

EXTENSIONS OF REMARKS

MASS MIGRATION FROM CUBA

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. SHAW. Mr. Speaker, in 1980 Fidel Castro opened Cuba's borders and 125,000 Cuban refugees flooded the shores of south Florida. Many outstanding Cubans escaped Castro's brutal regime, but the boats at Mariel were also filled with convicts and the mentally ill. As a result of Castro's despicable behavior, much damage was done to south Florida's people and the good name of the Cuban people.

Now the dictator has again threatened a mass migration of his long-suffering people. Mr. Speaker, earlier this week 19 Members of the Florida delegation sent a letter to President Clinton asking him to bring Navy and Coast Guard assets into play to forestall this impending crisis. Last night Attorney General Janet Reno announced that the United States would use Navy and Coast Guard vessels to keep the situation under control. I urge the President to put those assets in place now.

The first lesson from Mariel is that swift American action is needed to prevent another mass migration from Cuba. Everyone in south Florida is well aware of the consequences of Federal inaction and lack of resolve. Let us hope that this time our President acts first to protect our borders and our laws.

NELSON MANDELA AND JOE SLOVO

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. BURTON of Indiana. Mr. Speaker, while all of us are very pleased that violence has been reduced in South Africa and that a government of national unity is in place, we must not allow the euphoria of the moment to cloud our sober assessment of potential problems in the South African transition.

I commend to my colleagues' attention this recent article from the Washington Times by William Stearman, formerly of the National Security Council staff, about the strong influence of the South African Communist Party within the new government.

NELSON MANDELA AND JOE SLOVO

The most significant result of the recent South African elections seems to have gone totally unmentioned in the world media: The emerging dominant role of the South African Communist Party (SACP) in the new government officially announced on May 11.

Known members of the SACP in the new government include: The first deputy presi-

dent (probable successor to 75-year-old Nelson Mandela); minister of defense; minister of safety and security (the police); and minister of posts, telecommunications and broadcasting (a key position for controlling the media). This is a textbook example of how communist parties have always tried to secure control over the military, the police and the media as an essential first step to taking over entirely. SACP members hold other important positions: minister and deputy minister of foreign affairs; housing (which will probably dispense a large part of the state budget); transport; sport and recreation; and a minister without portfolio. Ten other ministers and six other deputy ministers are African National Congress (ANC) members who may or may not be in the SACP, but who owe their positions to ANC committees controlled by an SACP majority and, therefore, are beholden to the party. Thus, the electoral victory has, in effect, actually brought the SACP to power.

I first learned of the SACP's control of the ANC when, during my last stint in the White House, I prepared briefing material on the ANC for President Bush. My research revealed that, contrary to popular belief, there is more than just an "alliance" between the ANC and the SACP.

The ANC is run by its National Working Committee and National Executive Committee, the present members of which were elected in July 1991. The SACP controls majorities in both committees. This dominant SACP role was confirmed in a revealing speech, not reported on outside of South Africa, given by the late Cris Hani, immensely popular ANC leader and once a probable successor to Mr. Mandela, on Nov. 16, 1991: "We in the Communist Party have participated in and built the ANC. We have made the ANC what it is today, and the ANC is our organization."

The ANC was founded in 1912, and the Communist Party joined it in 1921. For at least the last 50 years, the ANC has been essentially a front for the party, with, of course, the kinds of diverse groups fronts always put forward. A Communist, Bram Fisher, wrote the "new" ANC Constitution in 1943. The Freedom Charter, still the ANC's credo and manifesto, was drafted in 1955 by SACP members Joe Slovo (who now heads the party) and Moses Kotane. In testimony before a U.S. Senate committee, in November 1982, Bartholomew Hiapane, former member of the SACP Central Committee and of the ANC's National Executive Committee, stated: "... no major decision could be taken by the ANC without the concurrence and approval of the Central Committee of the SACP. Most major developments were, in fact, initiated by the SACP. On Dec. 16, 1982, Mr. Hiapane and his wife were murdered in their home in Soweto by an ANC assassin.

Where does this all leave Nelson Mandela, who stated he has been "influenced by Marxist thoughts" but is not a Party member? Although he has been masterful and charismatic in representing the ANC, he has never claimed to be running this organization. Just after he was released from prison in February, 1990, he quite accurately described his position: "I am a loyal and disciplined member of the ANC."

At that time, it would have been simple and logical to have had him replace ANC President Oliver Tambo, who had long been seriously ill, but instead, he was eventually given the largely honorific post of deputy president. After leaving prison, he was, in effect, on probation for a year and a half before he was "elected" president. During this period, his first major trial was entering negotiations with President de Klerk at Groote Schuur, May 2-4, 1990. In these meetings, Mr. Mandela's performance was closely monitored by a watchdog contingent of four senior SACP members headed by General-Secretary Joe Slovo, who is both white and reputed (but not proven) to have been a colonel in the KGB. The party obviously thought this proctoring necessary, despite the considerably political liabilities it entailed. At present, Mr. Mandela is clearly more than just a front man and must have no small amount of influence in the ANC, but he does not have the final say. The party has.

Unlike most of the reform-minded or disillusioned communists and ex-communists in Europe, the South African Communists are true believers, less than Stalinist, but certainly, pre-Gorbachev. This became abundantly clear from the positions taken at the last Party Congress in December 1991. Time magazine (May 9, 1994) quite correctly stated it: "While they [SACP members] have forsworn Stalinism, Slovo still argues that 'only under socialism could you have a combination of political and economic democracy'." Mr. Slovo has got to be the most influential and powerful mover and shaker in South Africa today. The Freedom Charter, mostly drafted by Mr. Slovo and still to this day gospel for the ANC, states: "The national wealth of our country . . . shall be restored to the people; the mineral wealth beneath the soil, the banks and monopolies shall be transferred to the ownership of the people as a whole; all other industry and trade shall be controlled to assist the well-being of the people."

When elections became certain, the ANC virtually dropped all the references to nationalization or any other "socialist" programs both to keep the favorable (to them) political process moving to encourage foreign investments and aid. The ANC did, however, briefly show its hand when it announced on Jan. 14 an economic program which seemed to harken back to the Freedom Charter in calling for the nationalization of the "strategic areas" of the economy. However, on May 1 Mr. Mandela insisted there was nothing about Marxism or nationalization in the ANC's economic program.

One can, indeed, expect the new ANC regime to move slowly and deliberately in changing the economy, except for massive expenditures on housing (which Mr. Slovo will directly supervise) and other social programs. At this point, they do not want to destabilize the economy, encourage white flight or discourage foreign investment. Eventually, however, any Marxist-Leninist regime can be counted on to give higher priority to attaining, exercising and maintaining political control than to fostering a free and healthy economy. Such political control inevitably requires the kind of state-controlled economy the SACP and ANC have

● 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.

been advocating for decades. Moreover, such a move is not likely to encounter much opposition from economically deprived voters who gave the ANC its smashing electoral victory.

While one can expect little change in the economic field in the near future, there are ominous signs that human rights might be affected much sooner by the new government. Bill Keller, New York Times correspondent in Johannesburg reported on April 24 that there were "nagging doubts about how devoted the next, presumably ANC-led Government will be to the rule of law. . . . Already the ANC has had minor skirmishes with human rights groups over its support for detention without trial and other extraordinary powers now that power is flowing into its hands." This recalls the revelation in October 1992 about widespread use of torture in ANC prison camps in Angola, Tanzania and Uganda. Geoffrey Wheatcroft, longtime British observer of the South African scene, warned in the Wall Street Journal on April 21: "Press Freedom is visibly under threat. Already there is a high degree of self-censorship by newspapers." He also noted increased ANC influence in the state-owned South African Broadcasting company now headed by an ANC member (who will now be working for a Communist minister.) In this regard, it is a fine irony that the SACP/ANC came to power only by being granted a freedom of expression and assembly rarely, if ever, enjoyed by such a powerful opposition in any other African country.

There are other things to worry about in South Africa. After the South African government announced, in March 1993, that it had a nuclear program, The Washington Post quoted a U.S. official as saying, "There are some members of the ANC who see all this (nuclear) materials as a large and useful toy, while there are others who would like to see it eliminated." (Under the new Communist defense minister, the former are likely to prevail).

The same Post piece also stated that, in this connection, the United States is concerned about the ANC's close ties with Moammar Gadhafi. As a matter of principle, one should not only worry about the ANC's ties with Mr. Gadhafi, but also with Fidel Castro and, in the recent past, with the Soviet Union which, until 1990, had for decades been the ANC's main source of financing, arms, training and guidance. Such a long and close association had to have left its mark. The events now being set in motion by the ANC electoral victory should have become obvious when in a speech on Feb. 11, 1990, immediately after his release from prison, Nelson Mandela was so lavish in his praise of the South African Communists that a Washington Post editorial found his remarks "passing uncomfortable," and presently asked whether the ANC "is about to create another of the cruel, undemocratic and inefficient state-centered regimes that are collapsing in other parts of the world." Preventing this may well require at least as much international pressure as that which helped to end apartheid and to bring about the political process which brought the ANC to power.

INTRODUCTION OF REGULATORY REFORM LEGISLATION

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. FRANKS of New Jersey. Mr. Speaker, last month, the Northeast-Midwest Congressional Coalition Manufacturing Task Force released its report on the state of manufacturing in the United States. This report contains over 40 recommendations to assist this vital sector of our economy. Today, I am introducing comprehensive legislation to significantly change the Federal regulatory process, a key component of the report.

The manufacturing task force spent the last year examining barriers which inhibit the manufacturing sector and economic growth. As my colleagues are aware, one of the most frequently cited obstacles to prosperity is the vast scope of regulatory schemes which have created the perception of a government hostile to business. Indeed, with the Federal Government publishing 69,688 pages of new regulations last year, the regulatory process has become so complex that the Federal Register now teaches classes just so individuals can better understand this rulemaking journal.

This legislation would require agencies drafting a major new rule to complete a regulatory impact analysis. Although President Clinton recently announced a change in the regulatory process that could increase agency coordination and implementation of timetables, additional improvements must be adopted. The first step in this process is to reform the Administrative Procedures Act, which governs all rulemaking activity undertaken by the Federal Government. Under my bill, an agency would be required to complete an assessment of the potential impact of its action by completing a detailed checklist found in the bill's regulatory impact analysis.

The regulatory impact analysis will require answers to a series of commonsense questions, which include: The number of persons affected by the rule; the factual, scientific or technical basis for the agency's determination that the regulation will accomplish its intended purpose; estimates of compliance costs including paperwork, burdens, fines, fees, registration, etc.; any alternative approaches considered by the agency or suggested by interested parties and the reasons for their rejection; and whether parties may have to retain or utilize lawyers, accountants, engineers or other professional consultants in order to comply with the regulations.

By requiring regulators to answer these and other questions, my goal is not to eliminate regulations, but to cause regulators and regulated parties, to have full knowledge of the likely impact of a regulatory action before it is made final.

Mr. Speaker, I urge my colleagues to join me in cosponsoring this bipartisan regulatory reform measure.

RESOLUTION TO REMOVE THE PASSPORT RESTRICTION ON UNITED STATES TRAVEL TO LEBANON

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. RAHALL. Mr. Speaker, today I am introducing a resolution calling for the lifting of the travel ban to Lebanon, and replacing it with a travel advisory. In 1987 Secretary of State George Schultz issued a prohibition on the use of United States passports in Lebanon. The basis of such a ban came from "imminent danger to the public health or the physical safety of the United States travelers." (22 USC 211a). In 1987, the travel ban made sense, due to the ongoing civil war. Since the end of the civil war, the situation in Lebanon has dramatically improved. In particular, I would like to draw your attention to these important developments:

Despite the travel ban, Americans have traveled to Lebanon since last 1990, with more than 40,000 visiting in 1993. Most of these were Americans of Lebanese descent, the media, business people, and spouses and fiancées of Lebanese nationals. There have not been any hostile acts reported against these Americans, nor any kidnappings since the last hostage was released December 2, 1991.

On January 27, 1993, the United States Department of Justice announced that it would not extend Temporary Protected Status to Lebanese nationals in this country beyond April 9, 1993 due to improved security in Lebanon. This determination contradicts the State Department's rationale for maintaining the travel ban, instead of a travel advisory.

