

## EXTENSIONS OF REMARKS

ROOFERS PROVIDE EXAMPLE OF  
FEDERAL OVER-REGULATION

HON. THOMAS W. EWING

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. EWING. Mr. Speaker, over 2 years ago I brought to the attention of my colleagues a column written by the National Roofing Contractors Association [NRCA] which appeared in the Wall Street Journal, "So You Want To Get Your Roof Fixed \* \* \*". This column detailed all of the Federal regulations which a roofer must comply with to perform a simple roof repair. This column, which I am including below, gave us a very vivid example of how just one industry is affected by excessive Federal regulations.

I am also including a recent letter I received from Mr. Charles E. Bechtel, president of the NRCA. Mr. Bechtel asked his staff to provide an updated version of "So You Want To Get Your Roof Fixed \* \* \*". What this effort showed is that, over 2 years later, there has been no change for the better and in fact the situation is getting worse. When Federal regulation should be shrinking, it is instead growing worse every day.

I encourage my colleagues to review the updated version of "So You Want To Get Your Roof Fixed \* \* \*", and join me in efforts to reduce costly and unnecessary Federal regulations.

NATIONAL ROOFING  
CONTRACTORS ASSOCIATION,  
Dayton, OH, July 28, 1994.

Hon. THOMAS W. EWING,  
House of Representatives,  
Washington, DC.

DEAR MR. EWING: Two-years ago, then-president of the National Roofing Contractors Association (NRCA), Richard Rosenow, wrote an article on federal regulations for fixing a neighbor's garage roof. On February 4, 1992, Mr. Rosenow's "So You Want to Get Your Roof Fixed. . . ." was run in The Wall Street Journal.

Today, I am president of NRCA and federal regulations are still growing unchecked. For example, the Occupational Safety and Health Administration is pursuing new regulations on reporting illnesses and injuries, hazard abatement notification and indoor air quality. It is formulating lead and fall protection standards, and will soon publish a massive regulatory proposal concerning "ergonomics."

There are also many new regulations from the Department of Transportation, Environmental Protection Agency, Department of Labor, and various other agencies and commissions. Furthermore, there are countless state and local regulations.

NRCA staff annotated, "So You Want To Get Your Roof Fixed. . . ." to see whether the regulations cited had been eased. I regret to tell you that not much has changed. We slightly altered the story to feature a school building, as opposed to a neighbor's garage,

but the regulations from the original remain applicable.

I've enclosed both the original and the annotated versions. We are grateful for your efforts in the fight against overregulation and hope that you will call our Washington Office at (202) 546-7584 if we can be of assistance.

Sincerely,

CHARLES E. BECHTEL,  
President, National Roofing  
Contractors Association.

Enclosure.

[From the Wall Street Journal, Feb. 4, 1992]

SO YOU WANT TO GET YOUR ROOF FIXED

(By Richard Rosenow)

Suppose you own a roofing business, and one morning you get a call from your neighbor, whose garage roof is leaking. He tells you that the roof is asphalt-based, and you agree to send a repair crew to try to fix it. In order to fully comply with federal regulations that are in effect today, you would have to:

First examine the roof to determine whether asbestos is present. There is a good chance that an asphalt roof will at least include asbestos-containing base flashings and cements; if they do, Environmental Protection Agency regulations will apply, and Occupational Safety and Health Agency regulations may apply.

It is very likely that you won't know from a visual examination whether asbestos is present. In that case, you will have to cut a sample from the roof, and patch it to avoid leaks at the point of the sample cut. You will then send the sample, after you have bagged it properly, to an accredited laboratory, and delay your repair work until the sample is analyzed. (In some states, only a certified abatement contractor is allowed to make this test cut.)

If you discover that asbestos is contained in the roof, you must:

notify the owner (your neighbor) in writing;

notify the EPA Regional Office (10 days prior to beginning work, which will mean your neighbor's roof will continue to leak);

be sure that at least one person on your repair crew is trained to satisfy EPA requirements;

conduct air monitoring on the job, once you are able to start work, to determine whether emissions of asbestos will exceed OSHA's action level. You can't do this, of course, until the 10-day EPA notification period has passed.

Once you begin any repair work, you will have to "adequately wet" the materials. EPA defines this as "thoroughly penetrating" the asbestos-containing material, which is an interesting concept for a waterproof material like asphalt. EPA also stipulates that there be no "visible emissions" on the job, even if you can demonstrate that the emissions contain no asbestos fibers.

You will then have to vacuum the dust generated by any "cutting" that you do, put it in double bags, and take it to an approved landfill.

You will also be responsible for prohibiting smoking on the job site, and are subject to fine if one of your employees lights up.

You will probably wonder why your neighbor will be asked to absorb all of the costs associated with these steps, since hundreds of test samples have shown no asbestos exposures above acceptable limits in roofing operations.

You must ensure that your crew is trained about any hazardous materials that they may encounter. (These will include the gasoline you use to power the pump on your roofing kettle.) You will also have to be sure that copies of the appropriate regulations at the work site, and that ask containers are properly labeled.

Your crew must also be thoroughly trained in handling these materials. This will be determined not by what steps you have taken to train them, but by why your employees tell the OSHA inspector who asks them what they have been taught.

Because you are transporting asphalt at a temperature above 212 degrees, so that your crew won't have to wait two or three hours at your neighbor's home for the asphalt to heat, you must:

Mark the side of your roofing kettle with a sticker that says "HOT" in capital letters;

Complete shipping papers before the truck leaves your yard;

Have emergency response procedures developed in the event the kettle should turn over en route to your neighbor's home;

Be sure that your driver has been drug-tested, and has a commercial driver's license;

Be sure that the driver completes his logs sheets for the day, and stops 25 miles after he leaves your yard to see if the load has shifted;

Be sure that your kettle has a hazardous material placard, in addition to the "HOT" sticker mentioned above.

Because your vehicle is being driven for work-related matters, you must be sure that the driver wears his seat belt, and has received driver training. If he does not wear his seat belt, of course, he will be fined.

Assuming you have met other OSHA safety standards, and are satisfied you will be in compliance with local and state regulations, it is now safe for you to begin. Your most dangerous act, however, is yet to come: presenting your neighbor with his bill, and explaining why your costs have increased so dramatically in the three years since these regulations have been promulgated.

SO YOU WANT TO GET YOUR ROOF FIXED  
(Annotated Version of 2/4/92 WSJ Article,  
Revised 6/21/94)

Suppose you own a roofing business, and one morning you get a call from the facilities manager at a local school, where the roof is leaking. He tells you that the roof is asphalt-based, and you agree to send a repair crew to try to fix it before school opens. In order to comply with federal regulations that are in effect today, here are some of the things you would have to do:

First, examine the roof and take samples to determine whether asbestos is present. There is a good chance that an asphalt roof will contain asbestos fibers, which have been embedded in asphalt, and which have been shown to remain in the asphalt even when

● 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 roof is cut into sections to be removed. If the roof is asbestos-containing, then Environmental Protection Agency and Occupational Safety and Health Administration Agency regulations will apply;<sup>1</sup> of course, they are different.

You will have to cut a sample from the roof, and patch it to avoid leaks at the point of the sample cut. You will then send the sample, after you have bagged it properly, to an accredited laboratory, and delay your repair work until the sample is analyzed.<sup>2</sup> (In some cases, only a certified asbestos abatement contractor is allowed to make this test cut.) You also need to examine the school's interior to make sure no asbestos would be disturbed by reroofing activities.

If you discover that asbestos is present, you must:

Notify the school in writing;  
Notify the EPA Regional Office 10 days prior to beginning work, which means that the leaks will continue;<sup>3</sup>

Be sure that at least one person on your repair crew is trained to EPA's satisfaction;<sup>4</sup>

Conduct air monitoring on the job, once you are able to start work, to determine whether emissions of asbestos will exceed OSHA's action level or permissible exposure limits.<sup>5</sup>

You can't do this, of course, until the 10-day EPA notification period has passed;

Once you begin repair work, mist the roof while you are cutting it, then vacuum up what you have cut, put this dust into bags, label the bags, carefully lower them to the ground via a hoist, crane or enclosed chute, and have them taken to an approved landfill;<sup>6</sup>

Ensure that your employees don't smoke on the job, recognizing that you—not they—will be fined if they do.<sup>7</sup>

You may wonder why the school should be asked to absorb all the costs associated with these steps, since hundreds of test samples have shown no asbestos exposure above acceptable limits in roofing operations.<sup>8</sup>

You must ensure that your crew is trained about any hazardous materials that they may encounter. (These will include the gasoline you use to power the pump on your roofing kettle.) You will also have to be sure that copies of the appropriate Material Safety Data Sheets are present at the work site, and that all containers are properly labeled.

Your crew must also be thoroughly trained in handling these materials. This will be determined not by what steps you have taken to train them, but by what your employees tell the OSHA inspector who asks them what they have been taught.<sup>9</sup>

Because you are transporting asphalt at a temperature above 212F degrees, so that your crew won't have to wait two or three hours at the school for the asphalt to heat, you must:

Mark the side of your roofing kettle with a sticker that says "HOT" in capital letters;<sup>10</sup>

Complete shipping papers before the truck leaves your yard;<sup>11</sup>

Have emergency response procedures developed in the event the kettle should turn over en route to the school;<sup>12</sup>

Be sure that your driver has been drug-tested and has a commercial driver's license;<sup>13</sup>

Be sure that your driver completes his log sheets for the day<sup>14</sup> and stops 25 miles after he leaves your yard to see if the load has shifted;<sup>15</sup>

Assuming you have met other OSHA safety standards,<sup>16</sup> and are satisfied you will be in

compliance with local and state regulations, it is now safe for you to begin. Your most dangerous act, however, is yet to come: presenting the engineer with the bill, and explaining why your costs have increased so dramatically in the three years since these regulations have been promulgated.

#### FOOTNOTES

<sup>1</sup>EPA NESHAP 40 CFR 61, 61.140 through 61.152 OSHA Asbestos Standard 1926.58, and proposed revisions.

<sup>2</sup>EPA Asbestos-Containing Materials in Schools 40 CFR Part 763—Asbestos Hazard Emergency Response Act (AHERA)—Under AHERA, Laboratories must be accredited and follow EPA requirements for analysis of bulk samples and/or air samples of asbestos.

<sup>3</sup>EPA NESHAP 40 CFR 61—61.145.

<sup>4</sup>EPA NESHAP 40 CFR 61—61.145 and EPA notice of guidance FR 46380, September 12, 1991.

<sup>5</sup>OSHA Asbestos Standard 1926.58 and amendment issued September 14, 1988.

<sup>6</sup>EPA NESHAP 40 CFR 61.145 and letter to Honorable Sonny Callahan, House of Representatives from EPA's John Seitz, Director, Office of Air Quality Planning Standards.

<sup>7</sup>1926.58 Amended February 5, 1990.

<sup>8</sup>"Exposure to Asbestos During Roofing Removal", SRI International and Fowler Associates, 1990.

<sup>9</sup>OSHA Hazard Communication Standard, 1926.59 and Safety Training, 1926.21.

<sup>10</sup>49 CFR Part 172.325 Elevated Temperature Materials.

<sup>11</sup>49 CFR Part 177.817 Shipping Papers.

<sup>12</sup>49 CFR Part 172.203(n) Additional description requirements.

<sup>13</sup>49 CFR Part 391 Subpart H—Controlled Substance Testing and Part 383—Commercial Driver's License Standards.

<sup>14</sup>49 CFR Part 395 Hours of Service of Drivers and 396.11 Driver's Inspection Report.

