called the "Righteous Among the Nations."

Some rescuers risked their lives for an hour, some for the duration of the war. Some saved one Jew, others saved thousands. What all the rescuers have in common is an inability to avert their eyes to the tragedy of others. They could not look the other way.

On behalf of the unheralded rescuers, we will hear from Chelsea Swett, the granddaughter of Congressman and Mrs. Tom Lantos and daughter of Congressman Dick Swett.

**DEAR MR. RAOUL WALLENBERG:** I have wanted to write you a letter for a long time. My grandparents talk about you all the time. They tell me stories about how you saved hundreds of thousands of people in Hungary from the Nazis and their concentration camps.

You are a hero. Sometimes I think and wonder what happened to you. Grandfather says that it has been almost fifty years since anyone has heard from you. Still, no one can forget what you did and how brave you were.

My grandparents told me that you were very shy and modest. I can't believe that you were ever shy. My grandparents have told me how tough and strong you were against the Nazis. They said that, representing Sweden, you would walk up to people on their way to the camps and with a handful of fake passports you would hand them out and say "Of course you're Swedish. Here's your passport." and you'd take them away to safety. You had houses where you would hide these people and they were safe because you flew the Swedish flag over the homes. My grandparents said that you even went onto the death trains and pulled people into safety.

Most of all you are my hero because you saved my grandparents. You gave my grandfather a passport so he could escape the Nazis in Hungary. My grandfather is now a Congressman in the United States and he will never forget what you did for him and thousands of others. He worked to pass a law in the Congress saying that you are an honorary citizen of the United States. My grandmother also escaped from Hungary with a Portuguese passport. She, along with my mom, organized a committee to find you after you disappeared. After a long time of looking hard, they still could not find you.

That is why you are a hero to me. That is why you are a hero to so many others. You stood up to the Nazis and did what was right. You saved thousands of lives, because you were brave and courageous. Now, a museum for the Holocaust is being dedicated in Washington, DC and it is on a street named for you, Raoul Wallenberg Drive.

There are so many of us who owe so much to you. For all of us, I say thank you for all you did. Thank you.

Your friend,

CHELSEA SWETT.

INTRODUCING THE INTERNATIONAL NONPROLIFERATION SAFEGUARDS REFORM ACT OF 1993

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. STARK. Mr. Speaker, today I am introducing legislation to strengthen the International Atomic Energy Agency [IAEA] nonproliferation safeguards. The IAEA is the U.N. agency charged with verifying that civilian nuclear facilities around the world are not being used for military purposes. It is our first and most important line of defense against nuclear proliferation.

But historically, the IAEA has not been given the political, financial, or technical support necessary to adequately verify that countries do not have clandestine nuclear weapons programs. As a result, the Agency failed to uncover Saddam Hussein's elaborate nuclear bomb program.

The IAEA has been more effective at flushing our North Korea's nuclear ambitions, leading the Democratic People's Republic of Korea to announce its intention to withdraw from the Nuclear Nonproliferation Treaty [NPT]. But crucial tests lie down the road—can the IAEA adequately inspect all of Iran's nuclear activities? Can the Agency safeguard the bulk-scale plutonium reprocessing facilities due to come on line in Europe and Japan? Does the IAEA have the resources to safeguard all of the nuclear facilities in the Soviet successor states once those nations join the NPT?

My legislation, the International Nonproliferation Safeguards Reform Act of 1993, provides additional resources for the IAEA to address these challenges, but makes the added funding contingent on the IAEA carrying out reforms to strengthen the effectiveness of its safeguards activities. We cannot allow the next Saddam Hussein to actually acquire the ultimate terrorist weapon.

INTRODUCTION OF THE RECREATIONAL CAMP SAFETY ACT

**HON. CHRISTOPHER SHAYS**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. SHAYS. Mr. Speaker, today I am pleased to introduce the Recreational Camp Safety Act.

For more than 20 years Congress has failed to pass any legislation to address the lack of minimum safety standards to protect children at camps. In that time, hundreds more children have been hurt or killed in camping accidents.

The sad fact is that we cannot know exactly how many or if any of those accidents were preventable. There are no Federal safety standards to protect children when they are at camp and almost no information of the number of types of accidents suffered by children. In fact, many accidents are never reported at all.

Parents have the right to know that when they entrust the health and safety of their children to a camp, their children will receive proper supervision by trained professionals in a safe environment.

