

## EXTENSIONS OF REMARKS

## CRIME BILL

## HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. PACKARD. Mr. Speaker, Americans are tired of living in fear and are demanding legislation that will stop the crime epidemic in this country. However, the crime bill now before us amounts to nothing more than another social welfare program.

The most publicized portion of the crime bill is the Community Policing Grant Program. The White House claims that this measure will put 100,000 new cops on the street over the next 6 years. But these figures do not add up.

If cities do not cut back on other services or raise taxes, the funds provided in the bill can keep, at most, just 20,000 permanent cops on the street over the next 6 years—the equivalent of one new police officer for every department in the Nation.

This seems especially ludicrous when you consider that this bill funds two new social workers on the street for every new cop. Are American families supposed to rely on social workers to ensure their safety?

Mr. Speaker, the American people deserve a crime bill which offers real crime fighting tools like more cops, more prisons, and strong sentencing provisions—not another welfare bill.

TRIBUTE TO THE LATE CHRISTINE  
ROUTOS—LIFETIME SERVANT OF  
NEW HAMPSHIRE'S VETERANS

## HON. DICK SWETT

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. SWETT. Mr. Speaker, I rise today in remembrance of Christine Routsos of New Hampshire, a woman who devoted her life to serving her fellow citizens. Her passing certainly has left a void in the hearts and minds of anyone who had the honor of knowing this compassionate woman.

Mrs. Routsos served 6 years, from 1944 until 1950, at the Federal Regional Office in Manchester, NH. She continued her service at the V.A. Medical Center from 1950 until her retirement in 1990. Over her 46 years of service, she rendered emotional support, assistance, and guidance to patients, working above and beyond her duties as a ward secretary.

Constantly striving to improve the patients' surroundings, Mrs. Routsos desired to create a therapeutic environment that was both informative and artistic. In doing so, she often sacrificed here personal time and funds to enhance the ward's atmosphere. She helped to increase the patients' morale and keep them

in touch with current events. To contribute to the wards' home-like atmosphere, she shared tapes and records reminiscent of the World War II era, encouraging patients to congregate and share memories of the old days.

In 1988, Mrs. Routsos was awarded the Administrator's Hands and Heart Award and remains to this day the only nonclinical employee to have been a recipient. She has also received numerous Superior Performance Awards and was honored as the New Hampshire Federal Employee of the Year in 1987. These endeavors and awards are only a sampling of Mrs. Routsos' achievements on behalf of her community and her fellow citizens. To further honor the service of this fine woman and to cherish the memory of her boundless generosity, the employees of the Manchester V.A. Medical Center have planted a perennial garden in her memory outside of the nursing home.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Christine Routsos. Mrs. Routsos exemplifies the kind of dedication and diligence that is so needed in our society today. Her legacy of service and love for humanity will certainly live on as an inspiration to all whose lives she touched.

TRIBUTE TO CRESTWOOD HEIGHTS  
NURSING CENTER

## HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. LIPINSKI. Mr. Speaker, it gives me great pleasure to pay tribute to the Crestwood Heights Nursing Center in Crestwood, IL, part of the Third Congressional District. The center is one of the top three winners of the Governor of Illinois' 13th annual Hometown Awards.

In order to qualify for the prestigious Hometown Award, the center had to demonstrate a serious commitment to volunteerism, show evidence of broad-based community support, and attain tangible results from a community outreach event. The Governor's Hometown Awards program formally recognizes the commitment of volunteers helping others in their communities. The Crestwood Heights Nursing Center joined together with other groups concerned about the area's residents and organized a potluck dinner to provide relief to the community.

The Crestwood Heights Nursing Center was selected as an award recipient through its efforts to feed the homeless. In February, many of the staff and residents of the center pitched in to create a potluck dinner for the indigenous and homeless in the Crestwood area. They organized food and entertainment for over 100 people.

Established 22 years ago, the Crestwood Heights Nursing Center has a proven record

of community service. Volunteering is an important part of life for the 325 residents and 260 staffers of the center.

The Crestwood Heights Nursing Center's commitment to its community is impressive and deserving of special recognition and honor. I am sure that my colleagues will join me in expressing congratulations to the Crestwood Heights Nursing Center for its selfless dedication and contributions to its community. I wish the center's residents and staff well and hope that their efforts are recognized by the Crestwood community as a shining example of community involvement.

IN HONOR OF J. KIM TUCCI, JOHN  
FERRARA, AND JOE FRESTA

## HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. GEPHARDT. Mr. Speaker, today I have the pleasure of extending congratulations to three outstanding St. Louisans. They are affectionately known as the Pasta House Boys", J. Kim Tucci, John Ferrara, and Joe Fresta. On August 7 and 8, they will be honored by the St. Louis Italian Open Golf Tournament for Charities for their many accomplishments on behalf of the community.

Twenty years ago, Kim, Joe, and John began their very successful restaurant business—the Pasta House Co. Not only did they begin a business, but they began a tradition of dedicated service to the community. Whenever there was a cry for help, they answered.

In their business endeavors and in their personal lives, Kim, Joe, and John have been involved in every aspect of civic life in the St. Louis area. Their activities and accomplishments, which are too numerous to mention, run the gamut from supporting the Boy Scouts, St. Patrick's Center, the Leukemia Society, and the Civic Italian American Organization to the Crusade Against Crime. They have been a voice for the business community in St. Louis and have been active supporters of many non-partisan civic projects.

They have never forgotten their roots and continue to support the neighborhoods and the schools that influenced their lives. They have set an example for the young people in our community—an example of vision, loyalty, generosity, and civic responsibility.

I have known Kim, John, and Joe for many years, and I continue to be impressed by their energetic and optimistic style. This has enabled them to achieve success in business and in their personal lives.

Kim Tucci, John Ferrara, and Joe Fresta are a source of pride and credit to the Italian-American community in St. Louis. They are a valuable asset of the greater St. Louis community. Most importantly, they epitomize the

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

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

American dream. They are a source of pride for all of us.

LET'S REPAIR THE HOUSE  
HEALTH BILL

HON. MICHAEL A. ANDREWS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. ANDREWS of Texas. Mr. Speaker, our goals for health care reform are in serious danger. It seems that our true objectives for controlling cost and providing coverage to those in need have been subverted by the desire to produce a massive new, Government-run program.

I commend the majority leader, RICHARD A. GEPHARDT, for bringing together the many interests in this crucial bill. While this bill offers many improvements over the current system, it fails to provide a method to control cost and maintain the quality care our public expects. Under a Government-run program, the goals of quality care and cost control are usually at odds with each other. No other program illustrates this inefficiency better than the Medicare program.

For example, the House bill creates a new entitlement program that includes up to 59 percent of the population under Medicare Part C, essentially leading the country toward a single payer system. While Medicare can place a cap on cost, the cap also causes a decline in quality. Due to the large increase in the number of patients in the Medicare Program, a much larger share of cost will be shifted onto the private sector. Compared to payments from the private sector, the current Medicare Program pays only 59 percent of cost for physicians' services, and 68 percent of cost for hospital services. Therefore, instead of providing all citizens with health care, patients will find more and more physicians who refuse to treat them due to the low Medicare payments.

I believe that Congress can act to remedy these problems, and to ultimately produce a bill that can insure health security, and reduce overall health spending.

[From the Dallas Morning News, Aug. 2, 1994]

HEALTH CARE—MEDICARE EXPANSION IS ILL  
ADVISED

The most eye-catching element of the health plan Rep. Dick Gephardt introduced Friday is the creation of a so-called Medicare Part C option. The Gephardt creation, which grew out of a House Ways and Means Committee recommendation, is an odd political beast.

In essence, the Part C provision says that any small employers who do not provide health coverage can enroll their employees in a government-managed health plan. Likewise, unemployed, self-employed and part-time workers can enroll in the new government program, which could eventually deliver health services to 60 million people.

What's politically odd is that Mr. Gephardt is proposing a new government program just as others within Washington are trying to rein in government's growth. Indeed, Medicare Part C would not be solely publicly financed. Small employers would still have to pay an extensive share of their employee's

Part C expense, just as self-employed workers would have to make a hefty contribution.

But why create a new bureaucracy, which is unlikely to hold down overall medical prices? By contrast, private insurers, through such "managed care" options as health maintenance organizations, help control costs through negotiating fees with doctors and hospitals. A government-managed program has little ability to do that, since it does not enter the marketplace to bargain for lower health prices.

In fact, the Medicare Part C option would greatly expand fee-for-service medicine, where you go to any doctor and pay whatever fee he or she charges. That kind of service has been a significant force behind the explosive growth in medical costs.