<sup>15</sup>49 CFR Part 392.9(b)(2) Safe loading.

<sup>16</sup>29 CFR 1926.21 Safety Training and education; 1926.500(g) Guarding of low-pitched roof perimeters; 1926.28 Personal protection equipment.

## NO NUKES FOR NORTH KOREA

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. STARK. Mr. Speaker, when the House further considers the Export Administration Act, I hope we will adopt a sense-of-the-Congress amendment I have proposed, against providing nuclear powerplants to North Korea.

Following is an op ed from today's Washington Post that makes some of the arguments against the idea of sharing light-water reactors with North Korea.

#### NO QUICK FIX ON KOREA

(By Victor Gilinsky)

The idea has gotten about that there is a neat technical fix to the threat posed by North Korea's homemade nuclear reactors. This involves replacing their reactors, which are fueled with natural uranium and geared to producing plutonium, with ones like ours, which are more "proliferation resistant." It was explained in the headline of a recent Post story: "U.S. to Dangle Prospect Reactor at N. Korea; Deal Would Allow Nuclear Plant for Electricity" [front page, July 7]. Jimmy Carter is said to have supported this idea in his talks with North Korea.

It was actually the North Koreans who came up with the offer to switch technologies. During U.S.-North Korean talks a year ago, they said they would rather have U.S.-style power reactors (called light-water reactors, or LWRs) than the outmoded ones they possess. Because the two reactors they are building would soon multiply their weap-

on potential many times, this offer by the North Koreans seemed almost too good to be true.

In a joint communique of July 19, 1993, the United States agreed that if the "nuclear issue" could be resolved finally, then it was "prepared to support the introduction of LWRs and to explore with the [North Koreans] ways in which LWRs could be obtained." A year later, the idea seems to be very much alive. The Post story cited above quotes a "senior U.S. official" as saying "the attitude is, if that's what they want, that's what we'll give them."

We had better stop and think.

Sure, it would be great if we would switch their nuclear plants into less threatening ones with a snap of our fingers. But the reality of such an exchange is more tangled than it might appear, and the attempt would likely do more harm than good.

To begin with, the United States to provide technology and assist with financing (North Korea is without funds or credit), the president would have to override our strict statutory standards for nuclear exports. He would have to make favorable findings about North Korea that, in effect, would make us accomplices to its violations of Nonproliferation Treaty inspection rules.

By thus buying off an international troublemaker, we would be giving the wrong idea to others similarly inclined (as well as to those who have played by the rules). The undermining of international nuclear export rules would not be lessened if we sent U.S. technology through another country with weaker export rules (South Korea has been mentioned), or (this is the latest proposal) if we paid the Russians to export their version of LWRs to the North Koreans.

In an era when we are extolling the virtues of the marketplace, it is also more than a little inconsistent to indulge the technological vanities of dictators for uneconomic prestige projects. A nuclear power plant of even modest size needs an infrastructure of people and equipment and a sizable and secure electrical grid that—from everything one hears—is lacking in the North. To develop these, to train large numbers of North Koreans and to build a plant would take most of a decade. Do we really want to do this?

If North Korea is willing to trade its outmoded nuclear plants for their modern electrical equivalent, then coal-fired plants make such more sense. And more than a new generation of nuclear plants, the North Koreans need to improve the efficiency of the way they transmit and use electricity. Such changes would be relatively cheap and would produce results much faster, perhaps within a year. Whether North Korea seeks genuine improvements or prefers an uneconomic prestige nuclear project is a test of its goodwill and judgment.

It will no doubt be argued that, given the nature of the North Korean regime, a prestige project from the West is exactly what is needed to get it off its dangerous course toward nuclear weapons. Moreover, the multi-year duration of the project—and its dependence on enriched uranium fuel, which North Korea would have to import from one of the advanced countries—would allow us to remain in control. The same factors would seem to give the North Koreans the incentive to hold up their end of the bargain.

Let us not, however, deceive ourselves. Barring a miraculous change in the regime (in which case the deal would be unnecessary), the North Koreans are not likely to give up their plutonium production potential

<sup>1</sup>Footnotes at end of article.

during the 10-year construction of replacement reactors. And they will likely want a sufficient stockpile of enriched uranium fuel so they will not be at our mercy when those reactors do operate.

Instead of being under our control, the project is likely to develop strong constituencies and to take on a life of its own. We should not imagine that we would be able to turn it off if the North Koreans did not keep their promises. If history is any guide, we would be the hostages, not the North Koreans.

In the end, what is wrong with the LWR proposal is that it presumes a level of goodwill on North Korea's part that, were it present, would obviate the need for the proposal. If the North Koreans are interested in electricity, there are much cheaper, better and safer ways to provide it. If they insist on a prestige nuclear project, we can be sure the deal is, in fact, too good to be true. There are no neat technological fixes to the present impasse. What is needed is change in North Korea.

#### TRIBUTE TO BRIAN EARLEY

### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. PACKARD. Mr. Speaker, I rise today to pay tribute to a truly outstanding athlete, Mr. Brian Earley of Aliso Viejo, CA. Mr. Earley recently competed at the U.S. Olympic Festival in St. Louis. He won a Silver Medal in the 1-meter springboard competition.

Mr. Earley has competed in numerous national and international competitions. He has been diving for 17 years and trains 2 to 5 hours per day.

His diving career is distinguished, with such accolades as qualifying first on the 1-meter springboard at the 1994 Alamo World Diving Trials, 1994 U.S. 1-meter champion, winner of the Phillips Performance Award at the 1994 Phillips 66 National Diving Championships, and 1994 and 1992 NCAA platform champion. He has also placed in international events such as the China Open, Four Nations Meet, and several other competitions. He has been a national team member in 1990, 1992, and 1994. He was trained by his father, Mr. Rick Earley, a former diving olympian.

Mr. Brian Earley recently graduated from the University of Southern California with a B.S. degree in business. I commend Brian for his achievements thus far and wish him the best in his future endeavors.

Mr. Speaker, I hope you and my colleagues will join me in recognizing the accomplishments of Brian Earley. It is my sincere belief that Mr. Earley will further distinguish himself in the sport of diving. I join friends and family who salute him.

#### INTRODUCTION OF REVENUE BOND AUTHORITY BILL

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Ms. NORTON. Mr. Speaker, today I am introducing legislation that presents a unique

and extraordinary economic opportunity for the District of Columbia. This bill offers this unprecedented opportunity through revenue bonding authority, including the authority to build a new convention center, as well as a new sports arena downtown. These are not only remarkable projects. In light of the District's need for revenue in the midst of a severe economic crisis, these projects are remarkably timed. These two buildings hold virtually the only promise for indispensable economic development for a city that otherwise faces an unprecedented and painful fiscal crisis. The bonding authority authorized in this bill will mark a critical step toward the revival of the economy of the District.

Today, the Washington Convention Center operates at a 90 percent occupancy range. In this year alone, the District will lose over \$80 million in economic impact because of the loss of shows that are too large for the present center. However, the new convention center will be three times the size of the current center. That translates into over \$2.8 billion in direct convention revenue for the District between 1998 and 2003. On the other hand, without the new center, the District will lose \$968 million in direct convention revenue by the year 2002.

A new sports arena also could not come at a better time for the District. Moving the arena from the Maryland suburbs to downtown Washington will result in more than \$100 million in net new spending in the District annually from people buying tickets and purchases from concessions at events, as well as patronizing restaurants in the area. The arena also will create a minimum of 540 full-time equivalent jobs in the city.

I strongly urge support for this legislation. It will help give the District of Columbia the tools to become again the master of its own economic destiny.

#### THE CLINTON PLAN—LABOR WITHOUT PAINKILLERS

### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. GINGRICH. Mr. Speaker, I rise today to submit into the RECORD a column which recently appeared in the Washington Times, written by syndicated columnist Mona Charen. It draws to your attention the importance of maintaining a proper perspective when considering a huge government overhaul of the health care system.

#### HEALTH CARE HESITATION \* \* \*

Recently, Senate Minority Leader Robert Dole, Kansas Republican, paused in the middle of a speech to issue a special thanks to the president and first lady for keeping the issue of health-care reform at the "front and center" of the nation's attention.

That is exactly what is wrong with the Republican Party. Sen. Malcolm Wallop, Wyoming Republican, captured the "Stockholm Syndrome" afflicting Republicans perfectly when he said that if the Democrats proposed legislation to burn down the Library of Congress, the Republicans would respond with a three-year phase-in.

Republicans are afraid of the popularity of health-care reform. Perhaps they are right. Perhaps even after they are given all of the facts, the American people will choose the Rube Goldberg, bureaucratic behemoth that the Clintons have advanced.

But the American people will certainly get no opportunity to make a sensible choice if Republicans roll over, failing to make any philosophical or practical arguments against reform.

If the Clinton proposal is a terrible idea, then it is silly for the Republican leader to thank the administration for proposing it. It's like Michael Fay thanking Singapore for keeping the law-and-order issue "front and center."

The leaders of the Republican Party have abdicated their role on health care, leaving it to private citizens to marshal that arguments. One such extraordinary individual is Dr. Gonzalo M. Sanchez of Sioux Falls, S.D.

Dr. Sanchez is a pilot, a hunter, a wildlife photographer, the father of four had a neurosurgeon who loves his adopted country and hates what the Clintons propose to do to it and to his chosen vocation. And so, Dr. Sanchez published two closely reasoned, fact-rich newspaper advertisements in the Sioux Falls Argus Leader about health care in America.

He took aim at the false premises on which the Clinton plan is based. Costs are not (surprise!) spiraling out of control. In 1990, according to Labor Department figures, health-care costs increased by 9.6 percent. By 1993, the rate of increase had dropped to 5.4 percent.

But costs are high. Is it because doctors, nurses and hospitals are greedy? Hardly. Costs are high because government-funded programs like Medicare and Medicaid create unlimited demand for medical services. Also, costs are high because medical care has become ever more sophisticated and effective. Patients, like heart-attack victims and premature infants, who only a few years ago would have died, now live and rack up health-care expenses.

Costs are high because America's social pathologies—specifically urban violence and illegitimacy—create special burdens for the health-care system. Illegitimate babies are far more likely to be low birth weight and therefore at greater risk for birth defects, illnesses and early death.

And finally, costs are high because American culture demands valiant efforts to preserve life, no matter what the cost. This sets us apart from other countries, like Germany, which does not fund life-prolonging treatment for the terminally ill.

What about the cost of imposing the Clintons' huge, bureaucratic octopus? When Medicare was introduced in the mid-1960s, Dr. Sanchez reminds us, President Johnson projected that its cost would reach \$8 billion by 1990. He was off by \$90 billion. The Clintons claim that their monster would cost \$700 billion. Expect that figure to be low as well.

That will mean higher taxes. Higher taxes will mean less economic growth. Less economic growth will mean more poverty. And more poverty will mean, you guessed it, fewer healthy Americans.

Why even talk of a massive overhaul of the best health system in the world when all that needs fixing are some gaps in insurance coverage? Because, argues Dr. Sanchez, the Clintons are not really concerned about improving your health care—their true aim is the vast enlargement of government authority that health reform would mean.

If they succeed, the most intimate decisions we make, like when to get a mammogram or a TPA test to screen for prostate

cancer, will be dictated by interest groups politics. In Canada, some women are being denied access to epidurals in childbirth, partly to save money and partly because feminists oppose them.

Labor without painkillers seems a pretty good metaphor for the Clinton health plan.

**NICHOLAS ROYCE, A DEDICATED  
ACTIVIST**

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. BERMAN. Mr. Speaker, I commend to my colleagues the following National Catholic Register article which depicts the activism Los Angeles film distributor Nicholas Royce has undertaken for the rights of Orthodox Christians in what has historically been the center of Eastern Christianity.