The Recreational Camp Safety Act will require the Secretary of Health and Human Services to collect data regarding injuries occurring at camps. Two years after enactment, the Secretary will submit an analysis of the data of the President, Congress, the National Association of Governors, and the National Association of State Legislators. Included in the report will be an evaluation of whether the incidents could have been prevented through increased oversight, regulation or enforcement of existing laws.

The legislation will also call upon the President to establish a council known as the President's Advisory Council on Recreational Camps. The council will develop model safety guidelines for recreational camps. It will also consider how the States can be encouraged to adopt the model guidelines.

There are far too many examples of children who have been injured or killed because of a lack of basic safety precautions at recreational camps. It is time for Congress to finally take steps to protect our children.

I urge my colleagues to pass the Recreational Camp Safety Act soon before any more of our children are injured or killed in preventable accidents.

TRIBUTE TO PRESIDENT LEE TENG-HUI OF THE REPUBLIC OF CHINA ON TAIWAN

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. BURTON of Indiana. Mr. Speaker, among the leaders in the world, few are as impressive as President Lee Teng-hui of the Republic of China on Taiwan. With the assistance of his Premier, Dr. Lien Chan, and his Foreign Minister, Dr. Frederick Chien, President Lee has fully made Taiwan's presence felt in the world.

Taiwan impresses the world with its economic strength. Taiwan is an economic powerhouse, with a total trade volume of \$153 billion in 1992 and a current foreign reserve in excess of \$80 billion. Politically, it is moving toward a full democracy. Its people enjoy all the political freedoms that we enjoy in the West. Furthermore, Taiwan ranks as our sixth largest trading partner and maintains a strong relationship with our Government and people.

On the eve of President Lee Teng-hui's third anniversary in office which is May 20, 1993, this Member sends President Lee and his people warmest congratulations and best wishes.

INTRODUCTION OF NATIONAL YOUTH SPORTS PROGRAM DAY

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. ROEMER. Mr. Speaker, today I am pleased to introduce, along with 30 of my colleagues, a joint resolution designating July 1, 1993, as National Youth Sports Program Day. In 1993, the National Youth Sports Program [NYSP] will celebrate 25 years of helping economically disadvantaged youths gain opportunities and personal development through sports instruction and athletic competition. This joint resolution recognizes the accomplishments of NYSP in encouraging thousands of disadvantaged youngsters to break the cycle of poverty and attain a better existence for themselves and their families.

I am frequently reminded of the youngsters that come each summer to my alma mater, the University of Notre Dame. Hundreds of young people between the ages of 10 and 16 participate in a host of activities, including sporting events, drug education, citizenship seminars, and instruction in good health practices. The young people also become acquainted with career and educational opportunities, and many receive their first exposure to a college campus. Throughout the program, youngsters are shown that it is possible to transcend their surroundings through education and by avoiding the dangers of drugs and alcohol.

More than ever, it is important that we offer services like the National Youth Sports Program to disadvantaged youngsters during their teenage years. As drugs and crime continue to ravage our inner-city youth, it is crucial that we encourage and recognize programs like NYSP that foster a desire for educational and personal achievement.

Mr. Speaker, NYSP has been a safety net for tens of thousands of disadvantaged young people. The program has done a remarkable job of building self-esteem and good citizenship in these youngsters, and I applaud the work and efforts of those who have made the National Youth Sports Program a ray of hope for our Nation's youth. I hope my colleagues will join me in recognizing NYSP's accomplishments and support this joint resolution.

TRIBUTE TO BISHOP ALFRED LEO ABRAMOWICZ

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize a very special man from the city of Chicago who will soon be celebrating a most solemn occasion. Bishop Alfred Leo Abramowicz will be celebrating his 50th anniversary as a priest and his 25th anniversary as an auxiliary bishop on June 13, 1993, at a Holy Mass at Holy Name Cathedral in Chicago.

Bishop Abramowicz has spent his entire life working for the people of Chicago. From his first assignment at Immaculate Conception BVM Parish in 1948 to his work throughout the years, he has touched the hearts and minds of the entire Chicago congregation.

Bishop Abramowicz has held numerous positions during the past 50 years. I am particularly pleased to mention his position as national executive director of Catholic League for Religious Assistance to Poland in 1960 and cochairman of the National Committee of National Czestochowa Trust Appeal. His efforts on this international level will forever be appreciated by the first and second generation immigrant families on the Southwest Side of Chicago.