Mr. Gephardt will surely argue that the Medicare Part C option would control expenditures through placing a ceiling on prices doctors and hospitals charge. But as health experts will inform you, those ceilings, which are often artificially low, only add to overall health costs. As medical providers receive low reimbursements for their Medicare clients, which often fail to meet their costs, they make up their loss by charging other clients higher prices.

Perhaps Mr. Gephardt is making a political pitch to House liberals who want a government-run health system for all Americans. But his Medicare Part C option is ill advised and deserves a defeat by the full House.

[From the New York Times, July 30, 1994]

THE FAILED HOUSE HEALTH BILL

The health-care bill that the Democratic leadership will take to the full House for debate early next month would do more harm than good. Though it starts off correctly—achieving universal coverage by requiring employers to pay for most of the cost of insuring their workers—it proposes insurance "reforms" that would bury the most innovative cost-effective plans that many Americans routinely choose today.

The bill would be a victory for highly paid physicians and would reward those in Congress who want to control the huge health-care industry. But it would be a defeat for patients who expect high-quality care at a reasonable price.

The leadership bill, announced yesterday, would create Medicare C, a public, fee-for-service plan, to enroll the poor and otherwise uninsured. That might sound like a sensible way to provide failsafe insurance to relatively few families because it would build upon Medicare, the existing plan for the elderly. But Medicare C, unlike the program limited to the elderly, threatens to trigger an inevitable roll toward government-run medicine for most Americans.

The Government cannot supervise treatment provided under Medicare. The only way it can control costs is clamp down on prices it pays providers. Medicare pays doctors and hospitals less than their costs; that forces providers to make up the loss by jacking up prices to private patients. This "cost shift" is already widespread. But the leadership bill would add to Medicare the poor, who are now covered by Medicaid, as well as the unemployed and other uninsured people; that would bring 50 percent of the population under Medicare, according to Congressional staff estimates. The cost shift to the remaining patients would become devastating. Fees to private patients would skyrocket, driving premiums up and private insurers out of business through no fault of their own.

Other detrimental features of the leadership bill are provisions that render illegal

the approach used by most existing managed-care plans—which charge enrollees a fixed annual fee regardless of medical need in exchange for limiting care to a fixed panel of doctors and hospitals. The leadership bill would, for example, require most plans to hire any qualified doctors who apply—thereby eliminating the plans' ability to control the quality and cost of treatment by closely supervising a small panel of doctors. Most managed-care plans would have to hire specialists, like chiropractors, that they believe are unnecessary.

But the special interests were too powerful for the leadership to resist. The effect of the bill's anti-managed-care provisions is to lock in fee-for-service medicine that lies at the core of the existing system's penchant for wasteful and often inappropriate care.

The leadership did not have the gall to forthrightly propose a government takeover. But it has proposed a bill that would achieve the same end through stealth. When it comes to the floor, the bill's provision for universal coverage through an employer mandate is worth fighting for. Much of the rest deserves to be scrapped.

SIGNIFICANCE OF THE LANDING  
AT NORMANDY

HON. STEVEN SCHIFF

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. SCHIFF. Mr. Speaker, I rise today to pay tribute to the brave men who risked their lives on the beaches of Normandy. I commend these troops with a heartfelt poem written by Tony Schuerch, a constituent of the First Congressional District of New Mexico, which I proudly represent.

Mr. Schuerch's thoughts on that day in American history should not go unnoticed. I hope the Members of this body appreciate these words as much as I do.

Normandy

On Normandy's now peaceful shore,  
Above the beach where breakers roar,  
And seagulls spread their wings and soar,  
The gleaming rows of crosses stand  
And Stars of David, on this land  
Above the beach at Normandy.

They came from factory, school and farm  
Exuberant, filled with fun and charm  
Too young to think of death and harm  
Too young to think of death and harm  
Not knowing that their fate would be  
To lie for all eternity  
Above the beach at Normandy.

Peace in their time was not to be.  
Convinced that people should be free  
Some came by air; but most by sea  
Sickened by fear, yet always knowing  
That duty called and they were going  
To storm the beach at Normandy.

Freedom's not easy to regain;  
The price is blood and fear and pain  
And grieving loved ones who remain.  
Would be living under thrall  
Had they held back from giving all  
To storm the beach at Normandy?

Oh Gracious Father of mankind  
In the weakness of our heart and mind  
Grant us the power now to find  
Their kind of strength and bravery  
Beneath our flag which flutters free  
Above the beach at Normandy.

—Tony Schuerch.

TRIBUTE TO STUDENTS OF  
BIDDEFORD HIGH SCHOOL

**HON. THOMAS H. ANDREWS**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. ANDREWS of Maine. Mr. Speaker, I rise today to pay tribute to an exceptional group of students from Biddeford High School, located in my home State of Maine. These students are to be congratulated for their fine performance in the "We the People. \* \* \* The Citizens and the Constitution" national competition held in Washington, DC from April 30 to May 2, 1994. I was very impressed with the group's extensive knowledge of the U.S. Constitution, and the Bill of Rights in particular. The study of these great documents is a very admirable pursuit and these students are to be commended for the high level of understanding of the principles and history of the Constitution that they have gained.

The class from Biddeford that represented Maine in our Nation's Capital is: Jennifer Bergeron, Carissa Bolduc, Sophy Chea, Jason Conroy, Stephanie D'Amico, Kristel Dionne, Juile Gadbois, Sherri Gagnon, Nicole Hebert, James Hurtubise, Bryan Jordan, Jill Labelle, Brenna Laverriere, Jenny Nadeau, Randy Petit, Michael Ruel, Amanda Staples, Heather Thompson, Nicole Trotter, Carrie-anne Voisine, Tammy Welsh, Karen Whelan and Keith Willet. These students were under the guidance of the their teacher, Robert Libby.

Mr. Speaker, I congratulate Mr. Libby and his students for their outstanding effort in this competition and I ask that my colleagues join me in doing the same.

IN RECOGNITION OF MELANIE  
WILBUR

**HON. TED STRICKLAND**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. STRICKLAND. Mr. Speaker, I would like to recognize an exceptional young woman from my district. Melanie Wilbur is a talented senior at Jackson High School in Jackson, OH. I am pleased to submit into the RECORD the text of a speech she wrote for the Veterans of Foreign Wars Voice of Democracy contest.

MY COMMITMENT TO AMERICA

What is my commitment to America? What can I possibly give back to her that can even compare with what she has given to me? America gave my right to vote, my freedom of speech, religion, petition, and many more. America gave me the opportunity to be me and to voice my opinions.

What can I give her? The only thing that measures up to all she has given me is to give her my support, then that is what she receives. I give her my support to keep her strong, and America needs all the support she can get. We must provide our children and our children's children with something to see and to know what America was like prior to their birth so they can support America and continue to preserve the traditions and the heritage.

I try everyday to make America better for everyone. Whether I'm helping my peers in schoolwork or assisting my sisters in theirs, I'm helping them further themselves in their education so they can go farther in life.

Conserve energy, recycle and buy American are only a few of my responsibilities to America. I am the wave of the future, and my responsibilities are becoming more and more numerous. When I commit myself to completing these responsibilities, our foundation remains strong and something is only as strong as its foundations. The foundation of America will continue to hold by the joint efforts of the American people because the efforts of one are not as strong as the efforts of many. When people work together more can be achieved, and when more is achieved, the better America is for everyone.

If the influence of one individual could rub off onto others, then everyone would be committed to America. I help my country, whether through peaceful means of settling conflicts or understanding during a disaster. I do my part to conserve energy and the rain forests by recycling paper, glass, plastics, and aluminum. I support my country by buying products made in America, made by Americans, and by doing this I am helping to keep other Americans in their homes and with their families. I commit myself to helping in community service by cleaning litter off the streets in my community. I can adopt a section of highway and by cleaning the rubbish from the highway, I can practice recycling and get some good experience in the process. Whether or not I agree with my government, I support it and its decisions, but that doesn't stop me from voicing my opinions on it. I continue to commit myself to community by helping senior citizens and veterans either physically by helping them to do something or emotionally by just sitting down and listening to them.

When I think of commitment, one thing that comes to mind is faith. Before I can commit myself to America, I have to have faith in America. Do I believe in America's ideas and beliefs? Would I give my life for her? There is no question about it. If my country needed me to fight for my beliefs or defend her in any way, I would be there in a minute's notice.

No matter what way I commit myself to America, it is only the first step. When everyone is committed, then that will be the last.

In the immortal words of John F. Kennedy, "Ask not what your country can do for you, ask what you can do for your country."

TRIBUTE TO JUAN G. BLAS

**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. UNDERWOOD. Mr. Speaker, the island of Guam lost one of its premier citizens on July 6 of this year. The Honorable Juan G. Blas was called to his eternal rest just 12 days after his 55th birthday.