**CONSTANTINOPLE'S SON**

Background: Eastern Orthodox activist wages tireless campaign for the rights of Christian minorities in Turkey.

For Christians, not all roads lead to Rome. Some lead to Constantinople—Istanbul, as the Turks call it now. Reminding Americans of this simple historical fact and the reality that Christians are persecuted today in what has historically been the center of Eastern Christianity is the quest of Los Angeles film distributor Nicholas Royce.

"Rome has to look for its roots in the East," Royce argues, noting that present-day Turkey was for hundreds of years the Center of Christianity, including the site of ecumenical councils which brought leaders of both Western and Eastern Churches together.

Now, however, Turkey is dominated by Islam. And Moslem militants have made life difficult for the few thousand Christians who remain, most of whom are of Greek descent.

Under the leadership of Ecumenical Patriarch Bartholomeos, who as leader of the Church in Istanbul is considered the spiritual leader of 270 million Eastern Orthodox Christians worldwide, Christians in Turkey are quietly enduring a persecution which has continued for centuries, says Royce.

Even the Christian dead are not immune. In recent years, hundreds of Christian gravesites have been vandalized. And the Patriarch, who is among only 5,000 ethnic Greeks still residing in Istanbul, has been criticized by some Moslem militants for attempting to construct a "second Vatican" in an Islamic country.

Three years after his election as spiritual leader of the world's Orthodox Christians, Bartholomeos is planning to travel the world, meeting with Orthodox communities in Eastern Europe and joining in ecumenical discussions with Pope John Paul II and the Archbishop of Canterbury, among others.

Royce would like to see the Patriarch speak forcefully about the persecution of Christians in Turkey. Too often, he says, Orthodox Christians have tried appeasement and have failed to better their situation. "Our people are still being crucified," he stresses, noting that for centuries Orthodox leaders "have been very passive." "We need martyrs today," he says.

Royce has taken his campaign for the rights of Orthodox Christians to the United Nations and to every U.S. president since Jimmy Carter. He found that American Cold

War politicians were reluctant to offend Turkey, then considered a vital strategic U.S. friend on the Soviet border.

Royce is a tireless contributor to the religious press of all denominations as he attempts to generate outrage about the persecutions.

The activist recently persuaded the Los Angeles Council of Churches to petition the U.N. Human Rights Office in Geneva for the return of St. Sophia Cathedral in Istanbul, now a museum, to religious uses. The Council of Churches group also called for the reopening of seminaries and the return of Church property now administered by the Turkish government.

The campaign has not yet proven successful. But that hasn't stopped Royce.

Born in Bethlehem, Pa., as Nicholas Vlangas, he and his Greek-American family soon moved to Baltimore, where he was raised.

The Catholic youths in his neighborhood made fun of his Eastern Orthodox ways, recalls Royce, who is 68. Later he realized that responding to their taunts inadvertently helped him to learn more about his tradition.

"It was up to me not to become bitter but to study my culture and my traditions," he says.

At 14, he was entertaining American military troops and eventually he made a career as a nightclub singer and dancer, appearing on the Ed Sullivan show and other national network programs in the '50s. He changed his ethnic name like other big-name entertainers of that time.

But while his name changed, Royce never forgot his ethnic origins and his religious tradition. For years he helped wage an ultimately successful campaign to have Orthodox chaplains admitted into the American military.

"We had to educate the Christian world," Royce declares, saying that before his campaign the only groups allowed chaplains in the military were Catholics, Protestants and Jews. It took nine years to recognize the rights of Orthodox Christians in the military.

Next, he embraced the cause of Orthodox Christians in Turkey, inspired by the sight of devastated churches and shrines he saw on a trip there. That has proven to be a more difficult effort.

Ultimately, Royce wants to educate Roman Catholics—he emphasizes that Orthodoxy also embraces the "Catholics" term—to the spiritual links they have to the Eastern Church. Istanbul, formerly Constantinople, was for centuries one of the two great centers of the Church, sharing its role with Rome. "We were all united at one time," he emphasizes.

**HEALTH CARE REFORM**

**HON. LARRY COMBEST**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. COMBEST. Mr. Speaker, I would like to address some of my biggest concerns with the ongoing debate on health care reform.

I believe that the proposed Clinton health care reform plan mandating insurance coverage, in any of its many guises, would devastate the economy of this Nation.

Currently, many of the strengths of our economy are based upon "Mom and Pop" en-

terprises—small businesses. They employ an ever increasing number of workers, while the percentage of the employment provided by the great multinational corporations continues to shrink. Yet the successful small business is a rare and fragile organization. Right now, only 3 of 10 new small businesses will survive their first 5 years.

Another threat is now held over fledgling enterprises in the form of employer mandates.

Small businesses generally pay 10 to 40 percent more for health insurance than large companies. The majority of small businesses spend more than 12 percent of their payroll on health insurance. One can see very easily that when a small business with a small fixed labor cost is forced to pay more for their employees' health insurance, that firm will need to lay off employees to make up the difference. But that is not just my opinion; several studies evaluated the effect the proposed mandates would have on our Nation's economy. The following statistics are startling:

Estimates have been made that between 1 and 2 million workers would lose their jobs in this country;

The State of Texas alone would lose between 51,000 and 68,000 jobs;

Nearly half of all jobs lost nationally would occur in firms with less than 100 employees;

One-third of small businesses say any mandate would put them out of business;

Those most likely to lose their jobs would be low-wage workers with families;

Nationally, we could see a drop of as much as \$93 billion in lost wages;

Personal income would drop for Texans by more than \$7 billion.

Many of the issues that are key to successfully reforming our health care system already enjoy bipartisan support: optional medical savings accounts; health insurance portability; the elimination of the ban on preexisting conditions; medical malpractice reform; product liability reform for FDA approved drugs and devices; incentives to eliminate waste, fraud, and abuse in the health care system; and the reduction of paperwork. All this could be achieved without additional Federal spending, thereby eliminating the need for costly employer or individual mandates.

I believe that we should proceed with caution in enacting any reforms to the health care system. We stand to lose far more than we might gain.

**DEFEND PEACE IN POLAND—  
SANTORUM SUPPORTS NATO  
MEMBERSHIP**

**HON. RICK SANTORUM**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. SANTORUM. Mr. Speaker, as thousands of Polish Americans are meeting today in my district to celebrate the 63d annual Polish-American Day at Kennywood Park, I rise to join my colleagues in cosponsoring H.R. 4210, the NATO Expansion Act of 1994.

Mr. Speaker, this important piece of legislation assists and promotes the emerging democracies in Poland, Hungary, the Czech Republic, and Slovakia. H.R. 4210 provides aid

and military assistance in helping these countries in their transition to full NATO membership by 1999. The people of Poland were instrumental in pushing forward with democratic reforms and paved the way for the fall of the Iron Curtain. Now, with the dissolution of the Warsaw Pact, it is crucial that the United States continue its tradition of aiding Eastern Europe in consolidating their democratic and market reforms and in gaining NATO membership.

During the remainder of the 103d session of Congress, I will continue to work to move this historic legislation toward consideration on the House floor.

IN HONOR OF GINNY  
LEEUWENBURGH AND GORDANA  
SWANSON

### HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Ms. HARMAN. Mr. Speaker, I would like to honor two great community leaders from my district, Gordana Swanson and Ginny Leeuwenburgh, both of whom are retiring from many years of service as city council members for the city of Rolling Hills.

Ginny Leeuwenburgh was first elected to the council in 1982, and has served as mayor twice. The list of her contributions to her city is very long, and shows the range of her interests: the Traffic Commission, Emergency Services Disaster Preparedness Committee, the City/School Committee, Liaison to the Community Association and the Women's Community Club, Special Events Chair, Delegate to the Palos Verdes Regional Law Enforcement Committee, League of California Cities, California Contract Cities Association, Peninsula Geotechnical Task Force, Peninsula Mayors Committee, and the Peninsula Open Space Committee.

While on the council, Ginny demonstrated a deep concern for public safety, particularly the safety of the community's children, and unwavering support for quality education for the children of the peninsula. She has worked hard to maintain open space for recreational use and to preserve the rolling hills of our community in their natural beauty.

Ginny has also worked hard for many groups in the South Bay: the United Way Corporate Board, Harbor Advisory Council, Peninsula Seniors, Friends of the Library, and the League of Women Voters.

I know that Ginny will continue to be a vibrant part of her community, and I wish to recognize her for the important contributions she has made.

Gordana Swanson is another dynamic woman who has contributed greatly to her city and her community. She began serving on the Rolling Hills City Council in 1976, served as mayor three times, and as traffic commissioner, Chair of the City's Sewer Study Committee, liaison to the Planning Commission and the Caballeros Club, and a member of the Budget/Finance Subcommittee, Rubbish Franchise Committee, and the city's delegate to the Southern California Association of Govern-

ments, League of California Cities, California Contract Cities Association, South Bay Cities Association, South Bay Corridor Steering Committee, and the Peninsula Mayors Committee.

Gordana also served on the Boards of the Los Angeles County Sanitation Districts, West Basin Water Association, South Bay Juvenile Diversion Program, Coachella Valley Joint Powers Insurance Authority, and Southern California Rapid Transit District. She served on the Criminal Justice Council, the League of California Cities State Policy Committee on Transportation, and as fund raising chair for the South Bay District of the Red Cross. In 1981 she was selected as Citizen of the Year by the Palos Verdes Peninsula Chamber of Commerce.

During her years on the Rolling Hills City Council, Gordana worked tirelessly to maintain orderly low density development and an equestrian atmosphere in the city, and spearheaded the formation of the Rolling Hills Wildlife Preservation Committee. She became an expert on transportation issues, and was always available to speak out for the South Bay and its transportation needs. Her most recent success was as founder and first president of the National Women's Political Caucus of the South Bay.

Mr. Speaker I am privileged to know these two inspiring women, and proud to pay tribute to them as they retire from the Rolling Hills City Council.

### DIABETES

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. STARK. Mr. Speaker, health care reform is the best thing we can do for America's 14 million diabetics.

The leadership bill will guarantee health coverage for all Americans, thus ensuring that every diabetic will be able to get the help they need.

The bill will eliminate pre-existing conditions clauses in health insurance policies. This means that diabetic children will be able to buy their own policies when they leave the family's coverage. It means that a diabetic adult will be able to switch jobs or retire early without fear of losing health insurance.

The bill ensures choice of provider. Diabetics will be able to seek and obtain care from the doctor and the specialist that they want. Managed care plans will have to ensure access to centers of excellence and specialized treatment. Individuals won't be trapped in managed care plans that limit service.

For the individual diabetic or the diabetic in a small company, the bill will ensure that insurance is affordable. Private insurance will be available at community rates and one will also be able to join Medicare part C.

The bill's cost containment provisions will slow the rate of health inflation and give diabetics and their family needed financial relief.

The bill also dedicates billions to medical research, hopefully speeding the day that we find genetic cures to this serious illness.

The legislation also includes a special demonstration project to develop new and better

ways of treating diabetics. This project will help ensure that the findings of the NIH's 10-year diabetes control and complications trial are translated into better education, training, and treatment of diabetics. The DCCT results prove that we can greatly improve the quality of health and life for millions of diabetics. Passage of health care reform can help transform the DCCT's findings into reality for the nation's diabetic community.

Halfway measures—partial insurance reforms, limited cost containment, soft-triggers—won't meet the needs of these 14 million Americans.

Let's do the right thing, and pass a comprehensive reform bill.