Mr. Speaker, I am pleased to congratulate Bishop Abramowicz on this milestone in his life. May he have a joyous celebration and many more years of service to the people of Chicago. His dedication has never gone unnoticed. I speak for the entire Chicago community in thanking him for all he has done as a moral and spiritual leader.

IN HONOR OF CECIL PADILLA

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to Mr. Cecil Padilla, who retires this month after 33 years of dedicated service to the Pacific Gas & Electric Co. in Winters, CA. To truly honor Mr. Padilla, we need to recognize his contribution to PG&E, his significant community involvement, and his tireless humanitarian efforts.

Cecil Padilla, a native of Oroville, has enjoyed a long and successful career with PG&E since starting out in the gas department in 1960. Through many years of distinguished service, Cecil worked his way up in the company to his current position as manager. When PG&E offered Cecil the golden handshake as part of their effort to downsize the company, he seized this opportunity to pursue other interests.

Community involvement has been a priority for Cecil since he moved to Winters in 1977. We are all grateful for the 4 years he invested on the Winters Community Center project, with the authority entrusted to him by the city of Winters to oversee the venture and make de-

isions about the design in conjunction with the architect. The result of this effort has been a tremendous benefit to the area since the 1980 completion of the center.

It is apparent to anyone who knows Cecil that he has a genuine commitment to his work and receives great enjoyment from helping others. Traveling throughout the world to provide aid to poverty stricken areas, he has devoted many hours to various Rotary medical and agricultural missions and insists that such activities are self-serving. Mr. Padilla also served as a member of the Private Industry Council for Yolo County, CA, fostering economic development in the region.

As further evidence of his selfless nature, Cecil plans to continue his volunteer work upon retirement with a trip to Chile in August. He will accompany a team of doctors from La Paz, Baja California, as part of a medical survey mission.

Mr. Speaker, I ask my colleagues to join me today in commending Mr. Cecil Padilla for his many accomplishments and successful career. His efforts have greatly enriched the city of Winters and numerous people around the world. The Winters Chamber of Commerce celebrated Cecil's retirement on May 14, and I join his family and friends in wishing him continued success in the years to come.

TRIBUTE TO BRIG. GEN. ROBERT ROSE ON THE OCCASION OF HIS RETIREMENT FROM THE ARMY NATIONAL GUARD

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Ms. MOLINARI. Mr. Speaker, on May 29, 1993, a special celebration will take place in my district. On this evening, an outstanding citizen and soldier, Brig. Gen. Robert R. Rose, will be recognized on the occasion of his retirement from a remarkable career. A lifelong resident of Brooklyn, NY, General Rose retired from the Army National Guard on February 28, 1993, after 34 years of service.

General Rose's military career exemplifies and celebrates the tradition of the citizen soldier which traces its roots back to our Founding Fathers' fear of a standing professional army. Their apprehension ultimately led to the creation of a citizen militia made up of farmers, craftsmen, merchants, et cetera, who could be called away from their civilian lives to serve when needed.

Over the course of his career in the Army National Guard, Rose attended 18 military schools and performed in 17 different duty assignments. In only 24 years, he ascended from the rank of 2d lieutenant to brigadier general.

General Rose has demonstrated equal success in civilian life, where he presently works as vice president of operations and sales at the Bayside Fuel Oil Depot Corp. in Brooklyn, NY.

Mr. Speaker, quite often, the work of the National Guard is overshadowed by that of the U.S. Army and Army Reserves. Brigadier General Rose reminds us of the National Guard's

critical mission and the professionalism with which its members fulfill that mission. It is a privilege for me to have this opportunity to salute Brigadier General Rose. On behalf of the Brooklyn community, we thank him for his 34 years of selfless service to our community and our Nation.

### THE NEED FOR PRODUCT LIABILITY REFORM

#### HON. TOBY ROTH

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 17, 1993

Mr. ROTH. Mr. Speaker, I rise today to draw attention to a critical matter. The issue is the lack of uniformity in our product liability system that has led to an exorbitant number of liability cases. Our current product liability system is an irrational patchwork of varying State statutes and court rulings which cost the American consumer and make it difficult for American businesses to be globally competitive.