Reconciliation and reconstruction is underway in Lebanon. Between January 1993 and January 1994, Lebanon has awarded some 100 contracts worth \$2.4 billion for both consultancies and redevelopment projects, mostly to French, Italian, and German contractors. For example, Alcatel-CIT of France and Ericsson of Sweden each received \$22 million and Siemens of Germany \$40 million for installing phone lines. Hyundai of South Korea was awarded \$80 million and Ciemmesey of France was awarded \$55 million for equipment and repairs to the Lebanese electric power system. American companies have the goods and the expertise that Lebanon needs for reconstruction. Unfortunately, U.S. firms are hindered in bidding for contracts because they cannot legally send American personnel.

In light of the above developments, a State Department travel advisory may be more appropriate than an outright ban on the travel of United States citizens to Lebanon. Take the cases of Algeria and Somalia where foreigners have been threatened and killed; and Bosnia where a civil war is still raging. For these countries, the U.S. State Department has only issued a travel advisory. Yet for Lebanon, as well as Libya and Iraq, there remains an outright ban on United States travel.

The safety of U.S. citizens is of paramount importance when considering a change in U.S. policy on the travel ban. Lifting the travel ban and replacing it with a travel advisory will enhance United States-Lebanese relations and

bring about much needed stability for Lebanon. In particular, the participation of United States business in Lebanon's reconstruction can only further economic development and stability there. Such involvement will enhance United States-Lebanese ties to promote United States exports.

As you can see, the State Department's travel ban to Lebanon is no longer necessary in light of the above developments. The travel ban inhibits American businesses from participating in the reconstruction of Lebanon, slows the building of United States-Lebanese ties, and hinders much needed stability in the region. Such a ban serves no purpose to the United States or to Lebanon, and I strongly urge you to support this resolution to modify the travel ban to a travel advisory.

If you wish to cosponsor the resolution, or have any questions please call me or Mrs. Kyle on my staff at x-53452.

TRAGEDY IN THE STATE OF JAMMU AND KASHMIR

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. ANDREWS of New Jersey. Mr. Speaker, I rise today to shed light on a terrible tragedy that is taking place in the Indian State of Jammu and Kashmir. This situation deserves the immediate attention of the international community. The Indian State of Jammu and Kashmir is being victimized by armed terrorists trained in Pakistan. This action is part of a proxy war being waged by Pakistan, which has had devastating effects on civilians, visitors, visiting diplomats, and Indian dignitaries.

One of the largest groups affected by the proxy war perpetrated by terrorists are the Kashmiri Pandits. These people are the original inhabitants of the valley of Kashmir. Since 1989, fundamentalists, under the influence of religious zealots in Pakistan and other terrorist nations, have pursued a murderous campaign against the Pandits in order to establish an Islamic state. Murder, arson, and rape have been used to terrorize this community, leading to a mass exodus. Leaving everything they owned, the Pandits have been living in subhuman conditions as refugees in their own country for over 4 years. These conditions have led to untimely deaths, physical and mental diseases, and a declining birth rate. Unless this problem is addressed soon, the Pandits' unique culture will become extinct.

Mr. Speaker, the United States should play a larger role in helping to bring peace to this region. We have always supported and defended democratic ideals. India, as the largest democracy in the world, deserves our support. Either through U.N. efforts or through congressional action, we should negotiate peace between India and Pakistan. In the meantime, we should condemn, as we have in past, the state-sponsored terrorism taking place in the valley of Kashmir.

HEALTH CARE REFORM

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. PACKARD. Mr. Speaker, as support for President Clinton's health care reform package continues to dwindle, the liberal leadership has cooked up a new proposal which landed on my desk just the other night. Advertised as "new and improved," the Clinton-Gephardt bill is different—it's worse.

My constituents continue to demand that I keep Big Government out of their doctor's office; and prevent bureaucrats from tinkering with their health care. However, the liberal leadership concocted a plan containing more Government—not less.

The Clinton-Gephardt bill creates a massive, new Government Health Insurance Program, called Medicare Part C. The Federal Government will have unprecedented control over health care delivery.

With more than half this country's population expected to enroll, the private sector will be driven out of the system, taking with it competition, choice, and quality.

Handing the Government more control over health care is ludicrous. The Federal Government already manages Medicare Parts A and B. Actuaries note that these parts of Medicare are technically bankrupt. Adding another layer to the Medicare boondoggle will only make the program more insolvent.

So while the liberal leadership tries to sell the Clinton-Gephardt bill as new and improved, more bureaucracy and more taxes are not the answer.

The American people are asking us to ensure access to health insurance, to protect them from losing their insurance, and to control costs by reforming malpractice laws.

I urge my colleagues and the American people to read the Michel plan and the Dole plan. These plans give the American people what they want.

NAPERVILLE AND HAROLD MOSER

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. FAWELL. Mr. Speaker, it is particularly appropriate, as the city of Naperville, IL, moves beyond the 100,000 population mark, to examine the dynamics that converted this drowsy farm and college town of 9,000 into a thriving super suburb which retains its small town charm. First, there was the Burlington Railroad which, in the early 1950's, moved its suburban terminal to the west, from Downers Grove to Aurora. Second, and more important to Naperville, there was Harold Moser, proprietor of a local lumber business, who recognized that with vastly improved suburban train service, the potential future of Naperville was as bright as if it had been lifted into a bountiful new land.

And so, in late 1954, the plat for Moser Highlands No. 1 was recorded, Harold Moser's

first development in the community's vital new era. This was the first of many subsequent new developments, all of which reflected his resolute commitment to the highest standards of design and planning. Other developers later joined in, but all followed the Harold Moser standards of excellence in providing the amenities which convey to the new resident a pride of ownership and a sense of community.

Mr. Speaker, there is much more to Harold Moser than the gift of vision and keen business acumen. All through the years, he has involved himself personally and diligently in a wide range of community activities, so that his neighbors have always known that he was one of them, and that their vital interests were of serious concern to him.

At this time, Mr. Speaker, I ask that my colleagues join me in taking note of Harold Moser's approaching retirement by joining me in congratulating him for his many past accomplishments, wishing him a retirement that exceeds his greatest expectation, and extending our own salute and say, "Thank You, Mr. Naperville!"

IN HONOR OF THE 20TH ANNIVERSARY OF CROSSROADS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Ms. DeLAURO. Mr. Speaker, I rise today to commemorate the extraordinary efforts of Crossroads, a remarkably successful substance abuse treatment program in my district.

Crossroads is a private, nonprofit residential substance abuse treatment program located in New Haven, CT. Since 1973, the dedicated staff at Crossroads has been serving the people of Connecticut, providing counseling and social services to substance abusers.

What began as a small substance abuse treatment program designed for the State's Latino population today has grown into a multicultural program for chemically dependent people from throughout the State. During its 20 years of service to the State, Crossroads established itself as the first facility in Connecticut to pioneer the treatment of chemically dependent pregnant women and women with children. At this time, Crossroads is providing treatment to over 100 clients at its two locations.

During these frustrating times of budgetary shortfalls and increasing program caseloads, Crossroads has proven that compassion, perseverance, and commitment can pay off in the effort to treat substance abusers. It is comforting to know that despite the disturbing trends in substance abuse, which depict more users starting at younger ages, treatment programs like Crossroads are not only rising to meet these challenges, but are actually succeeding in the face of such adversity.

The key to Crossroads' success has been its unique approach to treatment. Crossroads believes that an individual's path to recovery must involve counseling in all aspects of the person's life. To meet this goal, the devoted staff at Crossroads has instituted an effective treatment program that meets each individual's mental, physical, and spiritual needs. It is

an impressive approach to substance abuse treatment that has withstood the test of time and made Crossroads a preeminent substance abuse treatment program in the State of Connecticut.

On this day, which marks the 20th anniversary of Crossroads, I want to take this opportunity to congratulate the people who have made Crossroads the model of success that it is today. In particular, I want to acknowledge Mr. Miguel Laguna, the executive director and cofounder of Crossroads, who has been with the organization since its inception. The people of Connecticut are indebted to Crossroads for the service it has provided the State, and I know that they join me in wishing the staff of this exceptional program another 20 years of good fortune and achievement.

**FAMILY SERVICE CENTER ACT OF
1994**

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. MENENDEZ. Mr. Speaker, today I have introduced the Family Service Center Act of 1994, a bill to reinvent the welfare office, and I invite my colleagues to join me in meeting this challenge.

My bill would authorize the creation of modern, efficient one-stop centers where families in need can have access to the Federal programs that can help them achieve self-sufficiency.

Regardless of how Members may feel about the effectiveness of these social programs, there is no down side to delivering them more efficiently. The time that welfare families spend going from government office to government office, waiting in line after line, leaves them no time and no opportunity to escape the welfare trap.

Working Americans have welcomed changes that cut the hassles of shopping, banking, and traveling, so we can do our work and spend quality time with our families. American industry has met our needs and cut its costs through neighborhood ATM's, and easy access to 24-hour 800 numbers, voice mail, credit cards, and automatic reservation systems. We need to use the American genius for good service in the world of welfare, so needy families can get on with the job of getting jobs.

Mr. Speaker, I believe the bill makes good, common sense. It cuts right to the heart of the redtape which holds people back from moving off of welfare, and wastes taxpayer dollars. I urge my colleagues on both sides of the aisle to join me in streamlining the system, and putting people back to work for less.

**WELCOME TO PRESIDENT MELES
ZENAWI**

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. BURTON of Indiana. Mr. Speaker, I would like to welcome Ethiopian President

Meles Zenawi, Foreign Minister Seyoum Mesfin, and the rest of their delegation, who are here this week on an official visit. The young, dynamic, articulate President of Ethiopia and his government have instituted significant political and economic reforms in Ethiopia.

Three years ago, President Meles led the victory of the people of Ethiopia over Communist dictator Mengistu Haile Mariam and his murderous regime. Those of us who served on the Africa Subcommittee during the Mengistu era can appreciate the positive changes that have been wrought since 1991.

President Meles and his government have set themselves a daunting task: To build a democracy in a country that has never known democracy. They have made a very good beginning. We wish them well and offer our support for the furtherance of their mission.

**COMMEMORATING NATIONAL
MANUFACTURING WEEK**

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. FRANKS of New Jersey. Mr. Speaker, today I am introducing a resolution designating the week of March 12, 1995 as "National Manufacturing Week."

Last month, Congressman MARTY MEEHAN and I, as cochairmen of the Northeast-Midwest Congressional Coalition Manufacturing Task Force, released a national plan of action to revitalize America's industrial base. The 40 proposals in our report are designed to assist the manufacturing sector by pursuing the following five key objectives:

First, encourage the formation of private capital; second, reduce unnecessary regulatory burdens; third, create incentives to increase technology research, development, and deployment; fourth, enhance the skills of American workers; and, fifth, encourage companies to expand into international markets.

Our proposals will help supply the tools for investors to provide the capital; for manufacturers to develop the technology; for workers to obtain the advance training they need to secure high-paying jobs; and will assist small manufacturers by giving them the resources they need to compete more effectively in foreign markets.

The work of the task force represents the first time Congress has ever focused on the needs and problems facing the entire manufacturing sector. I am confident that this work lays out a blueprint for the revitalization of this vital segment of our economy.

Until recently, many in Washington and around the country believed that in the 21st century, the American economy would not need to rely on manufacturing as an engine of growth. This is simply not true. A few figures demonstrate the necessity of a vital industrial base. The manufacturing sector employs 17.8 million workers—16.2 percent of total U.S. employment. Manufacturers spend \$30 billion per year on education and training. Manufacturing jobs pay, on average, 15 percent more than other jobs—with 98 percent of these workers receiving company-paid health benefits.

Manufacturers also are responsible for more than 70 percent of all research and development in this country.

However, over the past 15 years, the manufacturing sector has lost over 30 percent of its employment base. Congress needs to commit itself to ensuring that this vital sector thrives in a competitive world market.

It is for these reasons that I am introducing this resolution in creating National Manufacturing Week. I urge my colleagues to cosponsor this resolution in recognition of our Nation's manufacturers.