### MORE TIME NEEDED TO CONSTRUCT HEALTH CARE BILL

### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. PACKARD. Mr. Speaker, Congress is racing to find the cure for what ails our health care system. However, the remedy the congressional leadership is hastily concocting may be more toxic than the disease.

The ingredients for this potion include taxes, mandates, global budgets, and huge Federal wage and price controls. If the American people are forced to swallow this brew, they will suffer from lost jobs, less choice, rationed care and higher taxes.

I believe that the American people deserve more than a last-ditch, last minute, closed-door effort by Members to turn the world's best health care system over to Government bureaucrats.

The cure the American people are looking for is a carefully constructed bill which would ensure access, choice and quality—not high costs, lost jobs and 50,000 more paper-shufflers.

Recent polls show that the majority of the American people oppose the Clinton-Gephardt approach to health care reform. However, some Members of Congress think that the views of the American people are insignificant, proclaiming that "we are going to push through health care reform regardless of the views of the American people."

Mr. Speaker, we are not mad scientists working in darkened labs to satisfy our own whims and objectives. We are here to serve the interests of the American people. We need to take the time to listen to those interests and construct a bill which addresses those concerns.

### THE 10TH ANNIVERSARY OF THE NATIONAL POLITICAL CONGRESS OF BLACK WOMEN

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Ms. NORTON. Mr. Speaker, I rise in recognition of the 10th anniversary of the National Political Congress of Black Women

[NPCBW]. I am very proud to be a founder of the NPCBW, the most important black organization devoted exclusively to building the political strength of black women. The NPCBW was founded 10 years ago today, on August 2, 1984, when the Honorable C. DeLores Tucker called together a group of 35 African-American women leaders of diverse groups to organize for greater involvement in the political process. At the third meeting of the NPCBW, on August 9, 1984, the Honorable Shirley Chisholm, the first black woman to serve in the Congress, was elected the first chair of the organization—a position which she held until she assumed the title of chair emeritus.

The NPCBW is a nonpartisan organization that has worked long and hard to prepare African-American women to enter the political process. Its broad mission includes: First, mentoring African-American women; second, encouraging African-American women, on a nonpartisan basis, to engage in political activities, including voter registration; third, offering training to African-American women in understanding the political process; fourth, encouraging African-American women to seek office at all levels of government; and fifth, seeking the appointment of African-American women at all governmental levels.

Today is a historic date in the political history of African-American women. I am pleased to rise today in honor of the 10th anniversary of the National Political Congress of Black Women.

#### INTRODUCTION OF THE SPENT NUCLEAR FUEL DISPOSAL ASSURANCE ACT OF 1994

#### HON. ROD GRAMS

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. GRAMS. Mr. Speaker, today I am introducing the Spent Nuclear Fuel Disposal Assurance Act which will reaffirm the existing legal requirement that the Secretary of Energy provide for the safe disposal of spent nuclear fuel beginning not later than January 31, 1998. Only by reaffirming this requirement will the Department of Energy [DOE] be forced to fix a Government program which is now seriously broken.

The Secretary of Energy recently acknowledged that it is highly unlikely that DOE will be able to fulfill its legal obligation to begin accepting commercial spent nuclear fuel by 1998, as it is required to do so by the Nuclear Waste Policy Act. Moreover, DOE now is attempting to avoid its responsibility altogether by maintaining that it has no legal obligation to accept spent nuclear fuel absent an operational permanent waste repository, which only the DOE has the authority to build.

If the Department of Energy fails to meet its commitment to accept nuclear waste by 1998, an industry which today provides more than 30 percent of Minnesota's energy needs and 20 percent of all the electricity used in the United States will be threatened. Most importantly, electricity costs to tens of millions of consumers, our constituents, could unnecessarily increase. We cannot afford to let this happen.

In 1982, Congress enacted the Nuclear Waste Policy Act which required the Department of Energy to site and build a permanent repository for electric utility spent nuclear fuel. The act also required the DOE to accept nuclear fuel for disposal beginning not later than January 31, 1998. All utilities with nuclear generating plants have signed contracts with the Department of Energy which obligate the DOE to accept waste accordingly.

The civilian nuclear waste program financed almost entirely by annual fees paid by the ratepayers of nuclear utilities. To date, our constituents have paid more than \$9.7 billion into a special fund which is intended to finance the waste program. In Minnesota alone, ratepayers have contributed more than \$200 million to the nuclear trust fund. Despite the expenditure of over \$3.8 billion, the DOE has fallen far behind in its schedule for siting and constructing a permanent nuclear waste storage facility. Originally promised for 1998, the DOE now says that a permanent facility will not be available before 2010, at the earliest.

Similarly, the DOE has made little progress in finding a site for a temporary monitored retrievable storage facility where spent fuel could be stored until a permanent repository becomes available.

Realizing the unlikelihood of its ability to fulfill its legal obligation to begin accepting waste by January 31, 1998, the Department of Energy issued a notice of inquiry on May 25, 1994 which raises questions about its obligations or willingness to accept nuclear waste. The notice indicated that it is the "Department's preliminary view that it does not have a statutory obligation to accept spent nuclear fuel in 1998 in the absence of an operational repository or other facility constructed under the [Nuclear Waste Policy Act]."

Mr. Speaker, the Government's failure to keep the waste program on schedule is not acceptable. The recent problems Minnesota faced with storage at Prairie Island should serve as a wake up call to the DOE—States are no longer willing to sit idly by as DOE drags its feet in accepting spent nuclear fuel—they are not willing to become de facto permanent storage facilities. And electric consumers are being burdened with unnecessary costs: Costs for continued onsite storage and with the prospect of having to purchase alternative supplies of power if we are forced to close powerplants before the end of their useful lives.

The Spent Nuclear Fuel Disposal Assurance Act will force the Department of Energy to move expeditiously to construct interim storage by reaffirming the Department's legal obligation to begin accepting spent nuclear fuel no later than January 31, 1998. My legislation will also make it easier for the Department to construct a temporary monitored retrievable storage facility by eliminating the current requirement that a permanent repository be selected and licensed before construction of such a temporary facility would be permitted.

Enactment of the Spent Nuclear Fuel Disposal Assurance Act is necessary in order to avoid saddling our constituents with the costs of yet another failed Federal program. I urge all members to join me in support of this im-

portant legislation. Thank you.

#### PRESIDENT CLINTON'S ROMANIA INITIATIVE

#### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. RICHARDSON. Mr. Speaker, I would like to direct my colleagues attention to a new U.S. foreign policy initiative undertaken by President Clinton. The Romanian-American Enterprise Fund is a bold plan to further democratic progress in that country. This fund will supply loans, investments, and technical assistance to the Romanian people as they rebuild their nation. I urge my colleagues to take note of this fund and I applaud President Clinton for this important foreign policy initiative.

Mr. Speaker, I was pleased to learn that on July 6 President Clinton appointed the eight directors for the new Romanian-American Enterprise Fund. This board of distinguished Americans will be ably chaired by Robert L. Wald, one of the most respected members of Washington's legal community.

The aid fund will have \$50 million with which to make investments and loans in addition to providing technical assistance to nurture private companies and entrepreneurs in Romania.

When the fund is fully operating later this year, it will provide significant additional momentum for Romania's already impressive progress in building a free market economy from scratch.

Since the December 1989 revolution that set the nation on a democratic course, Romanians have struggled to establish a stable economy that would allow a free market to flourish. Inflation has been tamed, a convertible currency has been established, reforms and laws to spur further privatization are in place and planning for a stock market is underway. In recognition of Romania's success, major international financial institutions are supplying critical support.

During the last several months, the International Monetary Fund, World Bank, and G-24 nations have pledged a total of more than \$1 billion in loans and guarantees to Romania, and more is being considered.

The establishment of the Romanian-American Enterprise Fund is another welcome sign to the Romanian people that they have chosen the right path and that the United States supports their efforts.

I invite my colleagues to join me in congratulating President Clinton, the newly appointed directors of the Romanian-American Enterprise Fund and the courageous people of Romania.

#### TRIBUTE TO CHIEF DAVID R. BELL

#### HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. OLVER. Mr. Speaker, I rise today to pay tribute to Mr. David Bell, who recently retired

as chief of the Deerfield Police Department after 14 years of service. It is my pleasure to join the town of Deerfield in honoring a man who has remained firmly committed to his profession and to serving his community.

Mr. Bell began his distinguished career in law enforcement in 1953 as a Chanceman [probationary patrolman] with the West Caldwell, NJ Police Department. While at West Caldwell, he took pride in his position as firearms instructor and excelled as a member of the pistol team, scoring a perfect 300 in one competition. In 1977, he was one of a select few admitted to the FBI National Academy where he further exemplified his skills on the firing range and qualified as a master in marksmanship. While at the Academy, he sharpened his natural artistic talent through the study of composite drawing, a skill he maintains to this day. Upon retiring as a captain of the West Caldwell force in 1980, David Bell had received numerous commendations over his 28 years of service.

Throughout his career as chief of the Deerfield Police Department, David Bell kept on the cutting edge of modern police techniques and helped the department to grow in both size and ability. He revamped the recordkeeping system and was instrumental in getting Deerfield on line with the LEAPS teletype. Moreover, Mr. Bell demonstrated an outstanding ability to communicate with people of various age groups and social backgrounds. Along with his accomplishments, his special understanding of human nature always earned him the respect of his fellow officers and the community he served.

Although Mr. Bell will be missed in his role as chief, the town of Deerfield is fortunate to have such an exemplary citizen. In honor of his contributions, I ask my colleagues to join me in wishing Mr. Bell continued success in the years to come.

#### THE AMERICAN CODE

##### HON. AL SWIFT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. SWIFT. Mr. Speaker, I have received many letters from my constituents who are worried about our Nation's crime problem, and Congress has had vigorous debates on the best solutions to stop this violence. We need to find a way to make sure our children become productive members of society and not callous criminals. Yet, there are limits to what Congress can do to stop violence. Individuals need to take personal responsibility for their actions—to step back and see that how they treat others directly impacts our society. Mrs. Nordica Wiggins, of Everett, WA, has developed a code of conduct which she calls The American Code, which we should all take the time to read. Her code provides a valuable guide for individuals, families, and communities to follow in order to return to those positive values of decency, courtesy, and respect.

I am submitting a copy of her letter for the RECORD.

#### THE AMERICAN CODE

1. I will respect my fellow Americans in speech, attitude and behavior.

2. I will not kill.
3. I will not steal.
4. I will not bear false witness against a fellow citizen.
5. I will protect children.
6. I will be kind to animals.
7. I will protect the environment.
8. I will obey the laws and pay the taxes that pertain to me.
9. I will not discriminate against others who differ from me in appearance, beliefs and customs.
10. I will respect and protect the American flag.

#### TRIBUTE TO FATHER DONAL FORRESTER

##### HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. MANTON. Mr. Speaker, I rise today to pay tribute to a fine man, Father Donal Forrester. He has illustrated true loyalty not only to his country, but to his religion and community as well. On Sunday, May 22, 1994, he celebrated his 60th anniversary as a Paulist Father in St. Paul's the Apostle Church in New York City.

A wartime comrade to a number of other World War II veterans, Father Forrester has given his time to the friends and family of his colleagues. He appointed himself lifelong chaplain for the 809th battalion where he watches over them constantly.

In addition, many years ago, the Texas legislature honored him for services he did over the years. This year he was the celebrant of the 25th anniversary of his founding of a baseball league for the youth of the San Francisco Chinese community.