The late Honorable Juan G. Blas served as the commissioner of the village of Yigo from January 1965 through September 1968, a post he held with great distinction. During his tenure he unselfishly and with great enthusiasm and spirit, devoted and dedicated his energies and efforts to the needs of his constituents and making the village of Yigo a proud and peaceful community.

In 1969, he opted to join the Federal Civil Service and served as U.S. marshal until his retirement in 1990. Subsequent to his retirement, he was appointed chief marshal for the Superior Court of Guam, a position he held until his untimely death.

The late Honorable Juan G. Blas left a legacy of service and devotion to the island of Guam, to its people and to the United States as a whole. His distinguished career spanned a son who chose to follow in his footsteps. His son John also served as mayor of the village of Yigo.

His passing is a great loss and his presence will surely be missed. On behalf of the people of Guam, I offer my condolences and join his widow, the former Ms. Clotilde Finona, and their children: Evelyn, Elizabeth, John, Richard, David, Marie, Peter, Terese, Antoinette, and Kristine, in mourning the loss of a husband, a father, and a fellow servant to the people of Guam.

H.R. 2826 IS UNNECESSARY

**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. BURTON of Indiana. Mr. Speaker, on August 1, 1994, the U.S. House of Representatives passed H.R. 2826, a bill which mandates that the President undertake "a thorough investigation of the whereabouts of the U.S. citizens and others who have been missing from Cyprus since 1974." Prior to its passage, H.R. 2826 was described by its supporters as both just and necessary to overcome Turkish and Turkish Cypriot unwillingness in resolving the fates of five missing Americans. In reality, H.R. 2826 was neither just nor necessary. Regrettably, it was a bill designed to drive a wedge in United States-Turkish relations.

Mr. Speaker, I personally feel great sympathy for the five American families and Greek Cypriot families whose loved ones disappeared during the Turkish intervention on Cyprus in 1974. In spite of my sympathy for these families, I opposed the passage of H.R. 2826. By mandating an investigation of only those persons who became missing after 1974, H.R. 2826 effectively prohibits an investigation of 803 Turkish Cypriots who disappeared between 1963 and 1974. During this time, Greek-sponsored violence against Turkish Cypriots was at its peak, and Turkish Cypriots suffered greatly. While H.R. 2826 purports to help the families of missing Americans and Greek Cypriots, it does little to help Turkish Cypriot families.

We must never forget that Turkey intervened on Cyprus in response to an attempt by Greece to annex the island. Prior to the intervention, from 1963 to 1974, thousands of Turkish Cypriots were systematically killed. H.R. 2826, by design, erases this part of history which the bill's supporters would like to forget. It creates the illusion among the uninformed that Turkey is somehow to blame for the island's division. By so doing, it does a great disservice to the families of these missing Turkish Cypriots, who are just as worthy of

an investigation by our President as the families of Greek Cypriots.

Mr. Speaker, besides being unjust, H.R. 2826 is also unnecessary. Why should we mandate a new Presidential investigation of missing persons on Cyprus, when there already exists a U.N. Committee on Missing Persons in Cyprus [CMP] which was created for this exact purpose? While the U.S. State Department chose neither to support or oppose H.R. 2826, it did express strong reservations about the bill in a March 9, 1994 letter to the chairman of the House Foreign Affairs Committee. In this letter, the State Department explains, "To conduct a thorough investigation of the approximately 2,400 individuals missing is far beyond the capacity of the current staff at our Embassy in Cyprus," and "Such an investigation would require an additional 12 employees and would take three years to conduct." It points out, "a three-person U.N. Special Commission [CMP] is meeting in Cyprus to investigate cases submitted by the two Cypriot communities." It concludes, "in our opinion this [CMP] offers the best hope for resolution of these cases," and recommends "that Congress defer action on this bill."

During consideration of H.R. 2826, the bill's supporters claimed that the CMP was ineffective and that somehow Turks and Turkish Cypriots were responsible. While their first claim has some merit, their second claim is absurd. To date, the Greek Cypriots have submitted less than half of the 1,600 names which they regularly claim are missing to the CMP despite promises to do so by President Clerides. In stark contrast, the Turkish Cypriots have submitted the names of 794 of their 803 missing persons. Why haven't the Greek Cypriots submitted these remaining names? According to the State Department, the majority of these persons were former soldiers and not civilians. The CMP is mandated only to investigate missing civilians, not soldiers. Submitting their names would show that Greek Cypriots have inflated the number of their missing persons for political purposes. In addition, it would further prove that Greece and Greek Cypriots had a large number of soldiers on Cyprus prior to the 1974 Turkish intervention.

The U.N. Committee on Missing Persons in Cyprus [CMP] is currently composed of a Greek Cypriot, a Turkish Cypriot, and a neutral third representative, usually from Switzerland. Before any action can be taken by the CMP, the unanimous consent of these three members is required. Regrettably, the CMP's work has been paralyzed. The Greek Cypriot representative has insisted that an unattainable set of criteria for ruling that a missing person is dead, first be accepted, before any investigation can begin. Meanwhile, the Swiss and Turkish Cypriot representatives have wanted to adopt more reasonable criteria. According to the State Department, the Greek Cypriot representative has refused to back down from this position for almost every case, and as a result, has prevented the CMP from carrying out any investigations.

Mr. Speaker, contrary to what was said by the supporters of H.R. 2826, both Turks and Turkish Cypriots have been cooperative on the missing persons issue. This cooperation was confirmed in May of 1992, when U.S. Ambas-

sador Nelson Ledsky, the former Special Cyprus Coordinator, addressed a congressional Human Rights Caucus briefing. He told the caucus, "There is no indifference or lack of concern on the Turkish Cypriot side." "The Turkish Government is now extremely cooperative," said Ledsky. When asked by Representative BEN GILMAN, the ranking minority member of the House Foreign Affairs Committee, if there was any evidence to substantiate Turkish insistence that there are no prisoners in Turkey, Ambassador Ledsky stated, "evidence supports the Turkish position. Neither the United States nor international human rights organizations have found Cypriots in Turkish jails, although every single lead has been investigated." When Ambassador Ledsky was asked why over 800 Greek Cypriots cases had not been brought before the CMP, he replied "that question has to be put before the Greek Cypriot government."

With respect to the five missing Americans who are the principal target of H.R. 2826, only the cases of Christos Libertos and Andreas Kassapis have been submitted to the CMP. Except for Andreas Kassapis, four of the five Americans, if alive today, would be over 87 years old. Christos Libertos would be 91, Socratis Kapsoris would be 92, Kyriakos Leontiou would be 88, and Jack Sophocleous would be 87. Mr. Speaker, if the supporters of H.R. 2826 choose to argue that the CMP has been ineffective, they can only point the finger of blame at the Greek Cypriots.

During debate on H.R. 2826, the bill's supporters made many passionate appeals on behalf of the families who lost loved ones on Cyprus. Unfortunately, the passage of H.R. 2826 shows little compassion for Turkish Cypriot families, who also lost loved ones during ethnic strife on Cyprus between 1963 and 1974. Their bill deliberately bypasses the CMP which was designed to resolve the missing persons issue but rendered ineffective by Greek Cypriot actions. It totally disregards Turkish Cypriot and Turkish cooperation on the missing person issue, a cooperation which was noted by the United States former Special Cyprus Coordinator Nelson Ledsky. Finally, H.R. 2826 ignores a State Department warning that it lacks the capability to carry out a missing persons investigation and their judgment that the CMP is the best place to deal with the issue.

Mr. Speaker, the U.S. House of Representatives should never have passed H.R. 2826. Both the families of missing Turkish Cypriots, the Turkish Republic of Northern Cyprus, and Turkey deserve far better treatment.

#### TRIBUTE TO CHARLES COST

##### HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Charles Cost of Troop 1 in North Scituate, RI, and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout

Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 Merit Badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the world, safety, environmental science, and first aid.

As he progresses through the Boy Scout ranks, a Scout must demonstrate participation in increasingly more responsible service projects. He must also demonstrate leadership skills by holding one or more specific youth leadership positions in his patrol and/or troop. This young man has distinguished himself in accordance with these criteria.

For his Eagle Scout project, Charles performed community service in the town of Foster under the direction of the public works director.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Charles Cost. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 84 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

It is my sincere belief that Charles Cost will continue his public service and in so doing will further distinguish himself and consequently better his community. I join friends, colleagues, and family who this week salute him.

#### TRIBUTE TO WOODROW BOWMAN ON 50TH ANNIVERSARY OF WOODY'S

##### HON. TONY P. HALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. HALL of Ohio. Mr. Speaker, I rise to call attention to the special achievements and outstanding hard work of a constituent, Mr. Woodrow Bowman. Mr. Bowman, who worked on a farm as a boy, founded Woody's Market in West Carrollton, OH, on July 2, 1944. During the past 50 years, Mr. Bowman has expanded the original market from an outdoor, one-person roadside stand into a giant independent supermarket with nearly 100,000 square feet of area under one roof, employing about 500 people.