**INTRODUCTION OF A BILL AMENDING
THE RAILWAY LABOR ACT
TO CLARIFY ITS APPLICABILITY
TO WORK PERFORMED BY
FLIGHTCREW MEMBERS OF U.S.
CARRIERS ENGAGED IN FOREIGN
FLYING**

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. RAHALL. Mr. Speaker, today, along with a number of my House colleagues, I have introduced legislation to protect the public interest in uninterrupted international air service, and the stability of collective bargaining relationships between U.S. air carriers and their flightcrew employees—flight deck crewmembers and flight cabin crewmembers. It does so by confirming and clarifying that the Railway Labor Act applies to the U.S. air carriers and their flightcrew employees while operating to, from, or between points outside the United States.

Historically, air carriers and labor organizations have understood title II of the Railway Labor Act [RLA] to apply to U.S. Air carriers and their flightcrews when engaged in operations between the United States and foreign nations. Such carriers are increasingly engaged in providing service to additional points outside the United States by engaging in beyond operations from one foreign destination to another. For this and other reasons, the status of negotiated contractual work rules applicable to the overseas flight operations of U.S. air carriers, and the statutory scheme applicable to labor relations during such operations, needs to be clarified.

Recent court decisions have decided questions about the reach of the RLA by relying upon a presumption against extra-territoriality as well as the uncertain terms of the statute itself. But this approach does not effectively guide the courts or the parties in dealing with overseas flight operations of a U.S. carrier, which are essentially extensions of the carrier's domestic operations and are conducted by flightcrews who operate interchangeably throughout the system. As a result, neither the public nor the parties can be certain that the industrial stability fostered by the RLA will protect the public while traveling in the foreign operations of U.S. carriers.

This bill as introduced preserves the RLA's preference for systemwide collective bargaining agreements and permits such agreements to be enforced in the statutory adjustment

board in accordance with the parties' intent. The bill also prevents either a U.S. carrier or a flightcrew labor organization from evading its obligations under the RLA by simply relying on the geographical location of a particular operation or event within the system.

Finally, in order to foster the prompt and orderly settlement of disputes, the bill if enacted will confirm that the RLA and agreements negotiated under it, apply to U.S. air carriers and their flightcrew employees when engaged in operations to and from, or between points, outside the United States.

It is well to note that U.S. airlines and their labor unions have, to date, proceeded as if the RLA and the labor contracts negotiated under it follow the aircraft of U.S.-flag airlines and their flightcrews in both domestic and international operations regardless of their point of operation at any particular moment in time. This is similar, if not identical, to the rules and procedures followed under Maritime law involving U.S. Flagships.

The bill will prevent either a U.S. air carrier or one of its flightcrew labor organizations from evading its obligations under the RLA by simply relying on the geographical location of a particular operation or event within the system. For example, a flightcrew labor organization could not conduct a work stoppage against the U.S. air carrier's foreign operations while such strikes are prohibited under the RLA, nor could the carrier fire or discipline flightcrew employees for engaging in union activities protected under the RLA simply because they are assigned in whole or in part to the carrier's operations outside the United States.

The provisions in the bill apply only to flightcrew employees—pilots and flight attendants—who are the employees engaged in the actual operation and service aboard the aircraft as they traverse international boundaries in global operations. The bill leaves untouched the labor relations arrangements applicable to foreign nationals employed by U.S. carriers to provide ground service and related services at foreign airports. Such ground service employees are frequently represented by unions in their home countries under the laws of those countries.

I hope that my colleagues will join me in co-sponsoring and supporting enactment of this bill. If you have any questions, or wish to co-sponsor the bill, please call me or Mrs. Kyle on my staff at 5/3452.

VETERANS' PERSIAN GULF WAR
BENEFITS ACT

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Ms. BROWN of Florida. Mr. Speaker, earlier this week, the House of Representatives overwhelmingly approved H.R. 4386, the Veterans' Persian Gulf War Benefits Act, which was introduced by Congressman SONNY MONTGOMERY. I commend Chairman MONTGOMERY for all of his work to bring this much-needed bill to the floor and the members of the Veterans' Affairs Committee for responding to Persian

Gulf veterans suffering from the Persian Gulf syndrome and their families.

H.R. 4386 provides compensation to Persian Gulf war veterans who suffer from chronic disabilities resulting from a combination of undiagnosed illnesses commonly referred to as the Persian Gulf syndrome. Although I strongly support this bill, I am very disappointed that a large group of veterans will not be eligible for this disability compensation because those Persian Gulf veterans who participated in the military's early separation benefits programs cannot receive disability compensation until they pay back their separation benefits.

During the Veterans' Affairs Committee's markup of H.R. 4386, I attempted to offer an amendment to make these veterans eligible for the disability compensation right now. The amendment was supported by the American Legion, Disabled American Veterans, Veterans of Foreign Wars, and Vietnam Veterans of America.

Unfortunately, I had to withdraw my amendment because the Congressional Budget Office [CBO] was unable to estimate its cost due to its backlog of health care bills. It was clear from the discussion during the full committee markup that Members believe that this is a serious issue which needs to be addressed. As a result, I intend to continue my efforts to look for legislative vehicles to solve this problem.

This problem developed in the early 1990's, when Congress established early military separation benefits to help the Defense Department reduce the size of the Armed Forces. Congress included restrictions on these programs preventing military personnel who receive early separation benefits from receiving disability compensation from the Department of Veterans Affairs until the benefits are repaid.

When Congress approved these restrictions, it could not have foreseen the Persian Gulf syndrome and its devastating effects on these veterans and their families. Many of these disabled veterans are unable to work and their families are faced with financial hardship. It is only fair and decent that we provide these veterans with the same disability benefits as any other veteran.

I believe that this view is best summarized in a letter that I received from the Veterans of Foreign Wars supporting my amendment. "To disallow these heroic American from receiving the benefits dictated by H.R. 4386 until their separation benefits are repaid would be both cruel and unfair."

RUSSIA'S CAPRICIOUS ECONOMIC
POLICIES

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. SOLOMON. Mr. Speaker, "these days, most of Yeltsin's actions have nothing to do with establishing a market economy." This remarkable quote by the ousted Russian finance minister Boris Fyodorov appears at the end of an article by Peter Fuhrman which appeared in the August 15 issue of *Forbes*. The article

describes the capriciousness of Russian economic policy and how this is severely disrupting the investment plans of Western oil companies. Indeed, many companies which were enthusiastically investing in Russia just 2 years ago are now ceasing operations and talking of pulling out altogether.

The reason is that the Russian Government, whether it be Boris Yeltsin's executive branch or the newly elected parliament, cannot make up its mind as to whether Russia should be a modern, market-driven country, or whether it should remain in the dark ages of statism. Lately, the government, including, and especially Yeltsin, has been choosing statism.

For instance, the Philbro Corp. invested in Russia 4 years ago under a guarantee that it would be able to export oil from Russia free of duty. Now, thanks to a few of the more than 3,500 decrees Yeltsin has issued in the past 18 months, Philbro has been slapped with retroactive taxes of up to 70 percent of revenues. Yes, that's revenues, Mr. Speaker. Additionally, Yeltsin stripped Philbro of a drilling license. Just like that.

It's no wonder foreign investment in Russia is drying up, Mr. Speaker. The markets are responding as they always do, swiftly and logically, to the uninviting business climate in Russia, which exists courtesy of the Russian Government.

It's interesting to note that the U.S. Government is responding as it always does too, Mr. Speaker—slowly and illogically. For, while the markets are already giving an emphatic thumbs down on Russia's performance, the Clinton administration and this Congress are still under the delusion that there is a serious reform effort going on in Russia.

By the time Government wakes up to this fact, billions of American taxpayer dollars will have disappeared without a trace.

I submit the Fuhrman article for the RECORD.

WHAT BORIS GIVES . . .

In 1990 Phibro Energy, a subsidiary of Salomon Inc., became the first large U.S. investor in the Russian oil business. Phibro formed a joint venture with a Swiss partner and a Russian partner, poured \$15 million into a large field in western Siberia, and today the field is pumping 28,000 barrels a day. Half the production is being exported to Western Europe, at a profit, after transport costs, of around \$10 a barrel.

An early success of capitalist investment in postcommunist Russia? No. Phibro is talking about pulling out. Blame the unpredictability of Russian law. In the three years since Phibro began doing business in Russia, Boris Yeltsin has issued thousands of decrees, some of which annulled terms of the contract Phibro signed. Annulled, for example, is a guarantee that Phibro could export oil free of Russian export taxes. In its place are new taxes—many applied retroactively—that effectively grab 70 percent of Phibro's gross revenues—not profits, revenues. Another Yeltsin decree retroactively stripped Phibro of one of its drilling licenses and transferred the license to a tribal group in Siberia.

"Our contract has been constantly breached, and we're being treated like a bunch of suckers," fumes an exasperated Phibro executive.

Phibro is not the only sucker. Gulf Canada is cutting off all additional investment in an

oilfield near the Arctic Circle, where it has already committed \$60 million. The company says its Russian tax bill exceeds 100% of its total revenues. "Where I come from," volunteers a Gulf Canada engineer, "that's called expropriation."

Expropriation and worse is the inevitable result of a system where the rule of law is not firmly established. Last year Yeltsin issued 2,300 decrees, and he is on course to top that number in 1994. He is using the decrees as currency to buy political support from the military and the bosses of Russia's large old-line industrial companies.

The decrees lavish benefits on the politically valuable: cheap government credits, lucrative export licenses, exemptions from privatization rules, protection from foreign competition and outright exemptions from tariffs and taxes. Andrey Illarionov, who recently stepped down in disgust as one of the Russian government's top economic advisers, estimates the total of Yeltsin's handouts at \$40 billion.

Aeroflot and Avtovaz, the manufacturer of Lada cars, have gotten sweet deals—both receiving exemptions from import duties and taxes. The Russian Army wangled a decree allowing it to keep more of the money made from arms exports. The generals are using the windfall to invest in Moscow real estate.

The richest giveaways are in Russia's oil and gas industry. Yeltsin has kept domestic oil prices low—currently \$6.50 a barrel—to hold down transport costs. But to make it up to the big Russian oil companies, he has raised taxes and export levies on foreign oil companies while eliminating them on Russian oil firms.

The new taxes on Western companies have brought in about \$100 million so far, but the concessions to Russian oil exporters have cost the Russian Treasury ten times that amount in lost tax revenues. Worse, it has all but stopped the flow of badly needed foreign investment into the industry. Last year the U.S. Congress earmarked \$2 billion for credits and guarantees to companies willing to invest in Russia's oil industry. So far not a penny has been claimed. Government credits or not, the oil companies don't trust Yeltsin.

Yeltsin is aware that his free hand with tax benefits was costing Russia badly needed tax revenues and badly needed foreign investment. So, a month before the recent G-7 summit in July that discussed aid to Russia, Yeltsin issued a decree that promised to exempt Western oil companies including Phibro and Gulf Canada from the \$5-a-barrel export tax on July 1.

But when July 1 rolled around, nothing happened. The Western oil companies are still paying the tax, and the Russian companies are not.

Adding insult to injury, Yeltsin recently revoked a May decree doing away with special export licenses that channeled virtually all of the \$12 billion in annual oil exports through a small group of Russian firms. According to a former minister of economics under Yeltsin, these licenses are the major source of government graft: To obtain one, Russian companies fork over to bureaucrats a bribe equal to 10 percent of the expected annual revenues from the license.

Yeltsin apparently gets many of his oil policy ideas from Russia's prime minister, Viktor Chernomyrdin. A former Communist Party technocrat, Chernomyrdin used to be the boss of Gazprom, the state gas monopoly that is now Russia's largest and most profitable company. Last December a Yeltsin decree exempted Gazprom from paying import

duties and taxes. Gazprom also has a special deal that allows it to convert the dollars it earns on gas exports into rubles at double the official rate.

Instead of remedying the mess, Yeltsin apparently thinks he can paper it over with smart flackery. In June Chernomyrdin met with Bill Clinton in Washington and signed a production-sharing agreement with a consortium led by Marathon Oil to develop, at a cost of \$10 billion, an offshore field near Sakhalin Island. The White House hailed the agreement as history's largest investment in Russian oil.

In fact, the agreement was pure theater. Marathon executives say the signing was carefully staged. Marathon and its partners will invest nothing unless there are big—and irrevocable—changes in Russia's tax and property laws. Not likely.