In his role as chaplain, Father Forrester has conducted an annual memorial and ecumenical mass for the 809th battalion at their yearly reunions for almost 50 years. He has done it for the ever-growing list of our fallen comrades. He allows for the remembrance of the important feats his comrades did for their battalion.

Although Father Forrester is Catholic, he had devoted himself to all of his comrades, no matter what faith they might be. For example, he accompanied the body of a Jewish companion to the gravesite where he was called upon to share his thoughts about Bernard Rosenbloom to soothe the family and friends gathered there.

In a day and age where selfishness is the norm for so many in our society, it is reassuring to know there are still people like Father Forrester. Those who are close to him continue to call him friend, comrade as well as chaplain. I commend Father Forrester for his dedication to his family, friends, and comrades. I know my colleagues join me in commending Father Donal Forrester on his 60th anniversary as a Paulist Father.

#### FEAR AND PAIN OF CRIME IN THE NATION

##### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mrs. SCHROEDER. Mr. Speaker, I was handed the enclosed poems by a young man named Joe Ford at the June 4 "Beat the Street" walkathon in Denver. I was deeply moved by his poem, and as the timing coincides with our consideration of the crime bill conference report, I want to share it with my colleagues in the House. Joe's words remind us of the reality on the streets and take us beyond this room to the truth—the fear and pain—of crime in this Nation. After reading this poem, it is difficult to question the importance of the work we are doing here today.

THE END

1993 was a bad summer for me,

Violence started and didn't stop.

It was like a war zone

Everyone was getting popped.

Pop pop as the cylinder rotated

The bullet from the gun

Was hitting everyone in its way.

THE END—PART TWO

Mothers and fathers who cried a

River of tears

To bury their child who

Didn't make it this year,

As each summer comes and goes

I'll always remember that violence

Has claimed its toll.

His message is certainly an important one and his words express it powerfully.

#### NEXT OF KIM

##### HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. GINGRICH. Mr. Speaker, although there are many important issues before us, we must not neglect a critical foreign policy problem: nuclear proliferation in North Korea. I urge all Members of Congress to read "Next of Kim," an article written by our former colleague, Stephen J. Solarz, and published in the New Republic. As Solarz points out, the Korean dilemma warrants our attention and immediate action so that we can prevent proliferation of nuclear weapons both in Southeast Asia and in the Middle East.

NEXT OF KIM

(By Stephen J. Solarz)

When Jimmy Carter, after concluding several hours of discussions in Pyongyang with North Korea's Great Leader, Kim Il Sung, declared that "the crisis is over" on the Korean peninsula, a sigh of relief could be heard around the world. It appeared as if the drift toward a diplomatic and economic confrontation, and possibly even a military conflict, had been averted. If Carter was right, and no one could say with certainty that he was wrong, the stage had been set for a peaceful resolution of the North Korean nuclear challenge.

Pyongyang subsequently agreed to permit inspectors from the International Atomic

Energy Agency (IAEA) to remain in North Korea to verify its commitment not to reprocess the fuel rods that it had recently extracted from its reactor (which would have given it the capacity to make five or six nuclear weapons by the end of the year), and to refrain from reloading its only operational reactor while negotiations were underway with the United States; and this, too, put wind in the sails of the optimists. So did the setting of dates for a third round of negotiations with Washington in July and the first summit ever between the leaders of the two Koreas in August.

Then Kim Il Sung died. (The Great Leader's fuel rods were finally spent.) In Pyongyang, nothing was clear. The struggle for succession, if such a struggle is taking place, is obscure; and the likely successor, the Dear Leader, Kim Jong Il, the son of the Great Leader, is even more obscure. It is hard, of course, to make foreign policy in circumstances so uncertain; but it would be a great blunder for American policymakers to allow gossip from Pyongyang and diplomatic politesse to interfere with the historical and strategic understanding of the North Korean problem. Idle speculation about the succession, or even informed speculation, matters less than the words and the actions of North Korea at the negotiating table in Geneva and at the nuclear facilities in Yongbyon.

This problem has a past and a logic. Pyongyang has persistently prevaricated on the nuclear issue. Over the years it has consistently said one thing and done another. It signed the Nuclear Non-Proliferation Treaty (NPT) but refused to carry it out. It agreed to let the IAEA inspect its nuclear facilities but interfered with the IAEA's efforts to do so. It entered into an agreement with South Korea obligating it to dismantle its reprocessing plant but blithely ignored the pact.

My own experience in North Korea suggests that its commitments have about the same value as Tsarist war bonds. In 1980, when I met Kim Il Sung for the first time, he told me that he favored ameliorating the human consequences of the division of Korea by permitting family visitations, the exchange of correspondence and trade between the peoples on both sides of the thirty-eighth parallel. More than a decade later virtually none of these reforms has taken place. In 1991, when I met him for the second time, the Great Leader assured me that he had no interest in obtaining nuclear weapons, and that North Korea was not attempting to construct a reprocessing facility, in spite of the fact that there was incontrovertible evidence the country was doing both.

Now, despite its promise to "freeze" its nuclear program while talks are underway with the United States, North Korea continues work on a 200 megawatt reactor, which will give it the capacity to produce enough fissile material for ten or more atom bombs per year when it is completed in 1996. It is also still constructing a "second line" in its reprocessing plant, which will enable it to produce additional nuclear weapons more rapidly should it decide to resume reprocessing in the future. What is needed now, in short, is not wishful thinking but hard-headed analysis.

Such an analysis must begin with a recognition of the fact that the North Korean nuclear project constitutes the most serious threat to the preservation of regional peace and global nonproliferation in the world today. An unconstrained North Korean nuclear program would give Pyongyang the ability to produce and to stockpile dozens,

and eventually hundreds, of nuclear weapons. Far from being over, the crisis may soon be upon us. In the absence of a verifiable agreement bringing its nuclear weapons project to an end, the North Koreans will be in a position to make up to fifteen atom bombs per year by 1996, and could easily have more than fifty by the end of the century.

An atomic arsenal of this magnitude would have a number of dangerous and destabilizing consequences.

It would increase the risks of another conventional war on the Korean peninsula. Should it decide once again to attempt to reunify Korea under Communist control, or should it decide to break, by military means, the international community's efforts to thwart its nuclear program. Pyongyang would have enormous leverage to end the fighting on its terms, which might encourage it to begin the fighting in the first place.

It would increase the prospects for a nuclear arms race in Northwest Asia by putting pressure on Japan and South Korea, the countries most immediately threatened by North Korea's nuclear potential, to join the nuclear club themselves.

It would increase the chances that Japan, for the third time, and South Korea, for the first time, will become victims of a nuclear attack.

It would increase the possibilities of nuclear proliferation by giving North Korea the capacity to earn desperately needed foreign exchange by selling its fissile material, and even off-the-rack nuclear weapons, to whoever is able to buy them.

It is likely that the first three of these potential consequences could be averted by the realities of America's conventional military power and nuclear deterrent. North Korea has no interest, after all, in inviting its own destruction by launching another conventional war against South Korea or a nuclear attack against Japan; and so long as the United States credibly reaffirms its determination to consider a nuclear strike against South Korea or Japan the equivalent of a nuclear attack against itself, our allies would most probably continue to refrain from joining the nuclear club. For this reason, some have dismissed concerns about North Korea's nuclear program on the grounds that, just as we prevented the Soviet Union and China from using their nuclear weapons through a policy of containment and deterrence, we can prevent Pyongyang from launching its nuclear weapons as well.

But this rather sanguine assessment overlooks the real problem, which is that Pyongyang is more likely to sell its nuclear weapons than use them. If this were to happen, and with an unconstrained North Korean nuclear program it surely will, it would dash whatever hopes still exist for a truly effective and global nonproliferation regime. The Hermit Kingdom, remember, has consistently demonstrated its difference to established norms of national behavior. Among its more notable exercises in international terrorism were its efforts in the 1980s to assassinate the entire South Korean Cabinet during the course of an official visit to Rangoon, the blowing up of a South Korean civilian airliner over the Andaman Sea and the abduction of a leading South Korean actress to satisfy the cinematic appetites of Kim Jong Il. Its record of selling intermediate-range missiles to Iraq, Syria, Libya and Iran leaves little doubt that it will provide fissile material and nuclear weapons to whatever rogue regimes and terrorist groups are prepared to pay the market price.

It is one thing to describe the threat. It is quite another to figure out how to deal with it. The Clinton administration has three options: diplomacy, sanctions and force. With the moment of truth fast approaching, it is important to consider each of these options, and for the United States and its Asian allies to determine not only what they want from North Korea, but what they are prepared to do in order to get it.

Obviously, the best way to resolve the problem would be through a negotiated agreement in which Pyongyang undertook to abandon its nuclear weapons program. Such a settlement would entail North Korea dismantling its reprocessing facility, stopping any further work on its 200 megawatt reactor, relinquishing all the fissile material it has already produced, including its recently discharged spent fuel, and accepting "special inspections" by the IAEA. Without the latter, which would entitle the IAEA to inspect not just Pyongyang's declared facilities but also any location where it has reason to suspect that prohibited activities may be taking place, it would be impossible to preclude the possibility that, like Iraq before the Gulf War, North Korea had a clandestine program or arsenal. North Korea, after all, has a long history of building large-scale munitions factories underground, as it did during the Korean War, and tunnels under the demilitarized zone, as it did in the years after.

Such a settlement will require the United States and its Asian allies to be clear about what they would be willing to give North Korea in exchange for such commitments. In the discussions that preceded the recent meeting in Geneva, we said only that we would talk about the normalization of our relationship with Pyongyang if it agreed to our demands, and refrained from spelling out what we would be willing to do for North Korea if it abandons its nuclear project. A purely diplomatic strategy entails making North Korea an offer it can't refuse. (There is always the chance that Pyongyang, which has spoken from time to time about a "package deal," might accept it.) And so we should offer North Korea full diplomatic relations; a no-first-use pledge about the use of nuclear weapons; and whatever economic assistance it needs for its legitimate energy requirements, including, if necessary, a light water nuclear reactor. Japan and some of the other OECD countries would join in providing the resources for the construction of such a facility.

An offer of this magnitude would be a relatively small price to pay for the termination of North Korea's nuclear enterprise. Actually, all things being equal, the establishment of diplomatic relations with North Korea is in our interest as much as it is North Korea's, given the desirability of exposing Pyongyang as much as possible to the realities of the changing world situation. During the 1980s, when Beijing and Moscow had as little to do with Seoul as Washington and Tokyo had to do with Pyongyang, we pursued a policy of "cross recognition," in which the United States and Japan promised to establish diplomatic relations with North Korea if China and the Soviet Union established them with South Korea. Now that Moscow and Beijing have embassies in Seoul, and a thriving trade with South Korea, Washington and Tokyo are still without a diplomatic presence in Pyongyang, and have minimal economic involvement with North Korea. Recognizing Pyongyang without an acceptable resolution of the nuclear issue would be very foolish, since it would give up one of the main cards in our hand; but extending it in a nuclear agreement would be very wise.

Such an offer would be worth making, moreover, even if Pyongyang rejected it. With North Korea's real intentions—its preference for membership in the nuclear club over normalization of relations with the United States, South Korea and Japan—unambiguously exposed, it would be easier to muster the support, at home and abroad, that will be politically necessary to take the tougher steps, involving sanctions and perhaps even force, that may be necessary to solve the problem.

Instead of rejecting such a proposal out of hand, Pyongyang is more likely to retort that the offer does not go far enough, that what is really needed is a peace treaty to replace the armistice that has existed for the last forty years. With such a treaty, the United States would naturally be expected to withdraw its forces from South Korea. To be sure, the acceptance of such a demand in the absence of a phased and verifiable reduction in the armed strength of both Koreas, and the establishment of an acceptable balance of indigenous power in the Korean peninsula, is unthinkable. The likelihood, anyway, is that the North Koreans will not agree to all of our demands, even if we provide them with diplomatic recognition, security assurances and economic assistance.