Woody's Market is equipped with its own bakery, general grocery, seafood, poultry, meat, fresh produce, delicatessen, and florist departments, in addition to a pharmacy and full service restaurant, providing the West Carrollton community and surrounding area with a convenient, one-step shopping center.

Woody's Market was the first supermarket in the entire Dayton area to introduce 7-day-a-week, 24-hour customer service. During the past 50 years, Woody's Market has constantly supported community organizations, charitable groups, and service clubs, becoming known as the Cornerstone of the West Carrollton Community.

Woody's Market celebrated its 50th year of operation in West Carrollton on Saturday, July

2, 1994. By exercising outstanding business acumen, innovative ability, and tireless energy, Mr. Bowman exemplifies the achievement of the American Dream, and in so doing, has strengthened the Dayton economy as well as the Ohio business community.

In recognition of these achievements, Ohio Governor, George Voinovich, declared Saturday, July 2, 1994, "Woodrow Bowman Day." Mr. Speaker, I commend Mr. Woodrow Bowman, a man dedicated to his work and to his community.

#### IMPROVING THE ECONOMY IN SOUTHERN INDIANA

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, August 3, 1994, into the CONGRESSIONAL RECORD:

#### IMPROVING THE ECONOMY IN SOUTHERN INDIANA

Despite the current interest in health care reform in Congress and the press, the topic that comes up most frequently when I talk with residents of the Ninth District is the outlook for jobs and the economy in southern Indiana. Last month, I held a congressional hearing in New Albany—an informal roundtable discussion with 13 local academic and business leaders. The topic was the economy of southern Indiana and steps that could be taken at the federal, state, and local levels to improve business conditions and the business climate in our part of the State. The participants provided some useful information on the economy of southern Indiana and how we can strengthen it.

**Current Economic Conditions:** The general consensus was that, after 3 or 4 soft years, economic conditions in southern Indiana had improved significantly during the past year or so. Much of the new growth came from expansion at existing firms to meet growing domestic demand, but many firms in southern Indiana are also aggressively expanding their markets in foreign countries. There is also evidence of strong new business growth in southern Indiana—mostly in services but many in manufacturing—plus an increase in homebuilding. The improved economic conditions have stimulated substantial job growth; Indiana ranks 16th among the states in job creation, while the Louisville metropolitan area has added 10,000 jobs in the last year, many on the Indiana side of the river. Indiana's unemployment rate is now 4.7%, compared to the national average of 6.0%.

**Improving Business Conditions:** Many suggestions were made for improving the business climate in southern Indiana, with most of the discussion focusing on improving the transportation infrastructure, improving the quality of the workforce, and reducing the burden of government regulations.

There was widespread agreement that infrastructure problems, particularly transportation infrastructure, are holding back economic growth and development in southern Indiana. A strong infrastructure will be an important factor in helping Hoosier communities attract new jobs, and many specific projects were identified, including highway improvements to U.S. 50 and U.S. 231, a new highway between Evansville and Indianap-

olis, and new bridges across the Ohio River. We also need to upgrade local airports, improve some of the locks and dams on the Ohio, and improve local recreational facilities to attract tourism.

Among the most compelling problems raised during the roundtable was upgrading the workforce in southern Indiana in light of rapid changes that are occurring in the nature of work. Southern Indiana is blessed with a good, productive workforce, but several concerns were expressed about the future. Modern factories and businesses need highly skilled workers with strong backgrounds in math and statistics, good organizational and communication skills, and good judgment and imagination. Such skills are needed in order to keep up with rapid changes in production technology, the complex demands of flexible manufacturing, and expanded worker responsibilities. In southern Indiana, where we have fewer high school and college graduates than other parts of the country, we need to run harder just to keep up. Our schools are improving, but it is getting harder for schools across the country to keep pace with the revolutionary changes that are occurring in the workplace. Businesses will have to become more involved with local schools to help them define the skills that young people will need in the years ahead.

A frequently-raised topic was the impact of government regulation on businesses in southern Indiana. While all the participants expressed a desire to comply with regulations that benefit society, a number pointed out ways in which federal regulations impose unnecessary costs. Government often takes a single-minded approach that fails to consider the broader impact of its regulations on the economy and jobs. There can be problems with the enforcement staff who come into the plants, including a high turnover rate and occasionally a poor knowledge of regulations. New firms often face time-consuming delays obtaining necessary permits, while many small businesses do not have the staff to determine how to comply with many regulations or even to know what the regulations are.

A number of other issues also came up during the roundtable discussion, including lack of small business access to capital; the rising cost of health care; improved training for local development officials; and better incentives for businesses to invest for the future. On the other hand, recent cuts in the federal budget deficit have helped make firms in southern Indiana more competitive by lowering interest rates and the value of the dollar in foreign exchange markets, while government efforts to remove foreign barriers to U.S. exports have also been helpful.

**The Future:** I am following up on specific suggestions raised at the roundtable, for example, seeing what can be done about the problem of small businesses having no single source of information on government regulations. And I agree with the observations of participants that the federal government should reduce government barriers to job creation—excessive regulations or expensive federal mandates—and that it should continue to reduce the federal budget deficit. Yet the overriding sense I got from the roundtable was that policy initiatives at the federal level generally have an important, but limited impact on local economic development. None of the participants thought some new capital gains tax break or federal program for job training or community development was the key. The factors they emphasized—a well-trained, industrious work-

force and good roads and bridges—are primarily local responsibilities.

In the end, the initiative for change and the commitment to carry it out must come from local leaders. The key is often old-fashioned energy, skills, and entrepreneurship. The difference between economic vigor in one area and stagnation in another is frequently found in the entrepreneurial skills of a few people. At the federal level, we can help local leaders by funding specific infrastructure or community development projects and can assist state and local efforts to improve education and training. But in the end a community's well-being is usually determined by the energy and innovations of its residents and the quality of its leadership.

#### CRIME BILL

**HON. RON PACKARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. PACKARD. Mr. Speaker, Americans are tired of living in fear and are demanding legislation that will stop the crime epidemic in this country. However, the crime bill now before us amounts to nothing more than another social welfare program.

The most publicized portion of the crime bill is the Community Policing Grant Program. The White House claims that this measure will put 100,000 new cops on the streets over the next 6 years. But these figures do not add up.

If cities do not cut back on other services or raise taxes, the fund provided in the bill can keep, at most, just 20,000 permanent cops on the street over the next 6 years—the equivalent of one new police officer for every department in the Nation.

This seems especially ludicrous when you consider that this bill funds two new social workers on the street for every new cop. Are American families supposed to rely on social workers to ensure their safety?

Mr. Speaker, the American people deserve a crime bill which offers real crime fighting tools like more cops, more prisons, and strong sentencing provisions—not another welfare bill.

#### INTRODUCTION OF LEGISLATION GRANTING TAX BENEFITS TO THE CATAWBA INDIAN TRIBE OF SOUTH CAROLINA

**HON. JOHN M. SPRATT, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. SPRATT. Mr. Speaker, today I am introducing legislation which would grant several tax benefits to the Catawba Indian Tribe of South Carolina.

These provisions were part of the settlement agreement we signed with the tribe and part of H.R. 2399, initial legislation restoring the Catawba Tribe. Unfortunately, the Ways and Means Committee insisted last year that we drop these tax provisions from the restoration bill before it became law. After consulting with

the tribe, we decided to drop the provisions because we did not want this to stop settlement of the claim and the restoration of the tribe. But I assured the tribe at the time that I would work for passage of these tax provisions in separate legislation. Even though there has been no major tax bill since the Catawba restoration bill became law, I will work to have them included in the next tax bill which the Congress passes and sends to the President.