Product liability reform is crucial if America is to maintain its competitiveness. That is why I reintroduced product liability legislation that embodies the text of S. 640 from the 102d Congress. H.R. 1954, the Product Liability Fairness Act, will bring greater fairness to our product liability system by instituting distinct, uniform rules to govern some reoccurring issues that arise in product liability cases.

My product liability reform bill will protect both consumers and businesses by expediting the compensation of legitimate liability claimants. It will also help the United States maintain its competitive edge globally by creating a level litigation playing field that ensures that new U.S. products can come to market. Furthermore, the risk to our Nation's workers and businesses of plant closings due to excessive liability costs will be diminished.

In addition, this legislation will not hamper the ability of victims to seek and receive just compensation. This bill treats both the defendant and the plaintiff in an equitable manner. It does not cap damage awards or take away a jury's right to decide the size of punitive awards. Nor does my bill set up a defense for manufacturers of products that have been determined to be inherently dangerous or unavoidably unsafe.

I realize that some of my colleagues are a bit wary of this issue, but they must recognize that our Nation stands much to gain from product liability reform. My bill creates a rational liability system which will bring down costs for all consumers and provide the American public with the choice of products and services that they rightfully deserve.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily

Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

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

Meetings scheduled for Tuesday, May 18, 1993, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### MAY 19

9:00 a.m.

##### Armed Services

##### Force Requirements and Personnel Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and to review the 1994-96 future years defense program, focusing on the personnel compensation and benefits programs of the military services.

SH-216

##### Governmental Affairs

To hold hearings on the nomination of Sally Katzen, of the District of Columbia, to be Administrator of the Office of Information and Regulatory Affairs.

SD-342

##### Labor and Human Resources

Business meeting, to consider pending calendar business.

SD-430

##### Veterans' Affairs

Business meeting, to mark up S. 616, to increase the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and to consider other pending calendar business.

SR-418

9:30 a.m.

##### Appropriations

##### Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Labor.

SD-138

##### Armed Services

##### Nuclear Deterrence, Arms Control and Defense Intelligence Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Defense, and to review the 1994-1996 future years defense program, focusing on the Department of Energy's environmental restoration and waste management programs.

SR-232A

##### Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

##### Rules and Administration

To hold hearings on the Administration's proposals to reform campaign financing.

SR-301

##### Veterans' Affairs

To hold hearings to examine the Department of Veterans Affairs roles in geri-

atrics, gerontology and long-term care in the United States.

SR-418

10:00 a.m.

##### Appropriations

##### Defense Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Defense.

SD-192

##### Appropriations

##### Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the U.S. Fish and Wildlife Service, Department of the Interior.

S-128, Capitol

##### Banking, Housing, and Urban Affairs

To hold hearings on S. 924, to protect home ownership and equity through enhanced disclosure of the risks associated with certain mortgages.

SD-538

##### Commerce, Science, and Transportation

To hold hearings on S. 419, to provide for enhanced cooperation between the Federal Government and the United States commercial aircraft industry in aeronautical technology research, development, and commercialization.

SR-253

##### Environment and Public Works

To hold hearings on the nominations of David Gardiner, of Virginia, to be Assistant Administrator for Policy, Planning and Evaluation, and Steven A. Herman, of New York, to be Assistant Administrator for Enforcement, both of the Environmental Protection Agency, George T. Frampton, Jr., of the District of Columbia, to be Assistant Secretary of the Interior for Fish and Wildlife and Parks, and Rodney E. Slater, of Arkansas, to be Federal Highway Administrator, Department of Transportation.

SD-406

##### Foreign Relations

To hold hearings on the nominations of Mark Johnson, of Montana, to be Ambassador to the Republic of Senegal, and Marshall Fletcher McCallie, of Tennessee, to be Ambassador to the Republic of Namibia.

SD-419

2:00 p.m.

##### Armed Services

To resume hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and to review the 1994-1996 future years defense program.

SH-216

##### Foreign Relations

##### International Economic Policy, Trade, Oceans and Environment Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for foreign assistance programs.

SD-419

2:30 p.m.

##### Select on Intelligence

To hold closed hearings on proposed legislation authorizing funds for fiscal year 1994 for activities of the intelligence community.