What, then, will the North Koreans do? At the worst, they will begin to reprocess the extracted fuel rods when they cool off sometime in August, reload their now empty five megawatt reactor and continue to move forward on their nuclear project. At best, they will agree to terminate a future nuclear program, while insisting that we forgo any effort to make them relinquish the fissile material they have already produced, thereby enabling them to maintain a limited nuclear arsenal of at least one or two atom bombs. Each of these possible actions on the part of Pyongyang needs to be carefully analyzed, since each calls for a somewhat different reaction.

If North Korea once again repudiates its pledges and goes ahead with its nuclear project, we will have no choice but to impose sanctions. Yet we must recognize that sanctions are not likely to be effective in persuading Pyongyang to accept the proposal that would presumably still be on the table. North Korea already has the most autarchic economy in the world. And it is better positioned than Iraq and Cuba, which have resisted sanctions, for three years and thirty, to go it alone.

But the real problem with sanctions is that their effectiveness is almost wholly dependent on China, which provides Pyongyang with up to 80 percent of its oil, and is the only country with which North Korea has any significant economic relationship. Fearing that sanctions will be ineffectual at best and counterproductive at worst, Beijing does not want to risk either precipitating a collapse of the North Korean regime or alienating its only remaining Communist ally in Asia. Even if it abstained on a U.N. Security Council vote to impose sanctions, which is by no means certain, China is unlikely to close its border with North Korea.

In the event that diplomacy and sanctions fail, the only remaining recourse would be the use of force. Just as Israel destroyed the Iraqi nuclear reactor at Osirak in Iraq, such a scenario would require the United States to launch a surgical strike against the North Korean nuclear complex at Yongbyon. From a technical and military perspective, such an operation is feasible. We have the capacity, using a combination of cruise missiles and stealth bombers, to render North Korea's nu-

clear facilities inoperable. And if we were to launch an attack when its reactor and reprocessing facilities were empty, as they are now, the spread of radioactive materials beyond the Yongbyon complex could be greatly diminished, if not entirely eliminated.

Here is where the worst-case scenario starts getting spun. With more than 1 million men under arms just north of the demilitarized zone, and with its artillery batteries within easy range of Seoul, the continued quiescence of North Korea's frontline troops cannot be taken for granted. The use of force is likely to provoke a retaliatory response that could have catastrophic consequences. There is a real possibility that it could lead to another major military conflict on the Korean peninsula. The United States and South Korea would undoubtedly prevail, but the cost of victory in blood and treasure would be high. So high, in fact, that there are few people in the corridors of power in Washington, Tokyo or Seoul prepared to seriously consider the military option.

Yet this worst-case scenario may be deeply flawed. The North Korean regime is immoral and irresponsible, but it is not suicidal. Some kind of retaliation by Pyongyang for an attack on Yongbyon would probably be inevitable. Still, a full-scale attack against the South, or an artillery barrage against Seoul, is doubtful, given the likelihood that it would result in the destruction of the North and the collapse of its regime. More likely would be a Scud missile attack against one or more of the eleven nuclear reactors in South Korea, or acts of terrorism directed against the United States or Japan. But even here, the notorious inaccuracy of Scuds, and the presumptive protection of Patriot missiles, would almost certainly blunt such an attack. Terrorism would be harder to combat, but also less threatening.

The other possible, and more likely, response to a generous diplomatic offer in Geneva is that North Korea will agree to forgo the future production of fissile material in exchange for a comprehensive package of diplomatic, security and economic benefits. It will also insist that its past program is off-limits, thereby enabling it to keep weapons-grade material already produced. And this will present the United States with a tough choice. We will have to decide whether it is better to cut off North Korea's future production of fissile material at the price of permitting it to keep what is already has, or whether we should insist on total compliance with the NPT and the North-South agreement on the denuclearization of the Korean peninsula.

It is essential to understand that complete compliance with its obligations as a signatory of the NPT will not suffice: North Korea could continue to produce fissile material and to extract plutonium from it under the eyes of the inspectors. We must insist, therefore, on the implementation of the North-South Accord on the De-Nuclearization of the Korean Peninsula, which requires Pyongyang to dismantle its reprocessing facility. Our aim is that North Korea shuts it down and takes it apart. But the future of the North Korean program should concern us more than its past. Our stubbornness should not be misplaced. It would make little sense to let Pyongyang assemble a stockpile of nuclear weapons simply because it refuses to surrender the one or two weapons it already may possess; and in such circumstances it would be better to reach an understanding with Pyongyang in which it is permitted to keep the fissile material it already has in exchange for precluding it from accumulating

any more. A single North Korean bomb will not threaten global nuclear stability. Many North Korean bombs will.

Forging a consensus among Washington, Tokyo and Seoul will not be easy. South Korea and Japan, understandably concerned about the possible use of nuclear weapons by North Korea against them, have a greater interest than the United States in preventing Pyongyang from being permitted to keep even one or two atomic bombs. The United States, on the other hand, has a greater interest than Japan or South Korea in preventing the proliferation of nuclear weapons around the world. Just as another conventional war on the Korean peninsula would be a worst-case scenario from the perspective of Seoul and Tokyo, the acquisition of nuclear weapons by rogue regimes and terrorist groups would be a worst-case scenario from the perspective of Washington. To honor these differing perspectives, the president should tell South Korea and Japan that we would be prepared to reject any North Korean proposal that would leave it with even a minimal atomic arsenal, should Seoul and Tokyo insist that we do so. In exchange, if Pyongyang refuses to abandon its nuclear project, Seoul and Tokyo should agree to the surgical strike that will be necessary to prevent North Korea from becoming a major and mischievous nuclear state. The chances are that the Japanese and the South Koreans will choose a negotiated settlement over a surgical strike, but choose they must.

Time is running out. In August the North Koreans may move their fuel rods and start to reprocess them. In such circumstances, sanctions, which will serve as a warning to other proliferators, will work too slowly to affect this proliferator. The crisis that Carter said was over will then be upon us. What will matter is the determination of the president. If the only way left to stop a nuclearizing North Korea is the use of force, the president should find the will, and the nerve, to order an attack. This will be a difficult decision to make; but if Clinton finds a way to stop North Korea from becoming a nuclear power, he will have established himself as the leader that the post-cold war world needs him to be. A decade from now, if Pyongyang has proceeded with its nuclear project, and sold atomic bombs to Libya, Iran, Syria and Iraq, not to mention terrorist groups and nationalist armies, historians will rightly describe our timidity as one of the greatest and grimmest failures in history.

## JEWES AND THE CHRISTIAN RIGHT

HON. TOM DELAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. DELAY. Mr. Speaker, I commend the following advertisement from the New York Times to my colleague's attention.

[From the New York Times, Aug. 2, 1994]

SHOULD JEWS FEAR THE "CHRISTIAN RIGHT"?

On June 9, 1994, the Anti-Defamation League (ADL) issued a report entitled "The Religious Right: The Assault on Tolerance & Pluralism in America." We are a group of Jews who wish to make it known that we reject the implications of this report and deplore its publication.

We do not question that it is the proper role of the Anti-Defamation League to identify the enemies of the Jewish community.

Jewish tradition, and indeed Jewish law, demand that the first concern of our communal organizations be the protection and survival of the community.

But the so-called "evidence" of a conservative Christian threat to Jewish security is derived from such discreditable techniques as insinuation and guilt by association. Thus the report uses the words and actions of a few marginal extremists to impeach individuals and groups whose only crime seems to be the seriousness with which they act on their Christian convictions.

It ill behooves an organization dedicated to fighting against defamation to engage in defamation of its own.

Insofar as the objections to the religious Right are honestly presented in the ADL report, they are mainly political ones: Christian conservatism advocate positions that run counter to many people's beliefs about such issues as abortion, school prayer, homosexual rights, and the meaning of the First Amendment.

And not only do Christian conservatives advocate these positions, but in recent years they have begun to organize, publicize, and attempt to elect candidates sympathetic to their views. This is no different from what many other groups, including Christian liberals, have always done. By what proper definition of the term, then, does the political activity of Christian conservatives constitute an assault on pluralism?

The separation of church and state is not the same thing as the elimination of religious values and concepts from political discourse.

Moreover, Judaism is not, as the ADL seems to suggest, coextensive with liberalism. Nor, we wish to emphasize, does the Jewish community speak with one voice on the religious and moral—and political—issues of our time.

Above all, on the issue with which this community does speak in one voice namely, the survival of Israel, the Jews have no more stalwart friends than evangelical Christians. Judaism teaches the principle of *Hakarat Hatov*, that we have the duty to acknowledge the good done to us. In issuing *The Religious Right* the ADL has among other things seriously violated that principle.

For all these reasons, we call on our fellow Jews to reject this study. As a people whose history so vividly illustrates the bitter results of bigotry, we have a special obligation to guard against it, and all the more so when, as in the case of the ADL attack on our Christian fellow citizens, it emanates from within our own community.

Elliott Abrams, Hadley Arkes, Philip Aronoff, Robert Asher, Murray Baron, Matthew Berke, Herbert Berkowitz, Marshall Breger, Brian Camenker, Mona Charen, Daniel Cohen, Rabbi David Dalin, Midge Decter, Henry Delfiner, and Rabbi Samuel Dresner.

Shimon Erem, John Erthein, Rabbi Leonid Feldman, Suzanne Fields, Chester Fynn, Harvey Friedman, Felice Friedson, Michael Friedson, Si Frumkin, Joseph Gelman, Richard Gilder, Douglas Glant, Al Grossberg, Roger Hertog, and Bruce Herschensohn.

Gertrude Himmelfarb, Milton Himmelfarb, David Horowitz, David Ifshin, Rael Jean Isaac, Erich Isaac, Binyamin Jolkovsky, Leo Kahn, Ruth King, Howard Klein, David Klinghoffer, Irving Kristol, Rabbi Daniel Lapin, Michael Ledeen, and Barbara Ledeen.

Esther Levens, Edward C. Levy, Jr., Rabbi Yamin Levy, Erich Licht, Hadassah Linfield, Elizabeth B. Lurie, Robert R. Mazer, Michael Medved, Adam Meyerson, Rabbi David Neiman, Rabbi Jacob Neusner, Rabbi David

Novak, Gary Pollard, Suzanne Peyser, and Dennis Prager.

Joyce Press, Morton Press, Lewis G. Regenstein, Henry Rosin, Jonathan D. Sarna, Ricky Silberman, Max Singer, Arnold Soloway, John Uhlmann, Rubert Unger, Joel M. Weingarten, Ruth Wisse, Fred Zeidman, Herbert Zweibon, and Fred Zeidman.

#### DIABETES RESEARCH

##### HON. DON JOHNSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. JOHNSON of Georgia. Mr. Speaker, I rise today to urge my colleagues to support continued funding for diabetes research. Diabetes affects more than 13 million people in the United States, but the frightening thing is that more than half of those people are unaware that they have diabetes. Too often, they learn that they have the disease only when one of its symptoms—blindness, kidney disease, or heart disease—surfaces.

I speak from experience. My grandfather was diabetic; my father was diabetic; and I am diabetic. I live every day with the awareness that I must balance my diet, exercise, and medication to avoid the complications of diabetes.