Last year, after 4 years of long and arduous negotiations, Government and tribal negotiators settled a 150-year-old Catawba claim to 140,000 acres of land in South Carolina. On October 27, 1993, President Clinton signed the Catawba Restoration Act into law. To reach an agreement, both sides had to make difficult concessions. In return for the tribe's willingness to relinquish its land claim, Federal, State, and local governments agreed to pay the tribe \$50 million. Negotiators also agreed to the restoration of the Catawbas as a federally recognized tribe and agreed to the establishment of a Federal reservation in South Carolina. Part of the settlement agreement provided the Catawbas with various State and Federal tax benefits. Although the South Carolina State Legislature approved the State tax benefits pledged in the settlement agreement, Congress has not yet approved the Federal benefits. The purpose of this bill is to see those provisions become law. Let me review some of the provisions of the legislation:

a. **Involuntary Conversion.**—In three other major Eastern Indian settlements, the Pequot, Rhode Island, and Maine settlements, Congress has authorized sales of land for the reservation to be treated as involuntary conversions. The Catawbas want the same treatment. They have concluded, and I agree, that it will be more difficult for them to purchase 3,000 acres in a densely populated and rapidly growing area unless they can offer the purchasers this tax deferral advantage.

b. **Per Capita Payments.**—As partial compensation to tribal members, the Federal Government will be paying each member of the tribe approximately \$5,000 in cash. The tribe quite correctly believes it would be unfair for the Federal Government, on the one hand to compensate Catawbas and then take some of the money back by taxing them. For the same reason, the bill would exempt from Federal estate taxes the undistributed share of any member in the Catawba Per Capita Payment Trust Fund.

c. **Settlement contributions.**—The legislation provides that contributions by private parties to help settle the claim shall be treated either as a charitable deduction or a payment in settlement of litigation. Almost \$3 million of the settlement money comes from private contributions and some of the private donors have conditioned their payment on their ability to deduct the contributions. Even though all contributions to the tribe will become tax deductible once the IRS grants the tribe tax-exempt status—and some payments are already tax deductible contributions in settlement of litigation—the IRS has not yet issued its ruling and enactment of this legislation might ensure a more speedy resolution of the tribe's status.

1. **Sale of Catawba Artifacts.**—The bill would exempt income earned from the sale of tribal pottery from Federal income taxes.

These tax provisions are consistent with several other Indian restoration bills and the cost to the Treasury is negligible. But the tribe believes, and I agree, that these provisions are important because they will help ensure that the tribe can become economically viable. I urge my colleagues to enact this bill into law.

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ALMANSOR CENTER 20TH  
ANNIVERSARY CELEBRATION

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HON. CARLOS J. MOORHEAD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. MOORHEAD. Mr. Speaker, I am pleased to join the members of the Institute for the Redesign of Learning to celebrate the 20th anniversary of their cornerstone organization, the Almansor Center.

The Institute for the Redesign of Learning was established in 1991 to advance this Nation's education of at-risk individuals. It conducts ongoing research, training, and development of the innovative methods of learning pioneered by the Almansor Center.

From the beginning, this organization has sought to help children and adults overcome frustration and failure, and take personal responsibility for their own learning process. The nonprofit Almansor Center has been doing just that in its past two decades of service for infants, children, and adults at risk for learning, behavior, and emotional problems. Founded in 1974, the Center not only provides the primary research and training for the institute, but also offers early childhood education, specialized day school and outpatient mental health services, adult vocational training and job placement, and community outreach services, including Headstart programs and juvenile diversion at its campus in South Pasadena, CA.

The organization's newest venture is the Ultimate Outlet, a popular women's clothing store and Retail Occupations Training Program. This innovation gives to adults with disabilities the skills and confidence they need to find retail jobs in surrounding communities. Now in its second year, the Ultimate Outlet is an excellent model for cost-effective programming for young adults with severe disabilities.

These programs are to be saluted for their dedication to reasserting the rights of individuals to an education that enables each to fully express his or her innate capacity to explore, discover, and learn, and become responsible, caring, productive members of society.

Mr. Speaker, the Almansor Center provides a valuable and crucial service to our country. It is to be commended for two decades of excellence with my sincere wishes for continued success.

IN HONOR OF THE RETIREMENT  
OF DONNA LEE BELTZ

HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. POSHARD. Mr. Speaker, I rise today to honor Donna Lee Beltz on her retirement as Postmistress of the Energy, IL, Post Office. For 28 years Donna has played an important role in assuring the mail has been delivered in an efficient and timely manner. Donna has triumphed over many obstacles in order to be able to provide her community with quality postal service.

Donna began her career with the U.S. Postal Service on June 11, 1966. She served as a postal clerk in the Energy Post Office under Postmaster Lawson Smith. Upon Postmaster Smith's retirement in 1974, Donna was appointed postmistress of the Energy Post Office, the position she has held until her retirement on August 3, 1994, when she will be able to enjoy her time with her husband, Ron, and their show horses.

I congratulate Donna Lee Beltz on her 28 years of faithful service to the U.S. Postal Service and the people of the 19th District and this Nation. I wish her and her family good health and happiness in the many wonderful years ahead.

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TRIBUTE TO TARA ARDALAN

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. PACKARD. Mr. Speaker, I rise today to pay tribute to a truly outstanding athlete, Ms. Tara Ardalan of Valley Center, CA. Ms. Ardalan recently competed at the U.S. Olympic Festival in Defiance, MO. She and her horse, Witch Broome Wizard, were members of the gold medal winning west coast equestrian team.

Ms. Ardalan has competed in numerous competitions nationally. Her riding career is distinguished, with such accolades as an individual gold medal in show jumping at the U.S. Olympic Festival in San Antonio, TX, and an individual gold medal at the North America Young Riders Championships. She has also received first place in the Oaks Fall Classic in San Juan Capistrano, CA, and the Acorn Jumping Classic. She was champion in the junior jumper division in the Memorial Day Classic in California. She has performed exceptionally well in many other competitions as well.

Ms. Ardalan recently graduated from high school and plans to attend college. She is trained by her father, Mr. Ardia Ardalan. At her young age, she has accomplished much and I wish her the best in her future endeavors.

Mr. Speaker, I hope you and my colleagues will join me in recognizing the achievements of Tara Ardalan. I am pleased to enter these words of tribute and congratulations into the RECORD.

## TRIBUTE TO DONNELL BROOKINS

**HON. EARL HUTTO**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. HUTTO. Mr. Speaker, Bay County, FL, lost one of its most outstanding citizens and all of us lost a great friend with the passing of Donnell Brookins on July 27, 1994.

Donnell, without a doubt, was one of the most beloved politicians in northwest Florida. He served as Bay County tax collector from 1968 until his retirement in 1992. During this period, he was never really challenged and was returned to office repeatedly with only minor opposition one time. This was because he was a trusted public official who did his job and treated everyone fairly.

I had the pleasure of knowing Donnell Brookins as a close personal friend several years before he was elected to office. I met him when I went to work for WJHG-TV on November 3, 1963, and Donnell was employed there as a weatherman and announcer.

I will never forget that it was DB, as we often called Mr. Brookins, that first broke the news of the assassination of President John F. Kennedy when he interrupted his program on channel 7 with a news flash. Later that day, he and I did interviews on the streets of Panama City to get the reaction of the people to this terrible tragedy.

Donnell's wife Norma, daughter Pam, son Gary and family, and all of his many friends who knew and loved him, will greatly miss him. But we are comforted by many fond memories.

Honesty, integrity, trustworthiness, and many other attributes would fit Donnell. But, I feel the greatest thing that endeared people to him was his great sense of humor as well as his warm personality. Donnell Brookins was a devout Christian, a family man, a broadcaster, a patriot, and a community leader. He served us well. Though gone from us, he is not forgotten. Our loss is Heaven's gain.

TRIBUTE TO METROPOLITAN  
JEWISH GERIATRIC CENTER**HON. JERROLD NADLER**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. NADLER. Mr. Speaker, in 1907, a group of civic-minded Brooklyn residents concerned about the well-being of their elderly neighbors pooled their energies and their resources to establish the Brooklyn Ladies Hebrew Home for the Aged.

That small institution grew steadily through the years; now it is known as Metropolitan Jewish Geriatric Center—a facility that has pioneered a wide range of programs to serve the elderly, and which reflects to this day the spirit and devotion of its founders.

Currently, Metropolitan serves more than 500 residents at its affiliated Brenner Pavilion in the Boro Park section of Brooklyn, and 359 at its Parshelsky Pavilion in Coney Island. Metropolitan is also meeting the needs of

some 20,000 people in the metropolitan New York area through an array of outreach services and affiliated organizations.

On May 20, Metropolitan gave further expression to its abiding concern for the health, comfort, and dignity of its residents with the opening of its affiliated Shorefront Jewish Geriatric Center, a magnificent \$48 million nursing care facility that will replace the nearby Parshelsky Pavilion.

Shorefront has been designated as the Harry and Jeanette Weinberg Pavilion in recognition of a generous gift to support its construction by the Baltimore-based Weinberg Foundation. A substantial contribution to the development of Shorefront was made also by the S.H. and Helen R. Scheuer Family Foundation.

Shorefront will be fully equipped to meet the needs of the resident population, with special attention devoted to services for patients with Alzheimer's disease and other mental impairments and sensory disorders.

The opening of Shorefront represents the initial phase in the establishment of a campus for the elderly of Coney Island.

The second phase will be the construction of Shorefront Towers, a multistory building that will provide 116 apartment units for low- to moderate-income elderly. It will be built on the Parshelsky site.