SH-219

MAY 20

9:30 a.m.  
Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the childhood immunization program.  
SD-124

Rules and Administration  
Business meeting, to mark up S. 27, to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, S. 277, to authorize the establishment of the National African American Museum within the Smithsonian Institution, S. 685, to authorize appropriations for fiscal years 1994-1997 for the American Folklife Center, S. 345, to authorize the Library of Congress to provide certain information products and services at no cost, proposed legislation authorizing funds for fiscal year 1994 for the Federal Election Commission, and to consider other pending committee business.  
SR-301

10:00 a.m.  
Appropriations  
Defense Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Defense.  
SD-192

Appropriations  
District of Columbia Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the District of Columbia Court System and the Board of Education.  
SD-116

Appropriations  
Commerce, Justice, State, and Judiciary Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Small Business Administration and the International Trade Commission.  
S-146, Capitol

Appropriations  
Transportation Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Federal Aviation Administration's research, engineering, and development program.  
SD-138

Finance  
To hold hearings on the Administration's proposals to extend fast track authority for the Uruguay Round of Multilateral Trade Negotiations, and to extend the Generalized System of Preferences (GSP) program for 15 months.  
SD-215

Foreign Relations  
Business meeting, to consider pending calendar business.  
SD-419

Labor and Human Resources  
To hold hearings to examine proposals for comprehensive health care reform.  
SD-430

Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.  
S-5, Capitol

10:15 a.m.  
Banking, Housing, and Urban Affairs Securities Subcommittee  
To hold hearings on legislative and oversight issues in the securities markets

and related banking and futures markets.  
SD-538

1:00 p.m.  
Commerce, Science, and Transportation Surface Transportation Subcommittee  
To hold hearings on S. 839, to establish a program to facilitate development of high-speed rail transportation in the United States, and to examine current initiatives in high-speed ground transportation.  
SR-253

2:00 p.m.  
Appropriations  
Agriculture, Rural Development, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for Small Community and Rural Development, the Farmers Home Administration, the Federal Crop Insurance Corporation, the Rural Electrification Administration, and the Rural Development Administration, all of the Department of Agriculture.  
SD-138

Armed Services  
Military Readiness and Defense Infrastructure Subcommittee  
To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for military construction, proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense and the future years defense program, focusing on policy matters concerning the Department of Defense facility infrastructure, and the implementation of military base closures.  
SR-222

Indian Affairs  
To hold oversight hearings on the National Indian Policy Center.  
SR-485

4:30 p.m.  
Select on Intelligence  
To continue closed hearings on proposed legislation authorizing funds for fiscal year 1994 for activities of the intelligence community.  
SH-219

MAY 21

9:00 a.m.  
Appropriations  
VA, HUD, and Independent Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Housing and Urban Affairs, and certain independent agencies.  
SD-138

9:30 a.m.  
Environment and Public Works  
To hold hearings on proposals to establish a Federal program to encourage the development and use of environmental technologies.  
SD-406

10:00 a.m.  
Judiciary  
Constitution Subcommittee  
To hold oversight hearings to examine violence in television programming.  
SD-226

MAY 24

1:30 p.m.  
Appropriations  
Labor, Health and Human Services, and Education Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for the Pub-

lic Health Service, Department of Health and Human Services.  
SD-192

2:00 p.m.  
Appropriations  
Agriculture, Rural Development, and Related Agencies Subcommittee  
To hold hearings on proposed budget estimates for fiscal year 1994 for Market and Inspection Services, the Animal and Plant Health Inspection Service, Food Safety, and Agricultural Marketing Service, all of the Department of Agriculture.  
SD-138

MAY 25

9:00 a.m.  
Armed Services  
Force Requirements and Personnel Subcommittee  
To resume hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense and the future years defense program, focusing on personnel compensation and benefits programs.  
SH-216

9:30 a.m.  
Energy and Natural Resources  
To hold hearings on S. 544, to protect consumers of multistate utility systems, and an amendment to S. 544, to transfer responsibility for administering the Public Utility Holding Company Act of 1935 from the Securities and Exchange Commission to the Federal Energy Regulatory Commission.  
SD-366

Special on Aging  
To hold hearings to examine the security of retirement plans, focusing on investments, planning and fraud.  
SD-628

10:00 a.m.  
Environment and Public Works  
Clean Air and Nuclear Regulation Subcommittee  
To hold hearings on S. 656, to provide for indoor air pollution abatement, including indoor radon abatement, and S. 657, to authorize funds for indoor radon abatement programs.  
SD-406