Research into the treatment and potential cure for diabetes is an investment against future costs. Each year, diabetes costs this country over \$90 billion in health-care expenses and the loss of productivity. Diabetics account for 5.8 percent of the total personal health-care expenditures in the United States while accounting for only 2.2 percent of the population.

Since 1987, the percentage of personal health-care expenditures for diabetes has more than doubled. The total economic cost of diabetes has quadrupled. Diabetes is more than a threat to the health of Americans—it is a threat to the economic health of this country. Vital research into the cure for this disease is being done, thanks to Federal funding. I urge my colleagues to support the continuation of this funding.

#### BARRE, MA, MOURNS LOSS

##### HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. OLVER. Mr. Speaker, last week the town of Barre, MA, mourned the loss of Police Chief Michael J. Ryder.

Chief Ryder served his community for 23 years and, during that time, built a legacy of dedication to and compassion for the people of Barre. Having come to the police department in 1971 after earning a purple heart in Vietnam, Michael Ryder started as a short-term hire funded by a government grant and proceeded to rise to the rank of police chief by the youthful age of 25.

Known for his sense of humor and ability to communicate, Chief Ryder won a place in the hearts of fellow officers and town officials. He

became a fixture in Barre, getting involved in activities ranging from helping out high school youths to leading the annual Memorial Day parade. He gave back to the community in which he grew up, and he will be sorely missed by the people he touched.

I join the citizens of Barre in lamenting the death of Chief Michael J. Ryder. My heart goes out to his family, friends, and associates, and to the people he served.

#### IN MEMORIAL: DR. JOHN B. BRITTON AND JAMES H. BARRETT

##### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. FILNER. Mr. Speaker, how long will the violence continue in front of women's health clinics? How long will we tolerate pure terrorism in the streets of America?

Last year in my hometown of San Diego, clinics were attacked with butyric acid—a dangerous toxic substance. In Florida, Dr. David Gunn was shot and killed for performing legal medical procedures. Across the Nation, clinics have been attacked, doctors and nurses have been attacked, and patients have been attacked. And now this latest tragedy in Florida, where Dr. John Britton and his escort, James Barrett, were murdered while Britton's injured wife, June, lay nearby.

When will the violence stop? Whether you call yourself pro-choice or pro-life—it doesn't matter. We must all be antiviolenence. We must all be antiterrorism. We must all be antichaos. In a Nation such as ours, based on the rule of law, no one can place themselves above the law and commit acts of murder.

Last year, we were told that the FBI would look into these senseless acts. But talk is cheap and the violence continues. We must demand that the FBI do whatever is necessary to stop the continuing acts of terrorism taking place in front of clinics across this Nation. Sending out the U.S. Marshalls is a welcome step, but the only permanent solution is to prosecute and arrest those who advocate the use of violence against doctors. Let us not wait for another doctor to be slain. Those who incite this violence and those who commit this violence must finally be dealt with.

Nothing we do can bring back Dr. Gunn, or Dr. Britton, or Mr. Barrett. But they gave their lives to protect a woman's right to choose. Now we have to honor that commitment with determined action. For their sake, we must replace violence with justice, fear with confidence, and terrorism with freedom. Thank you.

#### TRIBUTE TO DR. WALTER GWENIGALE

##### HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 1994*

Mr. MINGE. Mr. Speaker, I would like to take this opportunity to recognize the contributions of an outstanding individual, whose leadership and commitment toward his people in a

time of civil war should not go unnoticed. This person is Dr. Walter Gwenigale of Liberia.

Dr. Gwenigale grew up in a bush village in Liberia, attended the University of Puerto Rico Medical School, receiving a degree in 1967. In 1968, Dr. Gwenigale completed his internship in the United States and returned to Liberia to practice medicine.

In 1974, Dr. Gwenigale attained the position of medical director and chief surgeon of the Phebe Hospital, a 179-bed hospital, near Gbanga, Liberia. During his directorship, Liberia suffered through a 3½-year civil war. Dr. Gwenigale has carefully avoided being identified with the conflicting sides in this tragic war. Instead, Dr. Gwenigale and the hospital have been essential in treating the sick and the injured. The hospital was the only facility to consistently remain open throughout the conflict. In fact, the Phebe Hospital remained open even after it was damaged by a Nigerian fighter jet.

Dr. Gwenigale's leadership has been essential for the hospital to remain open. For example, he coordinated with many organizations in order to acquire moneys for the funding of the Phebe Hospital. These organizations include: the Lutheran, Methodist, and Catholic Churches, Christian Health Association of Liberia, and German and U.S. foreign aid. Also, Dr. Gwenigale is deeply respected for his continued commitment to provide for the health and welfare of the Liberian people. Dr. Gwenigale directs a 179-bed hospital with a staff of three doctors. Furthermore, even with a limited facility and staff, the Phebe Hospital is able to admit 7,000 patients a year and use an outpatient program to visit 70,000 more. Dr. Gwenigale has continued this mission at great personal risk. Tens of thousands have been killed or driven from their homes by parties in the conflict. At the same time he has not taken the easy path of emigrating to another area and practicing his profession in safety for far greater financial rewards. For these reasons, it seems fitting to bestow upon Dr. Gwenigale this body's sincerest appreciation for his work with the people of Liberia, and more broadly, his humanitarian work.

#### GEORGE SOROS' INSIGHT ON THE PROMISES AND PITFALLS OF BUILDING OPEN SOCIETIES

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 2, 1994

Mr. LANTOS. Mr. Speaker, it is quite commonplace to observe today that the initial euphoria after the fall of the Communist regimes in Eastern Europe and the former Soviet Union has given way to widespread alienation, suspicion, and disenchantment as the peoples of these regions continue to see their expectations for a better material life unfulfilled, while crime, corruption, and unemployment mount daily. While there appears to be little reason to fear a return to the totalitarian regimes of the past, there is no certainty that stable democratic, market-oriented regimes will develop either.

Instead, some scholars, like Philippe Schmitter at Stanford, have noted the possibil-

ity of ad hoc democracies that muddle through but never really take root and gain legitimacy. They continue almost by default, but as time goes by they are beset by an ever increasing number of internal and sometime external threats to their survival. Obviously, that situation provides fertile ground for extremists who seek to advance their narrow, sectarian interests at the cost of the general good. They are more than happy to attack the institutions of pluralistic society, why they perceive as inimical to their goals. Of course, it has happened before in that part of the world and could happen again if these peoples are not vigilant in promoting and protecting their newly won liberties, and if they do not receive much greater material support from the West.

My good friend, George Soros, explained the problems and pitfalls and possibilities most eloquently in a statement he made yesterday at a hearing of the Subcommittee on International Security, International Organizations and Human Rights, which I have the honor to chair. George Soros does not paint an optimistic picture, and unfortunately I share his concerns.

George Soros needs no introduction here in the Congress, but I will do it anyway. Not since John Maynard Keynes have we had an individual like George Soros who combines both great practical financial acumen and an intellectual understanding of the subtleties of international affairs. It is an intellectually stimulating treat to spend an hour with George to discuss these issues.

George Soros, who has born in Hungary and has extensive experience in the former Soviet Union and Central and Eastern Europe, is president of Soros Fund Management and Chief Investment Advisor to Quantum Fund, N.V., a \$12 billion international investment fund, which is generally recognized as having had the best performance record in the world during its 25-year history.

In addition to his business interests, Mr. Soros founded the Open Society Fund in 1979, and he has established a network of foundations operating in 24 countries throughout Central and Eastern Europe and the former Soviet Union, as well as South Africa and the United States. These foundations are focused on helping to build open and democratic societies. The Soros foundations have contributed some \$300 million to assist the new Republics of the former Soviet Union and the countries of Central and Eastern Europe in their transition to democracy. I wish, Mr. Speaker, that other governments including our own were as generous.

In his appearance before our subcommittee yesterday, George Soros gave a particularly insightful and thoughtful presentation regarding the problems of building open, pluralistic, and democratic societies since the fall of the Soviet Union. Mr. Speaker, it will be several weeks before the full transcript of that committee hearing will be available to Members of Congress. I ask that Mr. Soros' prepared statement from that hearing be placed in the RECORD, and I ask that my colleagues give it serious and careful attention.

#### TESTIMONY OF GEORGE SOROS

I welcome this opportunity to testify before your committee on the dangers of the post-communist world. I feel reasonably well

qualified to speak on the subject and I have a great deal to say—perhaps too much for this hearing.

I have devoted much of my time, energy, and money to Central and Eastern Europe and the former Soviet Union in the last five years because I believed that the collapse of the Soviet system was a historic, revolutionary event and that the outcome would shape the course of history.

I have established a network of foundations whose aim is to help and promote the transition from a closed to an open society. Actually, I set up the foundation in 1979 and started the first local operation in my native Hungary in 1984, but my involvement increased as the collapse of the Soviet system accelerated. There are now foundations operating in 23 different countries and my annual contributions have risen from three million dollars in 1979 to 300 million dollars in 1993—but the amount of dollars spent is not the best indication of the efficacy of the operation because some of the best projects take the least money.

At the time I became involved, communist dogma had given rise to a closed society in which the state was dominated by the party and society was dominated by the state. The individual was at the mercy of the party-state apparatus.

Communist dogma was false exactly because it was a dogma that claimed to incorporate the ultimate truth. It could be enforced only by doing a great deal of violence to reality and, even then, it could not be sustained indefinitely. The gap between dogma and reality became ever more evident—the sway of dogma over people's minds ever more tenuous—until, eventually, the regime collapsed in a rapidly accelerating fashion that amounted to a revolution.

There was a moment of euphoria, in 1989, when people felt liberated from an oppressive regime and that moment could have been used to set into motion the transition to an open society. That was the opportunity I saw which induced me to throw all my energies into the process. But I must now admit that the moment has passed and the opportunity has been missed.

The breakdown of a closed society does not automatically lead to an open society, because open society is a more advanced, more sophisticated form of organization than a closed one. Freedom is not merely the absence of repression. A society in which people are free requires institutions which protect freedom and, above all, it requires people who believe in those institutions. The institutions themselves need to be much more sophisticated because they must allow for the expression of different view and interests, whereas a closed society recognizes only one point of view, the ruling one. In short, the transition from a closed to an open society is a step forward and upward and it cannot be accomplished in one leap without a helping hand from the outside. That was my motivation for getting so involved. But the open societies of the free world were not similarly motivated. There was a lot of good will toward Eastern Europe at the time, but somehow it was not translated into effective action. Government policy, both in Europe and in the United States, were characterized by a singular lack of comprehension and lack of vision.

Compare the reaction to the collapse of the Soviet empire with the collapse of the Nazi empire. Then, the United States still had the vision, and the generosity, to engage in the Marshall Plan, and the Marshall Plan worked wonders. It did not merely provide

assistance, it provided a framework for the countries of Europe to cooperate. It did not merely send technical experts to impart their wisdom, it brought large numbers of Europeans to the United States and allowed them to form their own agenda. We seem to have forgotten all these positive experiences. By the time the Soviet empire collapsed, there was no political support for any kind of large-scale assistance and the Marshall Plan had become a dirty word.

In the absence of Western leadership, the collapse of the Soviet system did not lead to the emergence of open societies. Moreover, there can be no assurance that what was not accomplished in the heat of the revolutionary moment would be attained by a slower, more laborious process. On the contrary, insofar as a pattern is emerging, it is pointing in the opposite direction.

The breakdown of a closed society based on the universal dogma of communism has led to a widespread rejection of all universal ideas, and the countries which used to constitute the Soviet empire are trying to find an organizing principle in their own particular history. There are, of course, exceptions to the rule. But the dominant theme which seems to be emerging is national or ethnic identity rather than any universal concept such as democracy or human rights or the rule of law or open society.