As the sponsor of Shorefront, Metropolitan will make available to the tenant a host of support programs, including social services, leisure activities, and pastoral care. Especially important is the fact that this housing will enable the elderly to enjoy independence and an enhanced quality of life.

The development of Shorefront Jewish Geriatric Center and Shorefront Towers is due in large measure to the leadership of Metropolitan—men and women who give selflessly of their time and energy to a truly worthy endeavor.

These dedicated individuals include the members of the building committee: Martin A. Simon, the chairman, who also is president of Metropolitan, and Harold Cohen, Michael Epstein, Philip Geller, Mark L. Goldstein, Eli S. Feldman, Seymour Levine, and John H. Wolff. All have been involved for many years in programs designed to enrich the lives of the elderly served by Metropolitan.

Mr. Speaker, I am proud to represent a community home to such an outstanding organization. Social services provided by this noble group have helped to better the lives of thousands. The Metropolitan Jewish Geriatric Center is a model of benevolence and altruism for the whole Nation.

HONORING KING MICHAEL AND  
THE ANTI-NAZI POLITICAL LEADERS  
OF ROMANIA FOR THEIR  
COURAGEOUS LEADERSHIP IN  
THE ANTI-NAZI COUP D'ETAT OF  
AUGUST 23, 1944**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, August 3, 1994*

Mr. LANTOS. Mr. Speaker, free nations are now celebrating the 50th anniversary of the

victorious allied assault on Nazi Europe and the heroic struggle for political freedom waged by the United States and her allies. Among the myriad instances of personal courage exhibited in these historic events, one of the most daring and intrepid occurred during the bold August 23, 1944, coup d'etat in Romania. Young King Michael of Romania played a key role in the arrest of Marshall Ion Antonescu, Romania's pro-Nazi dictator, and in proclaiming Romania's alliance with the anti-fascist coalition of nations.

In addition to the role of King Michael, leaders of the principal anti-Nazi and anti-fascist political parties played important parts in the planning and execution of the coup against Antonescu and in reversing Romania's foreign alliance afterward. We in the Congress should pay tribute for their roles in the August 23, 1944, coup to those political leaders and their associates—Iuliu Maniu and the National Peasant party, Dinu Bratianu and the Liberal party, C. Titel Petrescu and the Social Democrats, and also to officials of the Romanian Communist Party, who though they were very small in numbers were staunchly antifascist.

In tribute to his courage in the face of enormous risk and in recognition of his outstanding contribution to the cause of freedom and democracy, King Michael was awarded the Legion of Merit by President Harry Truman. President Truman said of King Michael:

In July and August, 1944, his Nation under the dominance of a dictatorial regime over which the King had no control, having allied herself with the German aggressors, he, King Michael I, succeeded in giving purpose, direction and inspiration to the theretofore uncoordinated internal forces of opposition to the ruling dictator. In culmination of his efforts, on 23 August, 1944, although his capitol was still dominated by German troops, he personally, on his own initiative, and in complete disregard for his own safety, gave the signal for a coup d'etat by ordering his palace guards to arrest the dictator and his chief ministers. Immediately thereafter, in an inspired country-wide radio address, he proclaimed to the Nation his decision to release Rumania from the Nazi yoke and called upon his Army to turn upon the German troops, and to kill, capture or drive them from the country. Confronted with this forthright and aggressive action on the part of their sovereign, the response of the Rumanian people and the Rumanian Army was wholehearted and immediate, with the result that, in the space of a few days, the greater part of the Rumanian territory was liberated from Nazi control, and the main line of German resistance on the Southwestern front was withdrawn over five hundred kilometers to the Northwest.

As we mark the 50th anniversary of this event, it is appropriate to pay credit and honor to the bravery and courage of King Michael and the political leaders of Romania in 1944 who took grave risks to overthrow the fascist regime in Romania and to hasten the destruction of Nazi Germany. The United States should remember and honor our country's wartime alliance with the democratic and anti-Nazi Romanian forces, an alliance that ceased only with Stalin's takeover of Eastern Europe.

Mr. Speaker, I would also like to mention in the context of commemorating the anniversary of August 23, the outstanding efforts of King

Michael and his mother, Queen Elena, to protect thousands of Jews in Romania from certain deportation and death at the hands of the Nazis. In March of 1993, Israel's Holocaust Memorial Authority (Yad Vashem) awarded the title of "Righteous Among the Nations" to Queen Elena for her efforts to save tens of thousands of Jews in Romanian-occupied Transnistria during World War II.

Mr. Speaker, today, 50 years after the heroic coup d'etat of August 23, 1994, I invite my colleagues in the Congress to join me in remembering those brave Romanian political leaders and King Michael of Romania, who took a daring and courageous step at an important time in the struggle against Nazi tyranny.

THE INTRODUCTION OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE COPYRIGHT ACT OF 1994

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 3, 1994

Mr. HUGHES. Mr. Speaker, I rise to introduce the General Agreement on Tariffs and Trade Copyright Act of 1994. The Subcommittee on Intellectual Property and Judicial Administration, which I chair, has exclusive jurisdiction over domestic intellectual property law. The subcommittee also has joint jurisdiction over trade laws such as section 337. The GATT/TRIP's agreement raises quite a number of important intellectual property issues within the subcommittee's jurisdiction and of interest to its members.

The U.S. Trade Representative has identified a very limited number of changes in domestic intellectual property law as being required by the GATT/TRIP's agreement. In the field of copyright, only one change has been identified as being required: repeal of the computer program sunset.

USTR has also identified a number of discretionary changes which, in its opinion, might be appropriate in the TRIP's implementing legislation, including a provision to grant retroactive protection to works of Berne and WTO origin that have not fallen into the public domain in their source country, a Federal anti-bootlegging statute, and Federal protection for foreign pre-1972 sound recordings.

The procedure under which the GATT agreement and other fast track trade agreements are considered in Congress denies to Congress and its committees the ability to apply the normal legislative processes, particularly the ability to amend the legislation after introduction. For this reason, the primary test for determining whether a particular matter should be included in fast track legislation is not whether it is a meritorious proposal, but rather whether it is an essential proposal; that is, essential to carry out our treaty obligations.

The administration has proposed including the nonessential items which I described above in the GATT/TRIP's implementation package. Discussions to determine if this is appropriate, and the form such legislation should take, have been held between our

committee, the Senate Judiciary Committee, and the administration.

We entered into such discussions with the understanding that these items would be included in the GATT implementation package only if all agreed to their inclusion and to their contents.

Unfortunately, the complexity of the issues involved, and the process followed by the administration's lead agency, the Office of the U.S. Trade Representative, have as of yet left us unable successfully to complete this process in a manner which would permit the inclusion of these items in the GATT package.

However, the matters in question—restoration of copyright protection for Berne works, a Federal anti-bootlegging statute, and Federal protection for foreign pre-1972 sound recordings—are each important proposals which, in my view, merit prompt and serious consideration in the normal legislative process. For this reason, I am today introducing a bill addressing these three matters. The subcommittee intends to hold a joint hearing with the Senate Subcommittee on Patents, Copyrights and Trademarks at the earliest possible date.

This bill and the hearings will take the debate out of the shadows and will provide a constructive starting point for necessary public discussions on the important issues raised by the TRIP's agreement.

H.R.—

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "General Agreement on Tariffs and Trade Copyright Act of 1994".

**SEC. 2. RENTAL RIGHTS IN COMPUTER PROGRAMS.**

Section 804(c) of Public Law 101-650, 104 Stat. 5136, is amended by striking the first sentence.

**TITLE I—FEDERAL ANTI-BOOTLEG PROVISIONS**

**SEC. 101. SHORT TITLE.**

This title may be cited as the "Federal Anti-Bootleg Act of 1994".

**SEC. 102. UNAUTHORIZED FIXATION OF AND TRAFFICKING IN SOUND RECORDINGS AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES.**

Title 18, United States Code, is amended by adding the following:

**§ 2319A. Unauthorized fixation of and trafficking in sound recordings and music videos of live musical performances**

"(a) Whoever, without the consent of a featured performer, knowingly and for purposes of commercial advantage or private financial gain—

"(1) fixes the sounds or sounds and images of a live musical performance in a copy or phonorecord, or reproduces phonorecords or copies of such a performance from an unauthorized fixation;

"(2) transmits of otherwise communicates to the public the sounds or sounds in images of a live musical performance; or

"(3) distributes or offers to distribute, sells or offers to sell, rents or offers to rent, or traffics any copy or phonorecord fixed without the consent of a featured performer, regardless of whether the fixations occurred in the United States;

shall, upon judgment of conviction, be fined not more than \$250,000 or imprisoned for not more than 5 years, or both.