"These days, most of Yeltsin's actions have nothing to do with establishing a market economy," an exasperated Boris Fyodorov, the former finance minister, tells Forbes. "It's a replay of the last days of Gorbachev, with the leader talking about reform while giving favors and privileges to the groups who most strongly oppose it."

TRIBUTE TO MARY BLOTNA

HON. RICHARD J. DURBIN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. DURBIN. Mr. Speaker, I rise today to pay tribute to Mary Blotna, postmaster at Piasa, IL, in honor of her retirement from the U.S. Postal Service. For over 31 years, Mary Blotna has been working to enhance the quality of mail delivery in the United States and the quality of life in her community.

In addition to a long and successful tenure with the U.S. Postal System, she has been an active member of the National Association of Postmasters of the United States, serving as both State President and National Vice President. Mary has served in the Chamber of Commerce and the PTA, has volunteered for the Salvation Army and the Heart Fund, served as an adviser to the local 4-H Club, and has been a long-time Sunday School teacher.

Mr. Speaker, Mary Blotna is one of the most dedicated public servants I know, both on and off the job. She is to be congratulated for her many past successes and her continuing contributions to her community.

TRIBUTE TO GAYLE B. "SAX"

SAXTON

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. CAMP. Mr. Speaker, it is with great pleasure that I rise today to honor an outstanding individual on his receiving the Michigan High School Athletic Association's Allen W. Bush Award. Mr. Gayle B. "Sax" Saxton, of Houghton Lake, MI, has served the community for over 30 years as an athletic instructor, teacher, administrator, confidant, and friend to the many people whose lives he touched.

Using athletic competition as one of his classrooms, he taught many students the lessons of sports and life. He served both as a friend and adviser to faculty, students, and community leaders.

Sax began his long and distinguished career in the early 1930's when, as a high school student, he began writing sports columns for local newspapers. His enthusiasm continued to grow as he pursued his interest in athletics and began coaching and competing in football, basketball, and track. His service to the community was interrupted when he answered the call to defend his Nation and entered the U.S. Army during the Second World War.

For over 30 years, Sax has been synonymous with Houghton Lake sports. He is an honorary member of the Michigan High School Football Coaches Association and a member of the Alma College Hall of Fame for both track and football. Sax has also earned the respect of his peers for his play-by-play broadcasts of football and basketball games on a local radio station, and his weekly column, "Sax Says," which he continues to write for the Houghton Lake Resorter.

On September 2, 1994, during half-time of the Houghton Lake Bobcats football game, students, coaches, teachers, friends, and family will gather to honor Sax for his outstanding contributions and leadership to the community in his three decades of coaching and participating in interscholastic sports. His accomplishments will long be remembered with the Gayle B. Saxton annual elementary basketball Tournament, which he started over 25 years ago.

Although Sax retired as principal of Collins Elementary School in 1982, his presence is still felt throughout the community. Sax attends numerous sporting events throughout the area where he is recognized and greeted by fans, coaches, and players.

Mr. Speaker, Gayle B. Saxton is truly deserving of the Allen W. Bush Award. I know you will join me in congratulating Sax for his long and distinguished career as a sports enthusiast. His qualities help make Houghton Lake an outstanding community.

TRIBUTE TO EUGENE "GENE" MAYDAY

HON. JAMES H. BILBRAY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. BILBRAY. Mr. Speaker, on August 10, 1994, my good friend Eugene "Gene" Mayday passed away. Gene and his wife Geraldine came to Las Vegas in 1964 and started a Checker Cab Co. which grew into one of the largest and most successful cab companies in Nevada. He also was successful in the gambling business and was renowned throughout the international gaming community as a gamer who would take any sports bet in any monetary amount, large or small.

Gene was a respected member of the Las Vegas community, a devoted husband and loving father and grandfather. Debbie, his daughter, and his two grandchildren, Tracy and Katie, were the light of his life. Every time

I spoke to him he would talk about his granddaughters and tell me about playing with them.

Las Vegas will miss Gene Mayday. I will miss my friend who was taken from us too early in life.

May God bless you and keep you.

TRIBUTE TO DAVID GURNICK

HON. HOWARD L. BERMAN

OF CALIFORNIA

HON. ANTHONY C. BEILENSON

OF CALIFORNIA

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. BERMAN. Mr. Speaker, we are honored to pay tribute to David Gurnick, the outgoing president of the San Fernando Valley Bar Association. Under David's dynamic leadership, the San Fernando Valley Bar Association has had an outstanding year. His successors will have a hard act to follow.

David's record speaks for itself. During his tenure, the SFVBA adopted a long-range strategic plan, increased membership, accumulated an historic budget surplus and began publication of two new periodicals: The Valley Lawyer Magazine and Bar Notes. In addition, David displayed a keen sense of community when he organized the association's pro bono efforts following the devastating Northridge earthquake.

David is clearly a young lawyer on the rise. Since graduating with his law degree from Boalt Hall in 1984, he has become a partner in the firm of Kindel & Anderson, written numerous articles on franchise law, and is a member of the editorial staff of the ABA Franchise Law Journal. During his brief but busy career, he has also served as judge pro tem of the Los Angeles Municipal Court and is a trustee of the Los Angeles County Bar Association and the Olive View/UCLA Medical Center.

We ask our colleagues to join us today in saluting David Gurnick as he steps down after a highly successful year as president of the San Fernando Valley Bar Association. He is a man who cares deeply about his profession and his community.

INTRODUCTION OF THE MARITIME REGULATORY REFORM ACT OF 1994

HON. W.J. (BILLY) TAUZIN

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. TAUZIN. Mr. Speaker, I rise to announce the introduction of the Maritime Regulatory Reform Act of 1994. On August 10, Secretary Federico Pena, submitted the act as a legislative proposal and requested its introduction. This act is the product of a cooperative effort between the Department of Transportation, the Coast Guard, various members

of the U.S. maritime industry and the Subcommittee on Coast Guard and Navigation. During the 103d Congress, our subcommittee has held three hearings on the maritime regulatory reform issue. I am pleased to see that our efforts have resulted in a bill that, in Secretary Pena's words, promises "to reduce the economic burden on United States-flagged vessels by streamlining certain requirements, by expanding the delegation of the performance of marine safety functions to third parties, and by broadening the Coast Guard's marine safety authority to accommodate these changes." This bill seeks to improve the efficiency and effectiveness of Coast Guard safety regulations; it is not intended to result in any reduction in the safety of life at sea or protection of the marine environment.

This bill hit the fast track within the administration because it is a specific example of the White House's goal to reinvent the way the Federal Government does business. On August 11, 1994, the Subcommittee on Coast Guard and Navigation heard testimony on the reform proposal. Within the varied interest represented on the witness panel, there was a consensus of support for the goals of the reform package. Because the administration's proposal has not had the luxury of a long period for its review, the subcommittee is seeking additional comments from those individuals who might be affected if this bill is enacted. I have tentatively scheduled a subcommittee markup of the bill in early September, and welcome any suggestions to improve the act.

U.S. INTERNATIONAL POSITION ON GLOBAL CLIMATE CHANGE TREATY

HON. TOM DELAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. DELAY. Mr. Speaker, the Clinton/Gore administration is about to stumble into another foreign policy mistake. I'm not talking about Bosnia, Haiti, or North Korea. I'm talking about an important international environmental issue—global warming or global climate change.

In 1992, the United States signed an international treaty to reduce the emissions of gases which some claim may cause global warming. The U.S. Senate ratified the treaty in late 1993 and it went into effect only in March of this year. Already, however, the Clinton administration has concluded that this treaty is not adequate to deal with the issue of global climate change and that more needs to be done.

In a speech at the U.S. State Department on August 3, Under Secretary of State Tim Wirth asserted that the treaty is inadequate and that the first priority for the United States is to convince the international community to set a new aim to control emissions after the year 2000. This new "aim" is a code word, Mr. Speaker, for new international environmental standards, standards that the administration knows would not be approved if brought before Congress.

This simply does not make sense. According to John Shlaes, executive director of the

Global Climate Coalition, "The President's voluntary climate action plan, which is just getting underway * * * indicates that the bulk of emissions reductions and energy savings will occur between 2000 and 2010." How can the administration have come to the conclusion now that new standards are needed for the years after 2000?

Furthermore, although the treaty went into effect just 4 months ago, the administration wants to make changes that cannot be justified by the state of the science on climate change. In fact, the U.N.'s next assessment of the state of scientific understanding of climate change is still in the process of being developed and is not scheduled for release until the fall of 1995.

Amending the treaty to include additional directives could also have dramatic negative consequences for the American economy. Some of the policies that could be necessary to implement new international environmental standards could dramatically raise energy prices and cost our economy hundreds of thousands of jobs. And we would be harmed more than some of our international trade competitors.

Mr. Speaker, we do not need a United Nations bureaucracy setting new environmental mandates for the United States. As the U.S. delegates leave this coming week for a round of talks in Geneva on implementing the Climate treaty, they should resist any calls for new limitations beyond what is in the treaty.

AMERICAN TAXPAYERS DESERVE BETTER CRIME BILL

HON. ROD GRAMS

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. GRAMS. Mr. Speaker, I rise in strong opposition to the rule for the crime bill's conference report. This so-called crime bill is nothing more than an election year feel-good measure designed to trick the American voters into thinking we have done something to reduce crime while picking the pocket of taxpayers to the tune of over \$33 billion.

The American people have rightfully asked Congress to get tough on criminals and once again Congress has failed by providing a bill that only punishes law-abiding taxpayers and coddles criminals.

Look at the facts: The crime bill grants over 9 billion dollars' worth of failed social spending for our big-city mayors while not requiring criminals to serve their full sentences.

Mr. Speaker, the crime bill is soft on criminals and tough on taxpayers. Let's stop playing political games with our Nation's safety and vote "no" on the rule.

INTRODUCTION OF THE PRESIDENTIAL IMMUNITY ACT OF 1994

HON. CHARLIE ROSE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. ROSE. Mr. Speaker, today I am introducing legislation that will provide civil immunity for the President of the United States against suits for money damages filed against him or her. This legislation will prevent time-consuming, legal harassment that is detrimental to the Office of the President, but will not prejudice any individual who has a valid lawsuit.

The election of the President is the ultimate exercise of democracy by the American people, and the President must be free to give undivided attention to the duties and responsibilities of the office. Unwarranted allegations harm the Office of the President. Our Chief Executive and Commander in Chief should not be preoccupied with arranging defenses to a multitude of lawsuits. The United States is best served by a President whose schedule is free of depositions and court appearances. The need to defend against even frivolous suits takes too great a toll on the President's energies, energies better put to use in guiding the Nation through crises abroad and at home.

The President of the United States, like any public figure, is vulnerable to unwarranted and frivolous lawsuits. A President is a likely target of headline-seekers and those looking to make a quick buck. Such allegations against a sitting President may eventually be proven false, or simply disappear, yet damage to the office may remain.

This is not a partisan issue. Presidents of both parties are just as vulnerable to unwarranted allegations and frivolous lawsuits. Every President should be free to conduct the business of the Nation without fear of this type of harassment.

My legislation frees the President from legal harassment and allows him or her to continue to do the job he or she was elected to do without distraction. It immunizes the President from any civil suit for money damages filed in any court, State or Federal, until 180 days after the President leaves office. Once the former President has settled back into private life, the immunity disappears.

Of course, my legislation does not assume that every lawsuit filed against a current or former President is frivolous, and I do not argue that any person is above the law. There will be instances where an individual has a legitimate complaint against the President. Because the period that the immunity applies is not counted as part of any statute of limitations, a person with a legitimate lawsuit will not be prejudiced by this legislation. He or she can file the suit after the immunity no longer applies.

It is unfortunate that there is a need for this legislation, but there is no denying the power of unwarranted lawsuits to dominate headlines, ruin reputations, and create distractions. Matters of national significance may not receive the attention so very necessary for the well-being of this country. For the good of our Nation, I urge my colleagues to support this bill.

EXTENSIONS OF REMARKS

RELIEF EFFORT IN RWANDA

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. BURTON of Indiana. Mr. Speaker, the humanitarian tragedy unfolding in Rwanda has rightly gripped our attention and our hearts. When human beings suffer, it is the responsibility of fellow human beings to help in any manner they can. I would like to take this opportunity to express my admiration and appreciation for all the tireless and selfless efforts of those governments, private groups, and individuals that have responded to the Rwandan catastrophe.