Indian Affairs  
To hold hearings on the President's proposed budget request for fiscal year 1994 for Indian programs within the Department of Education, and the Administration for Native Americans.  
SR-485

2:00 p.m.  
Joint Organization of Congress  
To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.  
H-5, Capitol

2:30 p.m.  
Energy and Natural Resources  
Public Lands, National Parks and Forests Subcommittee  
To hold hearings on S. 273, to remove certain restrictions from a parcel of land owned by the city of North Charleston, S.C., to permit a land exchange, S. 472, to improve the administration and management of public lands, national forests, unites of the National Park System, and related areas, S. 548, to provide for the appointment of the Director of the National Park Service, S. 742, to establish the Friends of Kaloko-Honokohau, S. 752, to modify the boundary of Hot

Springs National Park, and S.J. Res. 78, to designate a segment of beach on Hog Island in Alabama as Arkasas Beach in commemoration of the 206th Regiment of the National Guard, who served during the Japanese attack on Dutch Harbor, Unalaska on June 3 and 4, 1942.

SD-366

3:30 p.m.

Agriculture, Nutrition, and Forestry

To hold joint hearings with the Committee on Indian Affairs to examine barriers to participation in the Food Stamp and other nutrition programs of the Department of Agriculture by persons residing on Indian lands.

SR-332

Indian Affairs

To hold joint hearings with the Committee on Agriculture, Nutrition, and Forestry to examine barriers to participation in the Food Stamp and other nutrition programs of the Department of Agriculture by persons residing on Indian lands.

SR-332

MAY 26

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the National Institutes of Health, Department of Health and Human Services.

SD-116

Armed Services

Nuclear Deterrence, Arms Control and Defense Intelligence Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and the future years defense program, focusing on chemical demilitarization and chemical defense programs.

SR-222

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

MAY 27

9:30 a.m.

Energy and Natural Resources

To hold hearings on the proposed Lower Mississippi Delta Initiative of 1993.

SD-366

Indian Affairs

To hold hearings on the proposed "Native American Grave Protection and Repatriation Act."

SR-485

10:00 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Veterans Affairs.

SD-106

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the National Highway Traffic Safety Administration, focusing on drunk driving.

SD-138

Foreign Relations

To hold hearings on the nominations of Marilyn McAfee, of Florida, to be Ambassador to the Republic of Guatemala, and William Thornton Pryce, of Pennsylvania, to be Ambassador to the Republic of Honduras.

SD-419

Joint Organization of Congress

To resume hearings to examine congressional reform proposals, focusing on floor deliberation and scheduling.

S-5, Capitol

2:00 p.m.

Indian Affairs

To hold hearings on the President's proposed budget request for fiscal year 1994 for Indian programs within the Indian Health Service and Environmental Protection Agency.

SR-485

MAY 28

10:00 a.m.

Judiciary

Immigration and Refugee Affairs Subcommittee

To hold hearings on S. 667, to revise the Immigration and Nationality Act to improve the procedures for the exclusion of aliens seeking to enter the United States by fraud, and on other proposed legislation on asylum issues, and to examine the implementation of immigration laws on preventing terrorism.

SD-226

JUNE 9

9:30 a.m.

Armed Services

To resume hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense and the future years defense program, focusing on the defense conversion and reinvestment program.

SH-216

2:00 p.m.

Armed Services

Nuclear Deterrence, Arms Control and Defense Intelligence Subcommittee

To resume hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense and the future years defense program, focusing on the Strategic Defense Initiative program.

SR-222

JUNE 10

10:00 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the National Aeronautics and Space Administration.

SH-216

JUNE 11

2:00 p.m.

Indian Affairs

To hold hearings on the President's proposed budget request for fiscal year 1994 for the Bureau of Indian Affairs.

SR-485

JUNE 16

9:30 a.m.

Indian Affairs

To hold hearings on the proposed "Indian Fish and Wildlife Enhancement Act."

SR-485

JUNE 18

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine waste, fraud, and abuse in the Government, and ways of streamlining Government.

SD-192

JUNE 21

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

1:30 p.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

JUNE 22

9:30 a.m.

Indian Affairs

To hold hearings on S. 925, to reform the accounting and management processes of the Native American Trust Fund.

SR-485

JUNE 24

9:30 a.m.

Indian Affairs

To hold hearings on the proposed "American Indian Religious Freedom Act."

SR-485