"(b) When a person is convicted of a violation of subsection (a), the court shall in its judgment of conviction order the forfeiture and destruction of any copies of phonorecords created in violation thereof, as well as any plates, molds, matrices, masters, tapes, and film negatives by means of which such copies or phonorecords may be made. The court may also, in its discretion, order the forfeiture and destruction of any other equipment by means of which such copies or phonorecords may be reproduced, taking into account the nature, scope, and proportionality of the use of the equipment in the offense.

"(c) If copies or phonorecords of sounds or sounds and images of a live musical performance are fixed outside of the United States without the consent of a featured performer, such copies or phonorecords are subject to seizure and forfeiture in the same manner as property imported in violation of the customs revenue laws. The Secretary of the Treasury and the United States Postal Service shall, separately or jointly, make regulations for the enforcement of the provisions of this subsection, including regulations by which any featured performer may, upon payment of a specified fee, be entitled to notification by the United States Customs Service of the importation of phonorecords or copies that appear to consist of unauthorized fixations of the sounds or sounds and images of a live musical performance.

"(d) As used in this section—

"(1) The terms 'copy,' 'fixed,' 'musical work,' 'phonorecord,' 'reproduce,' 'sound recordings,' and 'transmit' have the same meanings given such terms in section 101 of title 17, United States Code.

"(2) The term 'traffic' means transport, transfer, or otherwise dispose of, to another, as consideration for anything of value, or make or obtain control of which intent to transport, transfer, or dispose of.

"(e) This section shall apply to the following acts that occur 1 year after the entry into force of the World Trade Organization Agreement—

"(1) live musical performances fixed without the consent of a featured performer;

"(2) distributions, offers to sell, sales, offers to sell, rentals, offers to rent, or trafficking in any copy or phonorecord fixed without the consent of a featured performer, regardless of when the fixation occurred; and

"(3) transmissions or other communications to the public of sounds or sounds and images of a live musical performance fixed without consent of a featured performer."

**TITLE II—COPYRIGHT IN RESTORED WORKS**

**SEC. 201. SHORT TITLE.**

This title may be cited as the "Berne and GATT Retroactivity Act of 1994".

**SEC. 202. RESTORED WORKS.**

(a) IN GENERAL.—Section 104A of title 17, United States Code, is amended to read as follows:

**"SEC. 104A. COPYRIGHT IN RESTORED WORKS.**

"(a) AUTOMATIC PROTECTION AND TERM.—

"(1) TERM.—Copyright subsists, in accordance with this section works, and vests automatically on the date of restoration.

"(A) Copyright in restored works published or registered with the Copyright Office before January 1, 1978, shall endure for a term of 75 years from the date of first publication or registration as the case may be.

"(B) Copyright in works created on or after January 1, 1978, shall endure for the term of protection established in section 302.

"(2) EXCEPTION.—No work in which the copyright was ever owned or administered by

the Alien Property Custodian and in which the restored copyright would be owned by a government or instrumentality thereof, shall be a restored work.

"(b) OWNERSHIP OF RESTORED COPYRIGHT.—A restored work vests initially in the author of the work as determined according to the law of its source country.

"(c) FILING OF NOTICE OF INTENT TO ENFORCE RESTORED COPYRIGHT AGAINST RELIANCE PARTIES.—Any person owning copyright in a restored work or an exclusive right therein may file with the Copyright Office a notice of intent to enforce that copyright against reliance parties. Acceptance of a notice by the Copyright Office shall not create a presumption of the validity of any of the facts stated therein.

"(d) REMEDIES FOR INFRINGEMENT OF RESTORED COPYRIGHTS.—

"(1) ENFORCEMENT OF COPYRIGHT IN RESTORED WORKS IN THE ABSENCE OF A RELIANCE PARTY.—As against any party who is not a reliance party, the remedies provided in chapter 5 of this title shall be available immediately upon restoration with respect to any infringing act commenced on or after the date of restoration.

"(2) ENFORCEMENT OF COPYRIGHT IN RESTORED WORKS AS AGAINST RELIANCE PARTIES.—As against a reliance party, subject to paragraph (3), the remedies provided in chapter 5 of this title shall be available upon restoration—

"(A)(i) if the owner of the restored work files with the Copyright Office, between the date of restoration and 24 months thereafter, a notice of intent to enforce a restored work; and

"(ii) the act of infringement commenced on or after 12 months from the date of publication of the notice in the Federal Register.

"(B)(i) if the owner of the copyright in the restored work or an exclusive right therein serves upon that reliance party a notice of intent to enforce a restored work; and

"(ii) the act of infringement commenced prior to receipt of the notice;

"(C) if copies of a restored work are made after publication of the notice of intent in the Federal Register; or

"(D) in the case of a particular reliance party, after receipt of a notice of intent to enforce the restored work.

"(3) COMMENCEMENT OF INFRINGEMENT BY RELIANCE PARTIES.—For purposes of section 412, in the case of reliance parties, infringement shall be deemed to have commenced prior to registration when acts which would have constituted infringement were committed prior to the date of the restoration and continued after such date.

"(e) NOTICES OF INTENT TO ENFORCE A RESTORED COPYRIGHT.—

"(1) NOTICES OF INTENT FILED WITH THE COPYRIGHT OFFICE.—(A)(i) Notices of intent filed with the Copyright Office to enforce a restored work shall be signed by the owner of the copyright or the owner of the exclusive right filing the notice and shall identify the title of the restored work. If the notice is signed by an agent, the agency relationship must have been constituted in a writing signed by the owner of the restored work or the owner of the exclusive right therein prior to the filing of the notice. The notice may contain any other information specified in regulations established by the Register of Copyrights pursuant to this section.

"(ii) If a restored work has no formal title, it shall be described in the notice of intent in detail sufficient to aid in its identification. Minor errors or omissions may be corrected after the period established in subsection

(d)(2)(A) and shall be published by the Register of Copyrights in the Federal Register pursuant to subparagraph (B).

"(B)(i) The Register of Copyrights shall publish in the Federal Register, commencing not later than 4 months after the date of the Agreement on Trade-Related Aspects of Intellectual Property of the General Agreement on Tariffs and Trade becomes effective with respect to the United States and every 4 months thereafter, lists identifying restored works and the ownership thereof if a notice of intent to enforce a restored work has been filed.

"(ii) Not less than 1 list containing all notices of intent to enforce a restored work filed with the Copyright Office shall be maintained in the Public Information Office of the Copyright Office and shall be available for inspection and copying during regular business hours pursuant to sections 705 and 708.

"(C) The Register of Copyrights is authorized to fix reasonable fees based on the costs of receipt, processing, recording, and publication of notices of intent to enforce a restored work.

"(D)(i) Not later than 30 days after the date the Agreement on Trade-Related Aspects of Intellectual Property of the General Agreement on Tariffs and Trade becomes effective with respect to the United States, the Copyright Office shall establish and publish in the Federal Register regulations governing the filing under this subsection of notices of intent to enforce a restored work.

"(ii) Such regulations shall permit owners of restored works to simultaneously obtain registration for a claim of copyright in the restored work.

"(2) NOTICES OF INTENT SERVED ON A RELIANCE PARTY.—

"(A) Notices of the intent to enforce a restored work may be served by the copyright owner of the restored work or by the owner of any exclusive right therein on a reliance party.

"(B) Such notice shall identify the restored work and the use to which the owner objects and shall include an address and telephone number at which the reliance party may contact the owner.

"(f) IMMUNITY FROM WARRANTY AND RELATED LIABILITY.—An individual who warranted, promised, or guaranteed that a work that such individual created did not violate 1 of the exclusive rights granted in section 106, shall not be liable for legal, equitable, arbitral, or administrative relief if the warranty, promise, or guarantee is breached by virtue of the restoration of copyright under this section.

"(g) DEFINITIONS.—For purposes of this section and section 109(a):

"(1) The term 'date of adherence' means the earlier of the dates upon which a foreign country that is not a member of the Berne Union or the World Trade Organization, as of the date of the enactment of the General Agreement on Tariffs and Trade Intellectual Property Act of 1994, becomes a member of the Berne Union or the World Trade Organization.

"(2) The term 'date of restoration' of a restored copyright means—

"(A) the date the Agreement on Trade-Related Aspects of Intellectual Property of the General Agreement on Tariffs and Trade becomes effective with respect to the United States, if the work is a restored work on such date; or

"(B) the date of adherence.

"(3) The term 'eligible country' means a country, other than the United States,

which, on the date that copyright is restored under the provisions of this section, has joined the World Trade Organization or adhered to the Berne Convention for the Protection of Literary and Artistic Works.