In particular, Mr. Speaker, I would like to commend the Government of the Republic of China on Taiwan for their commitment to the relief effort, and Tipper Gore, the Vice President's wife, whose sincerity, caring, and personal involvement during a recent visit to the refugee camps in Goma, Zaire so inspired the American people.

I would like to enter into the RECORD a letter I received from the representative of the R.O.C. about their relief effort, as well as an article from the Washington Times about Tipper Gore's moving visit.

COORDINATION COUNCIL FOR
NORTH AMERICAN AFFAIRS,
Washington, DC, August 1, 1994.

HON. DAN BURTON,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN BURTON: I am writing to inform you of the decision of the government of the Republic of China (ROC) on Taiwan to donate U.S.\$2 million to the refugees in Rwanda. It has been followed by a private campaign among ROC citizens to provide medical service and relief goods for the refugees.

The situation in Rwanda is an excruciating one. The tragedy of the Rwandan refugees is beyond comprehension. The Republic of China on Taiwan wishes to join the international community in extending our helping hands.

We have participated in such international humanitarian relief efforts many times, but lack of U.N. membership has always made it difficult for us to funnel our donations into concerted international efforts. This is one of the reasons why we are vigorously seeking U.N. participation.

I sincerely hope that in seeking our membership in the U.N., we could continue to count on your moral support of our just cause.

With warmest regards,
Sincerely,

MOU-SHIH DING,
Representative.

[From the Washington Times, Aug. 9, 1994]

TIPPER HELPS RWANDAN REFUGEES

GOMA, ZAIRE.—Doctors working among sick and hungry Rwandan refugees were assisted yesterday by Tipper Gore, wife of Vice President Al Gore.

Mrs. Gore spent nearly five hours in the largest refugee camp, Kibumbo, aiding Rwandans weakened by malnutrition and potential killers such as cholera and dysentery. On Sunday, she bathed and fed orphans.

"The situation has seemed to turn the corner in respect to the level of dying, but it's

still very dire," Mrs. Gore said outside the hut of a woman near death from dysentery, now the principal cause of death among the nearly 1 million refugees around Goma.

Mrs. Gore helped the woman to a pickup truck and rode with her to a field hospital.

She insisted her visit was personal and said she did not intend to draft a report after returning to Washington.

Mrs. Gore said she was particularly moved by the plight of the children.

"They just need someone to hold their hand, love them and hug them," she said. "At least I can do that."

TRIBUTE TO ERIC SOLNIN

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. KING. Mr. Speaker, I rise today to welcome young Eric Solnin and his family to Washington, DC. They will be visiting our Nation's capital later this month. Eric, a young man from the village of Plainview in my home district, has indeed performed a mitzvah. He was so deeply moved by the plight of New York Jets quarterback Boomer Esiason's son, Gunnar, who is afflicted with cystic fibrosis, that he donated half of his bar mitzvah gift money to the Cystic Fibrosis Foundation. His selfless act is an inspiration to people everywhere, proving that each of us can have it in our hearts to reach out and do our part to help make a difference.

Eric not only helped to fight this dread disease through his generous donation, but through his action, helped to focus public attention on the fight to cure cystic fibrosis. He continues in that fight, and led a major walk-a-thon on Long Island to raise money for the Cystic Fibrosis Foundation this May.

[From the New York Newsday, Nov. 4, 1993]

BOOMER'S HERO: TEEN WITH HEART

(By Debby Wong)

After Eric Solnin became a bar mitzvah last month he wasn't quite sure what to do with all the money he received as gifts.

But then the 13-year-old Plainview boy saw Jets Quarterback Boomer Esiason on "Good Morning America," discussing cystic fibrosis, the severe and often fatal lung disease. Esiason's 3-year-old son, Gunnar, has cystic fibrosis, and after watching the show, Eric knew where some of the money would go.

Yesterday, Eric left Mattlin Middle School a bit early to head over to the Jets' training complex at Hofstra University where Eric gave Esiason a \$4,176 check made out to the Cystic Fibrosis Foundation, about half his bar mitzvah money.

Eric said yesterday that he thought he had enough material things and was thankful he had escaped a fire at his summer camp without injury.

"I already had everything so I wanted to put it to a good cause," he said. "I saw a lot of coverage on Boomer and his son. I knew cystic fibrosis had to be a bad thing."

A grinning Eric got to watch an hour of the Jets's practice yesterday, and then handed the check to Esiason, who gave the boy a Jets jersey with his number 7 on it, along with an autographed football.

"He was little hero," said Esiason, "As a parent of a CF child, I can't say enough to thank Eric."

Eric's father Gil, said the donation was in character for his son. "Erie was always putting other people in front of himself. He was always willing to share with others not as fortunate as himself."

Eric, whose chief sport is tennis, said he hopes to be a lawyer or news announcer when he gets older. As for the money, he hopes the donation will help with research and in finding a cure.

And the other half of his bar mitzvah gifts? "I'm going to give to everyone else's bar mitzvah that I'm going to."

[From the New York Daily News, Nov. 4, 1993]

JET FAN ON THE MONEY

(By Paul Needell)

In September, five months after his 2-year-old son, Gunnar, was diagnosed with the disease, Boomer Eslason created the NFL Quarterback Challenge for Cystic Fibrosis.

Since then, about \$160,000 worth of donations have come in to help battle the affliction. After practice yesterday at Hofstra, Eslason was presented with one of the more touching contributions.

Thirteen-year-old Eric Solnin of Plainview, who was bar mitzvahed on Oct. 9, donated half of the monetary gifts he was bestowed for the occasion. His father's company chipped in with another \$1,000, and Eric handed Eslason a check for \$5,176.

Boomer, in turn, gave Solnin an autographed "ESIASON" Jets jersey, and autographed football and a tour of the locker room. With his arm around the teenager, Eslason introduced him to teammates as "my friend Eric."

"Well I thought about what I was going to do with the money, and I couldn't think of anything," Solnin said. "I didn't really need it, so I wanted to give it to people who needed it more than me."

Said Eslason: "I've received four or five gestures similar to this. It bodes well for the next generation. It's an amazing thing that's taking place. It's the nice part of this story. It's very heartwarming, to say the least."

[From the New York Post, Nov. 4, 1993]

YOUNG'S LONG WAIT ENDING

(By Mark Cannizzaro)

In a gesture of enormous generosity, 13-year-old Eric Solnin was so moved when he heard about Boomer Eslason's son, Gunnar, being afflicted with Cystic Fibrosis, he donated \$5,176 to the Cystic Fibrosis Foundation.

Solnin, of Plainview, gave \$4,176, which was half of his Oct. 9 Bar Mitzvah gift money, and Seagram's, where his father works, added \$1,000 to it.

"I wanted to put it to a good cause and I didn't really need it, so I wanted to give it to people who needed it more than me," Solnin said.

The youngster yesterday visited Eslason at Jets camp, where he was given an autographed Eslason jersey, a ball and a tour around the complex after practice.

Several weeks into the season, Eslason formed the NFL Quarterback Challenge for Cystic Fibrosis. Mitzvah, by the way, means good deed.

JOB THROUGH TRADE EXPANSION ACT OF 1994

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. GEJDENSON. Mr. Speaker, today I, along with several members of the House Foreign Affairs Committee, am introducing the Jobs Through Trade Expansion Act of 1994 which will improve the effectiveness of U.S. export promotion programs and create jobs here at home.

The bill will significantly enhance the ability of the U.S. Government to provide grants, loans, loan guarantees and risk insurance for U.S. export projects and investments overseas, provide specific programs for the expansion of U.S. environmental exports and protect U.S. intellectual property overseas. A conservative estimate of job creation from passage of this bill is 100,000 U.S. jobs.

The following is a summary of the bill:

TITLE I: REWRITE OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION

Title I is a rewrite of the authorities of the Overseas Private Investment Corporation or OPIC. OPIC offers U.S. investors assistance in finding overseas investment opportunities, insurance to protect those investments and loans and loan guarantees to help finance projects. OPIC cannot insure or finance projects that would displace American workers.

This title rewrites sections 231-240B of the Foreign Assistance Act to update OPIC's original language and eliminate outdated provisions. Much of this title is identical to last year's rewrite of OPIC which passed the House. The primary differences are in the eligibility restrictions and in the authorization levels for insurance and financing.

We have amended the eligibility criteria for participating countries to reflect the changing structure of the current international environment. The new language is on page 4 of the bill regarding the process OPIC must follow when a country is no longer eligible for assistance. This provision is much more explicit and strict than past OPIC language on ineligibility. The cosponsors and OPIC believe that this language will remedy the fact that under current law it is difficult to tell when or if a country is ever ineligible for OPIC assistance. Essentially, if a country is no longer eligible for OPIC or foreign aid assistance, OPIC must cease its programs except (1) it does not have to terminate existing contracts and (2) if the President of the United States determines it is the national interest to continue OPIC in that country. This takes the decision out of the hands of OPIC and places it in the office of the President.

The bill provides OPIC with a 3-year authorization and, under this legislation, OPIC will use its own earnings to pay for its programs, instead of drawing funds appropriated from the Treasury. The cosponsors do not believe that the Congress should appropriate scarce foreign assistance resources for OPIC when the Corporation has close to \$2 billion in assets. Therefore, wherever appropriate, we have authorized OPIC to use funds available in its

noncredit revolving fund account to cover the subsidy costs of its programs.

The bill extends OPIC's program levels in order for the Corporation to work effectively in the former Soviet Union. Under this bill OPIC is authorized to offer up to \$15 billion in insurance (current law is \$9 billion), and no more than \$14.5 billion (maximum outstanding liability) for financing. We break down the financing for direct loans and guarantees as follows: \$3 billion for fiscal year 1995, \$4 billion for fiscal year 1996, and \$5 billion for fiscal year 1997.

There is a change under the financing section. In current law, OPIC can only provide direct loans to small companies. OPIC found that guarantees were very expensive to administer so it has asked for authorization to provide direct loans to medium and large sized businesses as well. They have asked to retain their guarantee authority, however, in the rare cases where it is sensible to offer guarantees over direct loans.

The remainder of the title is similar, if not identical, to last year's bill.

TITLE II: AMENDMENTS TO THE TRADE AND DEVELOPMENT AGENCY (SEC. 661 OF THE FAA)

The U.S. Trade and Development Agency or TDA simultaneously promotes economic development and the export of U.S. goods and services to developing countries. TDA provides funds for feasibility studies and other activities related to development projects which provide opportunities for the use of U.S. exports. In the last Congress the TDA's mandate was expanded to include architectural and engineering design to create a clear advantage in setting the standard for U.S. exports in overseas projects. In addition, TDA has the authority to provide technical assistance for project related activities. TDA conservatively estimates that for every dollar disbursed, the return to the U.S. economy is \$25.

The authorizing language for the Trade and Development Agency [TDA] was completely reformed in the Jobs Through Exports Act of 1992. Therefore, TDA's language required minor editing only. Most of the changes reflect language in H.R. 3765, the bill Chairman HAMILTON introduced on behalf of the administration reflecting its vision of foreign aid reform. We also permit TDA to use its funding to do environmental assessments, much like OPIC. We provided TDA with the funding of \$65 million for fiscal year 1995, and \$90 million for fiscal year 1996, demonstrating the cosponsors continued confidence and support of the program.

TITLE III: REAUTHORIZATION OF FUNDS FOR THE EXPORT PROMOTION PROGRAMS WITHIN THE INTERNATIONAL TRADE ADMINISTRATION

The purpose of this title is to reauthorize the export promotion programs (International Economic Policy, Trade and Development and the U.S. and Foreign Commercial Service) within the International Trade Administration of the U.S. Department of Commerce. Our authorization of \$250 million is higher than past years reflecting the need for increases in export counselors both domestically and overseas. We are authorizing \$275 million for fiscal year 1996.