This creates a very dangerous situation because national grievances can be exploited to form more or less closed societies, and that is a recipe for conflict. In order to mobilize society behind the state, you need an enemy and, if you do not have one, you have to invent one. That is what Hitler did when he identified Jews as the enemies of the German Volk, and he has many imitators in the post-communist world. Unfortunately, there is no shortage of grievances, because communist regimes used to suppress all national or ethnic aspirations which did not suit their purposes.

Although some of the nationalist leaders are former dissidents, former communists are usually more adept at exploiting national sentiment because they understand better how to operate the levers of power. They can forge greater national consensus than democratic leaders striving for an open society. Look at Milosevic in Yugoslavia, Tudjman in Croatia, Meciar in Slovakia, and Kravchuk in Ukraine, and compare the kind of majorities they could muster at the height of their popularity with the narrow political base that pro-Western democratic governments have had to contend with in countries like Russia, Poland, Bulgaria, or Macedonia.

In the context, I do not find the recent electoral victories of former communist parties in countries like Hungary, Poland or Lithuania disturbing at all. These are reform communists who want to get away from communism as far as possible. Their re-emergence constitutes a welcome extension of the democratic spectrum. I am particularly pleased with the outcome of the recent elections in Hungary. The nationalist line was rejected by the electorate, and the fact that the Socialist party entered into a coalition with the Free Democrats on the basis of a well-conceived and well-articulated reform program augurs well for the future. In the case of Poland, the changeover is less fortunate because the radical and painful reforms undertaken in 1990 had just begun to bear fruit and the government had just begun to function properly when it was defeated. But the course of reform is irreversible and Poland is probably the most dynamic country

in Europe today, both in terms of its economy and its spirit. The worst that can happen is that it loses some momentum.

All in all, I see hardly any chance of a reversal to communism. Communism as a dogma is well and truly dead. The real danger is the emergence of would-be nationalist dictators—I call them "NADIs" for short. They are playing in a field that is definitely tilted in their favor. It is much easier to mobilize society behind a real or imagined national injury than behind an abstract idea like democracy or open society. Building the open society is essentially a constructive process, and it is only too easy to use ethnic conflict to undermine its foundations.

Take the case of Yugoslavia, a relatively prosperous country which had been open to the West for twenty years and had developed the intellectual resources which are needed for an open society. I remember 1990, when monetary reform was introduced in Yugoslavia and Poland at the same time. Yugoslavia was much better prepared to carry it out. It had a group of people who had been trained by the IMF and the World Bank, and the reform was, in fact, much more successful than in Poland. That was in May 1990. Then Milosevic raided the treasury in the course of his electoral campaign and destroyed monetary stability. That was the end of the attempt to transform Yugoslavia into an open society.

And now we have an even more striking example: Greece. Here is a country that is a member of the European Union, of NATO, fully integrated into the international community. Yet it has been possible to whip up national sentiment to a frenzy over the name "Macedonia." A small and weak neighbor to the north is blown up into a threat to the territorial integrity of Greece. Admittedly, there is a minority in Macedonia which harbors irredentist dreams based on ethnic injuries suffered in the past. But the government of Macedonia is genuinely devoted to the creation of a multi-ethnic, democratic state. It is ready to make every concession short of giving up its own identity. But Greek public opinion resonates to the Macedonian extremists, not to the Macedonian government, and the issue has been exploited for domestic political purposes in Greece.

In the meantime, the Macedonian economy, already severely damaged by the sanctions against Serbia, is collapsing under the weight of the Greek embargo. The railroad connections run north and south, and Macedonia is cut off on both sides. As a result heavy industry, which relies on rail transportation, has been brought to a standstill. The economic crisis has endangered political stability. The multi-ethnic, democratic coalition is threatened by extremists on both the Slavic-Macedonian and the Albanian sides. It may easily fall apart in the next elections and, if Macedonia falls apart, we have a third Balkan war.

As you can see, there is plenty to worry about in Eastern Europe. When I embarked on my project, I was planning on a short-term campaign to seize the revolutionary moment and to provide an example that would be followed by the more slowly moving, more cumbersome institutions of our open societies. But I was sadly mistaken. Now I must think in biblical terms—forty years in the wilderness. The battle for open society is not lost, as the examples of Poland and Hungary demonstrate, but it will take a long time and a lot of help from the outside and that is what I am worried about.

I have always been aware of a fatal weakness in the concept of open society. The

weakness is that people living in an open society do not even recognize that they are living in an open society, let alone treat open society as a desirable goal for which it is worth striving and making sacrifices. In one way, freedom is like the air: people struggle for it only when they are deprived of it. When it is there, they take it for granted. But, in another way, freedom is very different; if you do not care for it, and do not protect it, it has a tendency to disappear.

If there is any lesson to be learned from the revolutionary events we have witnessed in Eastern Europe since 1989, it is that freedom is not merely the absence of repression, and the collapse of a closed society does not automatically lead to an open society.

The trouble is that this lesson has not been learned. When the Soviet empire collapsed, we had no hesitation in declaring it a victory for the free world. But, equally, we had no inclination to make any sacrifices for the sake of establishing free and open societies in that part of the world. The consequences are now painfully obvious, but we have not even started to recognize them.

What has gone wrong? I believe our concept of freedom has changed. In the Second World War, it was promoted into an idea that we were ready to fight for and to sacrifice for. And the idea as it was then conceived involved freedom not only in our own country, but also in the countries which were the victims of a totalitarian regime. This conception carried over into the post-war period. It was responsible for the dismantling of colonial regimes and the forging of an anti-communist alliance.

But gradually the idea faded and another idea emerged which explicitly rejected the pursuit of freedom as a valid objective for foreign policy. That idea was "geopolitics" which maintained that states ought to pursue their own self-interest as determined by their geopolitical situation, and moral or ethical considerations have only a secondary role to play. They can be useful for propaganda purposes—mobilizing public opinion at home or abroad—but you can get into a lot of trouble if you actually believe your own propaganda.

The companion piece to geopolitics in international relations was the concept of *laissez-faire* in economics, which enjoyed a miraculous revival in the 1980s. As you know, it holds that the unhampered pursuit of self-interest leads to the best allocation of resources. These have been the two main concepts which have guided us in our response to the collapse of the Soviet system and which continue to guide us today. I find that they are woefully inadequate for the situation at hand.

As long as we were locked in deadly combat with the Evil Empire we lived in a stable world order and we had a clear view of our own place in the world. The world order was stable because both sides had the capacity to destroy each other and therefore neither side could risk all-out war. And we could define ourselves in terms of our enemy: we were the leaders of the free world. But the stability of the world order has been destroyed by the internal disintegration of the Soviet empire and, what is worse, we have lost our sense of identity. We still want to be a superpower and leader of the free world but we do not know what these terms mean. We do not know what the free world stands for and, what is worse, we don't know whether we should stand for the free world because we have come to believe that our way of life is based on the pursuit of self-interest, as exemplified by the doctrines of geopolitics and *laissez-faire*.

In some ways the present situation is unprecedented. In the past, peace and stability have been maintained either by an imperial power or by a balance of powers or by a combination of the two. Right now, we do not have either. The United States does not have the capacity, or the interest, to dominate the world the way Britain did in the 19th century. Britain derived enough benefit from free trade to justify maintaining a fleet in being; but the United States is no longer the main beneficiary of free trade and it cannot afford to be the policeman of the world. We must depend on collective action but we have no clear idea what the collective interest is.

The result is a dangerous power vacuum. There was some hope that it would be filled by the United Nations, but the United Nations is no better than the states that constitute it. Indeed, it is worse, because the member states generally pursue their own national self-interest, to the detriment of the collective interest, and the U.N. is managed by a bureaucracy that is more interested in its own survival than in the survival of our civilization. There has been no instance in history when peace was maintained by an international institution and there is no reason to believe that the current situation will be any different.

What is to be done? I don't have all the answers, but I have a suggestion which may help. I propose that we should declare the creation and preservation of open societies as one of the objectives of foreign policy, and in the case of the former Soviet sphere we should declare it as the main objective. I draw a distinction between the former Soviet sphere and the rest of the world because the Soviet system has irretrievably broken down; what system takes its place will have a profound influence on the course of history and therefore on our own future. In the rest of the world, the promotion of open societies is one of many competing objectives, but in the former Soviet sphere it is of paramount importance. In my opinion even the nuclear issue ought to be subordinated to it.

When I speak of open society, I mean a form of organization that can be loosely described as democracy. But the concept of open society is more comprehensive. It

means not only a democratically elected government but also a society that is not dominated by the state; that means a strong civil society and the rule of law. And it is not enough for the government to be elected by a majority; it must also respect minorities and minority opinions. In other words, I propose substituting the framework of open and closed societies for the old framework of communism versus the free world. The old framework was highly suspect even when it was relevant, because anti-communism could be used to justify actions which were incompatible with the behavior of an open society. The new framework allows us to define ourselves in terms of what we stand for rather than in terms of our enemies. It provides a perspective which is woefully lacking at present. For one thing, it tells us that nationalist dictatorships are as much of a threat today as communism used to be.

How can this perspective be translated into policy recommendations? First, we need a strong European Union capable of taking foreign policy decisions. This is missing today, as the quagmire in Bosnia has so sadly demonstrated. Second, the European Union needs to become more open, especially towards the East, and not turn into a fortress protecting itself against the turmoil outside its walls. The countries of East Central Europe need the clear prospect of being able to join the European Union in order to complete the transition to open societies. They need private investment more than they need government aid, and the prospect of membership is the best recipe for attracting private investment. I believe that the United States and Germany, if not all the other members of the European Union, would agree on this point.

Third, NATO—which is essentially an alliance between North America and Europe—ought to serve as a mainstay of the new world order. Whether a direct link is needed between NATO and our Asian allies like Japan and Korea is an open question. But one thing is certain: NATO cannot fill the power vacuum that has been created by the collapse of the Soviet empire; there needs to be an alliance between NATO on the one hand and Russia and the other successor states on the other. NATO can be extended

to include the Central European states which are candidates for membership in the European Union but, if it also included Russia, it would be so diluted as to become meaningless. That is the origin of the Partnership For Peace but, in its present form, it does not even begin to fulfill the function for which it was designed. It is not much more than an empty gesture. It is a worthy successor of the vacuous and dilatory policies of the Bush Administration, and it is perceived as such in Russian. Here is the point where a fresh perspective could come in useful.

I have argued that Russia and the other successor states are in need of outside assistance in order to make headway with their internal transformation. They do not perceive issues of external security as a threat; rather, they see them as opportunities to divert attention from their economic failure and to mobilize political support. In these circumstances a Partnership For Peace, on its own, is bound to remain an empty gesture. It needs to be accompanied by a "Partnership For Prosperity," a latter-day version of the Marshall Plan, to give it substance.

The idea is not a preposterous as we have conditioned ourselves to believe. It could be financed by the IMF with an issue of Special Drawing Rights and, if successful, it could be repaid in full. It would solve the most burning issue of the region: how to create a common economic space without total political domination by Russia. In this context, the recent presidential elections in Ukraine which produced a president who is genuinely interested in economic reform offers an opportunity which I hope we shall not miss. A genuine Partnership For Peace, coupled with a Partnership For Prosperity, would provide a firm foundation for a new world order. In its absence, we are going to have world disorder.

Let me end with Macedonia. This is a clear case where an ounce of prevention can save us tons of troubles. We ought to make it a matter of priority to come to the aid of this tiny country with a democratic, multi-ethnic government, which is on the verge of economic collapse for reasons which are beyond its control.