"(4) The term 'reliance party' means any person who, prior to the date the Agreement on Trade-Related Aspects of Intellectual Property of the General Agreement on Tariffs and Trade becomes effective with respect to the United States, or who, prior to the date of adherence of a source country which became an eligible country after the date of the enactment of such Act—

"(A) engaged in acts which would have violated section 106 if the restored work had been subject to copyright protection, and who, after the date the Agreement on Trade-Related Aspects of Intellectual Property of the General Agreement on Tariffs and Trade becomes effective with respect to the United States, or after the date of adherence, continued to engage in such acts; or

"(B) made substantial monetary investments in a creation of a work which incorporates material portions of a restored work.

"(5) The term 'restored work' means an original work of authorship that—

"(A) is protected under subsection (a);

"(B) is not in the public domain in its source country;

"(C) is in the public domain in the United States due to—

"(1) noncompliance with formalities imposed at any time by United States copyright law, including failure of renewal, lack of proper notice, or failure to comply with any manufacturing requirement; or

"(ii) lack of subject matter protection in the case of sound recordings fixed before February 15, 1972; and

"(D) has not less than 1 author who was, at the time the work was created, a national or domiciliary of an eligible country, and if published, was first published in an eligible country but not published in the United States during the 30-day period following publication in such eligible country.

"(6) The term 'source country' of a restored work means—

"(A) a country other than the United States;

"(B) in the case of an unpublished work—

"(i) the eligible country in which the author is a national or domiciliary, or, if a restored work has more than 1 author, the majority of foreign authors are nationals or domiciliaries of such eligible countries; or

"(ii) if the majority of authors are not foreign, the source country shall be the country, other than the United States, which has the most significant contacts with the work; and

"(C) in the case of a published work, the eligible country in which the work is first published, or if the restored work is published on the same day in 2 or more eligible countries, the source country shall be the country, other than the United States, which has the most significant contacts with the work."

(b) LIMITATION.—Section 109(a) of title 17, United States Code, is amended by adding at the end the following:

"(e) the sale or other disposition without the authorization of the owner of a restored work of copies or phonorecords manufactured before the date of restoration of works in which copyright has been restored under section 104A may be sold or otherwise disposed of only during the period specified in section 104A(d)(3), and after such period, only as part of a sale or disposition of not more than 1 copy or phonorecord at a time."

SENATE COMMITTEE MEETINGS

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

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

Meetings scheduled for Thursday, August 4, 1994, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 5

8:30 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings on the nominations of Jose M. Amador, of Texas, to be Assistant Secretary for Science and Education, and Roger C. Viadero, of Virginia, to be Inspector General, both of the Department of Agriculture. SR-332

9:00 a.m.  
Governmental Affairs  
Permanent Subcommittee on Investigations  
To hold hearings to examine Blue Cross/Blue Shield Federal contracts. SD-342

9:30 a.m.  
Banking, Housing, and Urban Affairs  
To continue hearings to examine certain legal issues with regard to the Whitewater Development Company, Inc., and Madison Guaranty Savings and Loan. SD-106

Banking, Housing, and Urban Affairs  
Business meeting, to consider the nominations of Janet L. Yellen, of California, to be a Member of the Board of Governors of the Federal Reserve System, Julie D. Belaga, of Connecticut, to be a Member of the Board of Directors of the Export-Import Bank of the United States, and Susan R. Baron, of Maryland, and Danny K. Davis, of Illinois, each to be a Member of the National Corporation for Housing Partnerships. SD-538

Joint Economic  
To hold hearings to examine the employment-unemployment situation for July. 2359 Rayburn Building

10:00 a.m.  
Agriculture, Nutrition, and Forestry  
Domestic and Foreign Marketing and Product Promotion Subcommittee  
To hold hearings on S. 1557, to revise the Dairy Production Stabilization Act of

1983 to require that members of the National Dairy Promotion and Research Board be elected by milk producers and to prohibit bloc voting by cooperative associations of milk producers in the election of the producers, and S. 1564, to revise the Dairy Production Stabilization Act of 1983 to ensure that all persons who benefit from the dairy promotion and research program contribute to the cost of the program, to terminate the program on December 31, 1996, and to prohibit bloc voting by cooperative associations of milk producers in connection with the program, and to examine the beef industry long range plan of the Cattlemen's Beef Promotion and Research Board. SR-332

10:30 a.m.  
Veterans' Affairs  
To hold hearings to examine reproductive hazards associated with military service, focusing on the risks of radiation, Agent Orange, and Gulf War exposures. SH-216

AUGUST 8

9:30 a.m.  
Governmental Affairs  
Permanent Subcommittee on Investigations  
To resume hearings to examine Blue Cross/Blue Shield Federal contracts. SD-342

10:30 a.m.  
Environment and Public Works  
To hold hearings on the nominations of Kay Collett Goss, of Arkansas, to be an Associate Director of the Federal Emergency Management Agency (Preparedness, Exercise, and Training Directorate), Robert James Huggett, of Virginia, to be an Assistant Administrator (Office of Research and Development), and William A. Nitze, of the District of Columbia, to be an Assistant Administrator (Office of International Activities), both of the Environmental Protection Agency, and Bill Anoatubby, of Oklahoma, Terrence L. Bracy, of Virginia, Matt James, of California, and Norma Udall, of Virginia, each to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation. SD-406

2:00 p.m.  
Veterans' Affairs  
To hold hearings on the nomination of Linda Marie Hooks, of Georgia, to be an Assistant Secretary of Veterans Affairs (Acquisition and Facilities), S. 2330, to revise title 38, United States Code, to provide that undiagnosed illnesses constitute diseases for purposes of entitlement of veterans to disability compensation for service-connected diseases, and other pending legislation. SR-418

AUGUST 9

10:00 a.m.  
Judiciary  
Patents, Copyrights and Trademarks Subcommittee  
To hold hearings on S. 2272, to revise chapter 28 of title 35, United States Code, to provide a defense to patent infringement based on prior use by certain persons, and S. 2341, to revise

chapter 30 of title 35, United States Code, to afford third parties an opportunity for greater participation in re-examination proceedings before the United States Patent and Trademark Office. SD-226

2:00 p.m.  
Foreign Relations  
To hold hearings on Richard Holbrooke, of New York, to be Assistant Secretary of State for European and Canadian Affairs, Eileen A. Malloy, of Connecticut, to be Ambassador to the Kyrgyz Republic, and James W. Swihart, Jr., of Virginia, to be Ambassador to the Republic of Lithuania. SD-419

AUGUST 10

9:00 a.m.  
Labor and Human Resources  
Business meeting, to mark up S. 1821, authorizing funds to provide a comprehensive program for the prevention of fetal alcohol syndrome, S. 1781, to make improvements in the Black Lung Benefits Act, and proposed legislation to provide for civil and criminal money penalties reform. SD-430

Office of Technology Assessment  
Board meeting, to consider pending business. EF-100, Capitol

10:00 a.m.  
Foreign Relations  
To hold hearings to examine the current status of the Law of the Sea Convention. SD-419

Indian Affairs  
Business meeting, to mark up S. 2269, to protect Native American cultures and to guarantee the free exercise of religion by Native Americans, S. 2036, to specify the terms of contracts entered into by the U.S. and Indian tribal organizations under the Indian Self-Determination and Education Assistance Act, S. 2150, to establish a Native Hawaiian housing program, S. 2259, to provide for the settlement of Confederated Tribes of the Colville Reservation claims concerning their contribution to the production of hydropower by the Grand Coulee Dam, and S. 2329, to provide for the settlement of certain Mohegan Indian land claims within the State of Connecticut; to be followed by hearings on pending nominations. SH-216

1:30 p.m.  
Small Business  
Business meeting, to mark up S. 2060, authorizing funds for fiscal years 1995 through 1997 for programs of the Small Business Administration. SR-428A

AUGUST 11

8:30 a.m.  
Agriculture, Nutrition, and Forestry  
Agricultural Research, Conservation, Forestry and General Legislation Subcommittee  
To hold hearings on the Administration's proposed legislation on meat and poultry inspection. SR-332

9:30 a.m.  
Commerce, Science, and Transportation  
To hold hearings on S. 1991, to provide for the safety of journeyman boxers; to

be followed by hearings on the oversight of activities of the Olympic Committee.

SR-253

AUGUST 12

8:30 a.m.

Agriculture, Nutrition, and Forestry  
Agricultural Research, Conservation, Forestry and General Legislation Subcommittee

To continue hearings on the Administration's proposed legislation on meat and poultry inspection.

SR-385

2:00 p.m.

Veterans' Affairs

Business meeting, to consider the nomination of Linda Marie Hooks, of Georgia, to be an Assistant Secretary of Veterans Affairs (Acquisition and Facilities), and to mark up pending legislation.

SR-418