TITLE IV: PROMOTION OF U.S. ENVIRONMENTAL EXPORTS

The title promotes U.S. exports of environmental technologies, products, and services by:

(1) Requiring the annual designation of five countries whose markets have the greatest potential for U.S. environmental exports;

(2) Specifying that plans be developed outlining the steps the government's export promotion agencies will take to allow U.S. companies to capture the five priority markets;

(3) Establishing an Environmental Trade Advisory Committee to guide the Trade Promotion Coordinating Committee [TPCC] in carrying out export promotion programs;

(4) Placing environmental technology specialists within the U.S. and Foreign Commercial Service [U.S. & F.C.S.];

(5) Requiring the development of a calendar of significant overseas sales opportunities for U.S. envirotech firms; and

(6) Authorizing matching grants to regional centers which promote environmental exports.

This language is identical to the language passed by the House in H.R. 3813.

TITLE V: INTERNATIONAL PROTECTION OF INTELLECTUAL PROPERTY

Title V requires AID, in conjunction with Commerce's Patent and Trademark Office, to establish a program of training and technical assistance in intellectual property protection. This program is aimed at countries that have expressed a willingness to improve but lack the expertise or the resources to do so. Training assistance could be for patent and trademark examiners, and for law enforcement personnel such as judiciary, police, and customs officials. Technical assistance could include the provision of microfiche and computer software on patents and patent searches, legal advice to governments writing intellectual property law, guidelines on setting up a patent office, and training in the protection of emerging technologies such as biotechnology.

Funding required for this title is expected to be modest and will come out of AID's existing programs (no new authorization required). This language was also introduced as H.R. 4239 in April of this year.

CELEBRATING DEMOCRACY IN THE DOMINICAN REPUBLIC

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. RANGEL. Mr. Speaker, I congratulate the people of the Dominican Republic for proving once again that the democratic system is by far the best way to resolve political differences. The citizens of this key ally of the United States has demonstrated their love for democracy and their faith in their Constitution and the rule of law. Not only did they vote in record numbers in their May 16, 1994, election, but they have come together to reach a political consensus that resolves the controversy arising out of the election.

Last night, President Balaguer signed into law a bill convening a constitutional assembly to amend the Dominican Constitution to provide for a new election for President and Vice President on November 16, 1995; eliminate consecutive terms of the Presidency; create a run-off system; and establish a totally independent judiciary.

I also want to congratulate President Balaguer on his leadership in working with all the Dominican political parties to reach this historic agreement, The Pact for Democracy. President Balaguer's willingness to shorten his term for the good of the Nation is to be commended.

Finally, I want to congratulate President Balaguer upon his inauguration and communicate our best wishes for success in office.

HONORING MARCENE ELEANOR HOVALDT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. TORRES. Mr. Speaker, I rise today to honor Marcene Eleanor Hovaldt. On the morning of August 19, 1934, in the midst of a severe dust storm, a midwife was called to deliver the seventh child to Lily and Chris Hovaldt. Their small farm was located several miles out of town—Parker, South Dakota, population less than 800. Parker was a small farming community made up mostly of immigrants from Denmark, as were the Hovaldts. Thus was born Marcene Eleanor Hovaldt.

Marcene grew up basically as a lone child as her two older sisters were 15 and 17 years older respectively, and the youngest of the four boys was 5 years older. So Marcene played by herself and dreamt while lying under cottonwood trees; and dream she did.

An unfortunate childhood accident left her blinded in one eye, but this nor other hardships, such as epidemics of whooping cough and scarlet fever, even a bout with polio, prevented her from forging ahead. The first 8 years of her education was at country school, a one room schoolhouse. All eight grades were taught by one teacher. High School meant going to school in town. When Marcene graduated from Parker High School she was one of 21 graduates.

The dreams started to come true when Marcene attended Southern Teachers College, this got her off the farm and to the big city, Sioux Falls. Her working career started not as a teacher, but as an underwriter for an insurance company. Several years later, looking for greener pastures, she and a girlfriend headed for Denver, Colorado. Here she found four girls who not only became roommates at the time, but have remained lifelong friends. It was also in Denver that she was married and gave birth to Edward II and Mercedes.

This was a stressful time for Marcene as she lost both parents and due to a genetic heart problem, the premature death of all four brothers before their 45th birthdays. Each of her sisters also suffered multiple heart attacks, as well as bypass surgery with one sister passing in 1988. Marcene has been very fortunate that this malady has not affected her.

Marcie moved to the Washington, D.C. area in 1964. Her marriage ended in divorce and as a single parent, she raised Edward and Mercedes. In 1980 Marcie married Stanley Galkin who also brought to this union Kathleen, Robert, and Laura. Today the marriages of their five children have resulted in Marie's greatest

joy, being "Grammy" to her seven wonderful grandchildren.

Marcie's working career led her to become Human Resource Manager of Inter Corporation's Federal Region, later to become the Human Resource Manager of the Lincoln National Life Insurance Co. H.M.O., Washington, DC region. She currently holds a position with the Prince George's County Hospice as director of human resources.

Marcie is always there for everyone, those she knows, as well as those she doesn't. She is not one to hold out a helping hand, it is always two helping hands. She is a good friend and confidante to many. Marcie's life like a pebble thrown into a pond: the ripples multiply and extend further and further.

Mr. Speaker, I ask my colleagues here assembled to join me in paying tribute to the many attributes of Marcie as a community leader and a true American.

TRIBUTE TO MERCY HOSPITAL OF PORT HURON

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to Mercy Hospital of Port Huron. Mercy Hospital is commemorating its 40th anniversary this weekend when the archbishop of Detroit, Adam Maida, concelebrates a Mass of thanksgiving with the auxiliary bishop, and the pastors and priests of the area.

Founded in 1954, Mercy Hospital was recently honored by being named one of the nation's top 100 hospitals. As an institution, Mercy Hospital of Port Huron has continually striven for excellence. Based on a foundation of respect, and honesty, everyone at Mercy Hospital has worked as a team to serve the needs of our community. With their beliefs in responsible stewardship and social justice, Mercy Hospital has demonstrated that it is possible to provide quality, cost-effective care while making investments in equipment and operations.

A special tribute will also be paid to the Sisters of Mercy who will mark their 150th anniversary next month. Dedicated to patient care, the development of healthcare systems, and higher learning, the Sisters of Mercy offer many needed services in our community.

On August 15, Mercy Hospital will have served the people of Port Huron and St. Clair County for 40 years. Over these years the hospital has earned recognition and enormous respect. I applaud those whose efforts have made Mercy Hospital a world class medical facility.

On the occasion of the hospital's 40th anniversary, I am pleased to pay tribute to Mercy Hospital of Port Huron. I ask that my colleagues join me in saluting a valued resource in my home community as it prepares for the next 40 years of service.

SINGLE PAYER WILL WORK FOR EVERYONE

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. McDERMOTT. Mr. Speaker, Jack Gordon, a retired Florida banker, who is today president of the Hospice Foundation of America, recently asked an interesting question in a Miami Herald oped article. He wrote, "Doesn't it make sense that if Medicare works for our parents and grandparents—and maybe some of us—it would work for everyone? And if it is good enough for them, why isn't it good enough for everyone else?"

Mr. Gordon advocates the single payer approach after studying health care matters for 20 years as a member of the Florida State Senate, including time as majority leader of that body and as chairman of appropriations and other committees with health care oversight. He is a serious student of health policy having served also for 5 years as director of the public policy institute of Florida International University.

He notes that the market economy does not work in health care delivery, that the American people understand the Medicare approach, that \$120 billion can be saved annually in administrative costs, and that paying for it is not complicated or confusing with the single payer approach.

I am inserting his short article in the RECORD and urge all of my fellow colleagues to read it seriously and with an open mind. They will, I hope, arrive at the conclusion that single payer indeed will work for everyone and that it is good enough for us all.

[From the Miami Herald, July 28, 1994]

EXPAND MEDICARE BENEFITS TO COVER EVERYONE

The delusion of "managed competition" in the current health care debate is based on an erroneous assumption that a market economy is at work in health care delivery. It presupposes (1) competition sets market prices, (2) willing buyers deal with willing sellers, and (3) none are under any constraints.

Health care, however, has no independent buyers. If you are sick, you need care. Indeed, if you don't get it, you may die. Beyond that it is the supplier of health services, your doctor, who creates the demand as well as supplies the services.

The doctor says, "Go to the hospital," and only to one where he has staff privileges. Then you become the passive user of ancillary services—laboratories, X-rays, anesthesia, drugs—all requisitioned by the doctor. Neither he nor you are in any position to shop around for alternatives. There isn't any true market.

What happens in the real world of competition among insurance company plans (or health maintenance organizations) is that services are often limited in order to lower costs—hardly a benefit to the patient. Managed care is a delusion ultimately fed by the greed of the large insurance companies. It means a system driven by the profit motive, and excludes your doctor as the basic determinant of necessary services. He is replaced by private enterprise bureaucrats—as real as the government kind but less likely to be held to any standard of public responsibility.

The obvious solution that is largely overlooked in this increasingly stalemated health care debate is to build on an existing system that is known to everyone and that works reasonably well: Expand Medicare to cover everyone.

This approach, partly included in the U.S. House Ways and Means Committee bill, is understood by most Americans, unlike other proposals. It preserves a personal choice of physician, an advantage that doctors are increasingly recognizing. And Medicare provides an administrative role for large or small insurance companies as contract administrators of its 70 regional districts at a cost of about 2 percent of expenditures. In contrast, private plans and HMO administrative costs range from 15 to 25 percent.

Cost control can be achieved by imposing a fee schedule on all providers. And instead of a government bureaucracy to enforce the fee schedule, why not make the provider liable for triple damages and attorneys' fees for excess charges? This might even be a trade-off to the legal profession for limiting malpractice claims.

Projecting from a study reported in 1991 in the New England Journal of Medicine of all 6,400 Medicare hospitals, a fee schedule and the attendant reduced administrative costs would produce an annual savings of some \$120 billion. That would go a long way toward providing coverage for the currently uninsured.

Paying for the expanded Medicare system is not that complicated, either. It requires two simple trade-offs: an increase in the corporate income tax equal to the amount that employers are now contributing to their employees' health care, and an increase in either Social Security or personal income tax to equal the amount that individuals are currently paying for coverage.

This plan would save businesses the high cost of administering their own health plans and obviously would save the cost of private insurance. It would also preserve the privacy of employees, whose medical history would no longer be available to their employer.

We don't have to look to Canada or some other foreign country to find a workable single-payer system, because we already have one that can be easily expanded to include all. Doesn't it make sense that if Medicare works for our parents or grandparents (and maybe some of us), it would work for everyone? And if it is good enough for them, why isn't it good enough for everyone else?

CRIME BILL

HON. NYDIA VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Ms. VELÁZQUEZ. Mr. Speaker, yesterday I voted for the rule on H.R. 3355 and was prepared to vote for the conference report on the Violent Crime Control and Enforcement Act, despite strong reservations. I was and remain very distressed that the conferees dropped a major provision passed by this Chamber—the Racial Justice Act. Without exaggeration, that provision dealt with a life or death issue. It would have prevented people from being executed on the basis of their race.

By adopting the Racial Justice Act, this Chamber demonstrated that we would not let ignorance, bias, and intolerance send Latinos and African Americans to their death while

their white counterparts got jail time. By dropping those provisions, we again turned a blind eye to a death penalty that is anything but colorblind.

Nevertheless, I had decided to support the conference report because it addressed the No. 1 concern of my constituents. I supported the conference report because it would have put 6,100 more cops on the beat in New York, and taken 19 types of assault weapons off the streets.

Even more importantly, the conference report would have provided 7.4 billion dollars for crime prevention. Opponents argued that the crime problem could be solved by building more prisons, and putting more people to death. They are wrong. It is much too late to start fighting crime when the defendant stands before the judge for sentencing. We have got to start much earlier. We must get to the kids and show them another way before the jailhouse door slams shut.

That is exactly what the conference bill would have done. It supported education, job, and substance abuse programs, and provided for intensive community services in high-crime areas. It increased recreational opportunities for youth, targeting neighborhoods with high youth unemployment rates, crime rates, drug use, or school drop-out rates. The conference report also put the full weight of the Federal Government behind the prevention of violence against women.

However, instead of a crime bill, what the American people got was a stark lesson on special interest politics at its worst. They got mugged by the National Rifle Association and their gang of gunlovers who pulled out all the stops to kill this legislation. The people want safer streets. What they got, care of the NRA, was Street Sweepers. I sincerely hope that next week we can return and take this Chamber back from the special interests, and return it to the people.

THE FREEDOM AND FAIRNESS RESTORATION ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. GOODLING. Mr. Speaker, the current tax system is in need of a serious overhaul. Most of the individuals I have spoken with will never state that it is simpler to file their tax forms today than it was before the 1986 Tax Reform Act. The only real reform we engaged in 1986 was to take many individuals off the tax rolls by reducing the incentives for long term economic growth and savings.

The current Federal tax system is complicated and certainly not as progressive, nor as equitable as proponents of the 1986 tax changes promised. Based on the aggregate total 1991 tax returns to the Internal Revenue Service, the top 25 percent of income earners pay 77.2 percent of individual income taxes. In addition, the top 10 percent pay 55.3 percent, the top 5 percent pay 43.4 percent, and the top 1 percent pay 24.6 percent. Progressivity is an admirable goal, but based on our Federal returns, it is simply not evident in our current tax structure.

Our Nation is ready to enter into the 21st century, and yet we have a tax system based on the 19th century. The existing tax laws, rules, and regulations hold back needed investment and savings in our economy which could derail the inventors, and the innovators of the future.

I believe the Congress should consider re-igniting the debate on tax simplification. A flat tax system should be considered as a viable option for real tax reform. A flat tax approach would simplify the current Federal tax system. I believe by having every American pay the same flat tax rate, individuals would agree to a more simple and equitable form of taxation.

Mr. Speaker, I am pleased to lend my support as a cosponsor of H.R. 4585, the Freedom and Fairness Restoration Act, introduced by Congressman DICK ARMEY. H.R. 4585 would establish a new flat tax system which would implement the use of a 17 percent flat tax rate for all Americans. This bill would only exempt those below the Federal poverty line. The Armeley bill would reduce excessive spending by our Federal Government while also reducing the tax burden on the American people.

Our economy currently lacks the seed money to sustain long term economic growth. H.R. 4585 eliminates the double taxation on long term investments by repealing the current tax on capital gains, tax on Individual Retirement Accounts [IRA's] and tax withholding. I believe elimination of these provisions will provide more individuals with the desire to invest money, which in the end will create more available capital for businesses, and thus spur economic development and jobs.

H.R. 4585 is similar to legislation which I have supported in the past. In 1984, I cosponsored H.R. 2137, which like the Freedom and Fairness Restoration Act, proposed a Federal flat tax system. Under this legislation, a 10 percent income tax rate would have become effective for all individuals, and exempt only those whose income was under \$10,000. This bill if enacted 10 years ago would have been much better than the changes in the Internal Revenue Code of 1986. However, I am concerned whether H.R. 4585 will be able to sustain the current level of receipts by reducing Federal tax rates and spending at the same time.

In recent history, Congress tried this approach before and found it was relatively easy to reduce taxes, but harder to reduce the size of the Federal Government. Finally, I also believe every individual should have an obligation to pay Federal taxes to better understand what this great Nation provides them in benefits, even if it is a nominal tax rate.

Mr. Speaker, I believe it is time to begin a discussion on reforming the current tax system. As George Santayana has stated, "those who speak most of progress measure it by quantity and not by quality." Our so called progressive tax system is not anything that the American people were expecting when they asked for reform. Enacting H.R. 4585 would be a step in the right direction. This bill would give the Federal tax system back to the American people and wrest the system away from the bureaucrats in Washington. While I do not agree with every proposal included in this legislation, I do support the need for reforming an

inequitable Federal tax system and urge my colleagues to lend their support to this needed legislation.

TRIBUTE TO HENRY MROZ

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. MEEHAN. Mr. Speaker, I rise to note the passing of Mr. Henry Mroz, a former school superintendent and school committee-man of Lowell, MA.

Henry Mroz will be remembered for many great attributes; his professionalism, intellect and dedication to name a few. But more than anything else, Henry Mroz will be remembered for spearheading a \$131 million school building and renovation program that is scheduled for completion next year. Mr. Mroz was the prime mover in securing the funding for these schools and in overseeing their construction. These schools will serve as a lasting monument to him for generations to come.

A Lowell High graduate, Mr. Mroz held a master's degree in education from Fitchburg State College and a law degree from the New England school of law.

In 1982 he became superintendent after serving as the director of Federal programs, for the Lowell schools from 1969 to 1981 and the assistant superintendent of the Lowell schools in 1981. He previously taught math, history, and science in the classroom.

Henry Mroz will be remembered for leading the schools through the sometimes turbulent 1980's, when the system's populations of southeast Asian youths skyrocketed from 1 percent to more than 25 percent. During this time, Mr. Mroz demonstrated his leadership skills, keeping the school system on track and guiding it through challenges it had never seen before.

His commitment to education in Lowell will never be surpassed. Mr. Mroz and his wife Theresa had no children of their own, but there was never any doubt that both regarded the 13,000 children of the Lowell public schools as their own.

Henry Mroz succumbed to a heart condition that he had struggled against with strength and courage. Friends and family, as well as the city of Lowell, will be forever in debt to Mr. Mroz for the many contributions he made to the Lowell schools during his long tenure. I join in paying tribute to this distinguished man. He will be missed by all who knew him.

A CONSTITUENT WITH WISDOM BEYOND HIS YEARS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. STARK. Mr. Speaker, I recently received a letter from a young man in my district who wrote after reading about debate on the elementary and secondary education bill. He was as shocked and disappointed as I have

been by the fear mongering and grandstanding in both Chambers on the issue of gay and lesbian lifestyles.

Most of his letter is included below. This bright student is now heading off to college. Despite the best efforts of my colleagues who peddle intolerance and bigotry at every opportunity, he has already learned important lessons that can't be taught in the classroom.

The letter follows:

AUGUST 2, 1994.

Mr. FORTNEY PETE STARK,
House of Representatives,
Washington, DC.

DEAR MR. STARK: What I am writing about today is an issue that I have felt strongly about for many years, gay rights. Today when I picked up the San Francisco Examiner, I was shocked. I was literally so angry at the government, which I believe in strongly, that I could have screamed. Apparently, the Senate, and the House, have passed a bill which will cut federal funding to any school which "teaches acceptance of homosexuality as a lifestyle" (quoting the examiner). This is the first time I have read anything about this bill, and I am outraged!!!! How on Earth could this kind of bill be passed? Being gay (which I am not, by the way, so that you know that I am not biased in that sense) is just like being black or white, male or female. It doesn't matter. Gay people are just like you and me, no different. They have just chosen to live their life a slightly different way. There has been incredible amounts of discrimination against them, and now we can't even have a teacher tell our impressionable young minds to even "accept" homosexuals. I'm not saying to go out and tell everyone to become gay, all I'm asking for is to allow those teachers who want to teach their children that being homosexual is OK, not bad. Yet if this bill passes, no such message can get across.

If this bill becomes law, we must ask ourselves, "What kind of message will this give to our youngsters?" The answer is quite plain. It will send a message that gays are horrible, and weird, and different—not worthy of being in the same room as us, and certainly not worthy of our acceptance. We need more teaching of compassion and acceptance, not less. Apparently Mr. Helms said that the material used in schools was "disgusting, obscene material that's laid out before school children in this country every day." What I would like to know is, what material is he talking about. I have been through 12 years of public schooling, and have seen no such material.

I am not back in Washington, quite obviously, and do not know the political climate. What is the likelihood that these two bills will come together in the committee, go on to the president and be passed. If he vetoes it, what is the chance that it will be overridden? Frankly, I am scared when I think of this bill passing. It is frightening. I know some gay people, and I can assure you that they are quite normal. In fact, it is likely that you couldn't pick these guys out of a crowd as being gay.

I am sorry if I have rambled on, but I am quite distressed at hearing of this bill. I literally could not believe my eyes as I was reading the paper. Also, what is your opinion of this bill, and how did you vote on this issue? If possible, could you please clarify any points that I have wrong here (for example: please tell me that this is all a bad dream * * *) about this bill, and exactly what it says.

TRIBUTE TO THE LATE CLARENCE
HUBERT STEINER

HON. SONNY CALLAHAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. CALLAHAN. Mr. Speaker, this past Saturday the community of Bayou La Batre, AL, lost an outstanding citizen in the death of Mr. Clarence Hubert Steiner, a man respected and remembered for his contributions to business, his family, and his community. I rise to pay tribute to this great man and the life he led.

Born into a family with a tradition of fishing and boatbuilding, his passion for both was rooted in his childhood when he began helping his parents. At age 16 he quit high school to work with his father full time, and only a year later at age 17, he became master of the *Eagle*, a 46-foot vessel he and his father had built together. Today, this vessel is a familiar one in Bayou La Batre, AL, and surrounding communities where it is a regular participant in the annual Blessing of the Fleet.

A few years later, Mr. Steiner moved to Mobile, AL, with his new wife Dorothy Dukes Steiner, and worked as master carpenter for the U.S. Coast Guard base. Many years and six children later, and still working full-time with the Coast Guard, Mr. Steiner bought a small boat repair business which he and his sons built up during their spare time. He finally left the Coast Guard, and that small business eventually became Steiner Shipyard, Inc., one of the finest and most highly respected shipbuilding and repair yards on the entire gulf coast.

Clarence Steiner was described by those who knew him as a quiet, strong, and hardworking man who always wore a smile. He enjoyed the simple things in life, often gave others the credit, and was dedicated to his family, friends, church, business, and community. One of his favorite contributions to his community was cooking for civic events where he became famous for his shrimp and spaghetti.

Though he was hardworking and dedicated to so much, friends and family alike agree that his first priority was his family. He was a devoted husband for almost 60 years before his death and a devoted father of six children, Clarence Gene, Ronald, Russell, Roger Dale, Rebecca, and Carolyn. In turn, his children, along with 18 grandchildren and 24 great grandchildren, remain devoted to his memory and carry on the tradition by continuing to maintain Steiner Shipyard.

Clarence Hubert Steiner was an outstanding citizen who over his eighty years raised a wonderful family, turned his hard work and dreams into a successful and highly respected business, and still took the time to serve his church and community. Let us now take the time to honor this man who was truly a blessing to friends, family, community, and all who knew him.

EXTENSIONS OF REMARKS

RISK A AND RISK B

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. SAXTON. Mr. Speaker, the following speech before the New Jersey Society for Environmental, Economic Development offers another cogent argument for my legislation to create a National Institute for the Environment as an independent entity with a mission to improve the scientific basis for making decisions on environmental issues.

The NIE would increase scientific understanding of environmental issues by supporting extramural, competitive peer-reviewed research, providing ongoing comprehensive assessments of current environmental knowledge and its implications, broadening and facilitating current, user friendly information about the environment, and strengthening the Nation's capacity to address environmental issues by sponsoring education and training activities. These activities are lacking in the Federal arena and are desperately needed if policymakers are going to make environmental decisions that will not cause undue hardship on the private sector and economic growth.

I commend this speech to your attention and request your cosponsorship of the NIE bill.

RISK A AND RISK B

(By Merrick Carey, President, Alexis de Tocqueville Institution)

Good evening. In 1967, a U.S.-Soviet summit was being arranged and it was decided that LBJ and Premier Kosygin would meet half way between the White House and the U.N., where Kosygin was speaking. The halfway point is Glassboro, New Jersey, and the Soviet Premier was driven in his limo from Manhattan down the New Jersey Turnpike. He travelled across what is probably the most famous industrial belt in the world, from Jersey City to Newark, Elizabeth, Carteret, and Rahway. Speechless, he saw the amazing array of gigantic oil refineries, chemical factories and other heavy industrial facilities, the sights and smells we in this room know so well. Finally, he turned to his travelling aide and whispered, "Now I know why America is a great country."

It speaks volumes that a former communist leader instinctively knows what so many of our present political leaders have forgotten: that high levels of economic growth, output and productivity, potentially mixed with self-government and democracy, have made America the most powerful nation on earth, and arguably in all of history. I think the vast majority of the American people understand this, and it gets to the core of all our current policy debates. What is your social or political goal? Do you want a powerful military? To fight poverty? To clean up the environment? To roll back crime? Those goals are probably not possible unless you pursue policies that foster a dynamic private economy.

Fast forward, if you will, to that same stretch of New Jersey in the late 1980s and early 1990s. A visionary businessman, Bill McCann, whom many of you know, came up with the idea to link all the commuter rail lines that flow through northeast New Jersey at one junction. By conservative estimates, this project will generate 3000 jobs

and over a billion dollars in investment over a 7 year period. It has been endorsed, on site, by a myriad of elected officials, including former Governor Jim Florio.

What has become of Allied Junction? It has been stalled, held up, and delayed by unelected officials in the state environmental protection agency and the Army Corps of Engineers. If Bill McCann had not had the environmental regulatory hassles from these agencies, Allied Junction would have broken ground in 1990. They still have not broken ground in early 1994. Unelected staff people at regulatory agencies with uncontrolled authority can discount everything that makes sense, and ignore the actual statutes involved, and apply their own philosophies to monumental projects like Allied Junction. And those philosophies have little to do with generating growth and jobs.

From 1985-1987, I had the good fortune to serve as former Congressman Jim Courter's chief of staff, and I'll never forget driving up and down Route 206 past dozens and dozens of "help wanted" signs. It seemed they were in every window. New Jersey's economy was literally booming in the mid-80's, with full employment a reality, and a labor shortage a potential problem. The kind of problem you like to have. New Jersey's large corporations were hiring and training, at their own expense, handicapped people to undertake crucial corporate tasks . . . Not because the government forced them to, or because they were being sued, but because the companies needed their labor to grow.

I don't need to tell you what has happened in New Jersey since the late 1980s. In my opinion there are a number of reasons your economy has imploded. Top of my list would be the massive tax increases passed on labor and capital—by both Republicans and Democrats at the federal level and by Governor Florio at the state level—that have severely eroded incentives to work, invest and do business in the Garden State. Fortunately, Governor Whitman and the State Legislature have already begun to roll state taxes back.

A second area I would put the spotlight on is excessive environmental regulation and "the glut of special interest groups now vying for attention in Trenton and Washington that show little concern for insuring sound public policy," as NJ SEED says in its charter.

Somewhere along the way to the Endangered Species Act, the Safe Drinking Water Act, the Toxic Substances Control Act, the Federal Land Policy and Management Act, the Clean Air Act, the Environmental Education Act *** I better stop in 1978 *** Somewhere along the way the environmentalist train went off the tracks.

The top 20 environmental groups in Washington will spend an estimated \$500 million this year to pursue their agendas. Aided by these interest groups, the EPA has imposed environmental regulations costing our economy over \$150 billion per year. That figure is expected to rise to \$185 billion by the year 2000. This outlay does not appear in the federal budget, but it is reflected in higher prices in stores and lower real incomes. It is a thoroughly regressive tax, hitting rich and poor equally, raising the costs of all goods, energy and transportation, and putting an annual burden of nearly \$1500 on every American household.

As the level of regulation in the United States has grown in leaps and bounds—measured in number of laws or in pages of the Federal Register—we may be approaching the critical level where in fact the economy

is being strangled—where enterprise is restrained, where entrepreneurship is stifled, where jobs are not created.

For this reason, one cannot stress enough the importance of sound science in issuing environmental regulations. Recent history is replete with policies begun on the basis of nothing more than press releases that were not backed up by peer-review scientific data. There are many examples where science is ignored or misused in order to push particular policies. There are even examples where science has reversed itself, yet the policies march on as if nothing happened. The scares over alar, dioxin, environmental tobacco smoke and pesticides are only a few of the more famous recent examples.

The New York Times has summed it best: "In the last 15 years, environmental policy has too often evolved largely in reaction to popular panics, not in response to sound scientific analysis of which environmental hazards present the greatest risks. As a result, billions of dollars are wasted each year in battling problems that are no longer considered especially dangerous, leaving little money for others that cause far more harm."

Consider the following examples of the tremendous cost of senseless environmental regulation on businesses, municipalities, and taxpayers:

An analysis of Columbus, Ohio officials found that the impact of complying with the weight of federal environmental mandates on the city's budget would cost every Columbus taxpayer an additional \$856 per year by the turn of the century.

According to the National Center for Policy Analysis, EPA's regulation of coke ovens will cost \$682 million to prevent a single instance of cancer. The cost of EPA's regulation of the chemical benzene and the Clean Air Act's regulation of air toxins would cost \$5.8 billion and \$6.5 billion per cancer death averted.

In New Hampshire, \$9.3 million was spent a few years ago to make a dump safe for "children to eat small amounts of dirt" for 245 days a year, despite the fact that there were no dirt-eating children in the area—and the area was a swamp.

While EPA regulates 83 specific drinking water contaminants—many of which may not even be in a drinking water system—it does not regulate more dangerous contaminants that do occur such as the cryptosporidium that killed 40 people in Milwaukee last year.

Today's Wall Street Journal has a new item that beautifully captures how far we have descended into the anti-growth swamp: "Come fall of 1995, pleasant bakery smells may be a thing of the past as many communities throughout the country comply with deadlines set by the 1990 Clean Air Act to have industrial plants cut their emissions. The smell of baking bread, it turns out, is a form of air pollution."

It turns out the "yeast police," as bakers now call the EPA, want the nation's large bakers to spend millions of dollars to install new emissions controls. When flour, water and yeast are kneaded together and heated, they create ethanol, a non-toxic substance that contributes to ozone formation. State regulators admit that bread ethanol emission "is not very much" but they have to look everywhere to comply with the radical new federal standards.

The 1990 Clean Air Act is thus far the penultimate environmental act. One title of this law deals with air toxics, the emission of substances that could conceivably cause cancer. The problem is that the cancer risk

is calculated for a susceptible person who is maximally exposed to the atmosphere for 70 years, and that the risks are computed based on dubious scientific data. Furthermore, the analysis neglects the obvious: the fact that the person, like you and me, will be indoors for much of his life exposed to an indoor air quality that is likely to be much more hazardous. Even so, cancer risk, normally about 25 percent, would be reduced to only 24.999999 Percent, but at a multi-billion dollar cost that could have been used to save many more lives by reducing more immediate risks. Or perhaps giving the beleaguered taxpayer or entrepreneur (or baker) a break.

In Greek mythology, the gods punished a man by making him too successful. It may be that the anti-growth environmental movement reached its zenith when the Clean Air Act passed in 1990—and the debacle that has resulted from its passage. Now every environmental initiative in Congress is being scrutinized and risk assessment and cost-benefit requirements are seeping into every environmental debate.

In response to the explosion in environmental regulatory costs and the government's practice of spending enormous amounts of money to reduce small risks instead of big risks, Senator Daniel Patrick Moynihan and Congressman Richard Zimmer have introduced the "Environmental Risk Reduction Act" to ensure that the billions spent by the American people on environmental protection is better targeted at reducing the "most serious and probable risks."

The Moynihan-Zimmer bill is designed to sharpen the public debate over risk assessments and require the EPA to set risk reduction priorities based on sound scientific analyses.

Specifically, the bill would create two expert commissions that would provide the EPA with advice on the ranking of relative risks and on estimating the costs and benefits of reducing risks to human health and natural resources. The bill also creates a risk reduction research program that would improve the data, methodology, and accuracy of the government's risk assessments.

For example, if the public knew that an average-sized plate of shrimp contains trace arsenic levels of 30 parts per billion, would they choose to continue paying for a costly EPA water quality rule limiting arsenic levels to no more than 2 to 3 parts per billion?

Similarly, would the public agree with the environmentalists' dream of banning the commercial use of pesticides (thereby raising prices of fruits and vegetables and throwing thousands of farmers out of work) if they were informed of the fact that there are more known carcinogens consumed by drinking one cup of coffee than the amount of potentially carcinogenic pesticide residues the average person eats in a year?

Right now, however, the public isn't aware that they have such a choice. "Relative risk ranking and cost benefit analyses are tools," according to Senator Moynihan. "Crude tools, yes, but perhaps sufficient in some cases to rank activity A as more risky than activity B. If the costs or political realities dictate that we should control B before A, then great!"

In recent months, the U.S. Congress has responded to the public's growing concern about excessive environmental regulation. Last spring, by an overwhelming bipartisan vote of 96 to 3, the U.S. Senate passed legislation sponsored by Senator Bennett Johnston and Congressman John Mica requiring EPA to perform extensive cost benefit and

risk analysis to each regulation it issues. Earlier this year, the House of Representatives shelved the bill to elevate the EPA to a cabinet department because it did not include the Johnston-Mica provision.

Proponents of the Johnston-Mica legislation plan to offer it as an amendment to every piece of environmental legislation that the Congress considers until it is approved. Therefore, in order for the environmental movement to advance its ambitious legislative agenda in this Congress, it must accept some form of expanded cost benefit and risk analysis for environmental decisions.

This week, risk assessment language is being discussed in strategy sessions on the Superfund bill, and risk assessment language is in the Safe Drinking Water bill that is heading for the Senate Floor. If the Johnston-Mica legislation is too much for environmentalists to swallow, then they ought to consider the Moynihan-Zimmer approach. This bill could be the ticket to a sensible, bipartisan compromise that would help both the environment and the economy by prioritizing environmental problems and lessening excessive environmental regulatory costs.

I'm going to close with what some might consider a radical statement, but a view that I think gets to the heart of the current environmental debate. If you accept the fact that we have limited resources to deal with environmental problems, you need to make a choice between low risk, which is "A," and high risk, which we will call "B." You can make a choice for "A," to throw money at low risks, but if you make that choice, you will have to live with more suffering, more cancer and more deaths than if you choose "B."

That is a statement that will be categorically rejected by many in the environmental movement and at the regulatory agencies. But I believe it is very hard to refute.

IN RECOGNITION OF LT. COL.
STANLEY A. NEWELL

HON. TERRY EVERETT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. EVERETT. Mr. Speaker, I am pleased to rise today to honor Lt. Col. Stanley A. Newell, who is retiring from the U.S. Army after 28 years of dedicated service. On September 14, 1966, Lieutenant Colonel Newell began what would be an active and meritorious career when he was drafted and sent to fight in Vietnam with the 1st Battalion, 12th Infantry, of the 4th Infantry Division, U.S. Army.

While serving in Vietnam, Lieutenant Colonel Newell was wounded in combat and taken as a prisoner of war, enduring almost 6 years of captivity in the infamous Hanoi Hilton. During that period of time, Lieutenant Colonel Newell displayed a fortitude that was an example and encouragement to his fellow POW's. In an unimaginable situation, he acted in a manner that demonstrated his loyalty, both to these men and to his country.

Upon his return home, Lieutenant Colonel Newell attended Officer Candidate School and in 1975 was commissioned as a second lieutenant in the Military Police Corps. An officer in the U.S. Army, Lieutenant Colonel Newell has exhibited extraordinary service and

leadership. He has served as a platoon leader with the 101st Airborne Division at Fort Campbell, KY; company commander and battalion executive officer with the Training Brigade at Fort McClellan, AL; course manager and instructor of the countering terrorism course, also at Fort McClellan, assistant operations officer and WESTCOM provost officer at Fort Shafter, HI; and as a faculty instructor at Air Command and Staff College at Maxwell Air Force Base in Montgomery, AL.

To compliment Lieutenant Colonel Newell's brilliant career, he has been decorated with such honors as the Silver Star, the Bronze Star with an Oak Leaf Cluster, the Meritorious Service Medal with Oak Leaf Cluster, the Combat Infantryman's Badge, the Parachutist's Badge, the Air Assault Badge, the Prisoner of War Medal, and a Purple Heart.

The perseverance that Lieutenant Colonel Newell displayed as a prisoner of war, and the fashion in which he has excelled as an officer in the U.S. Army are reflections of his dedication to serving his country. It is not often that we witness such displays of bravery and patriotism. I appreciate this opportunity to pay tribute to Lieutenant Colonel Newell, to thank him for his service, and to wish him the very best in the years to come.

WHATEVER IT IS, BILL CLINTON
PROBABLY DID IT

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. JACOBS. Mr. Speaker, I insert the following article from the U.S. News & World Report, August 8, 1994 edition.

It should be noted that the politics of personal attack is, in its essence, character assassination. Character assassination like physical assassination can be effective, that is, it can destroy if someone is willing to stoop to it.

One more conspiracy for the Merchants of Venom to contemplate: who slipped in that commandment on Moses, the one that says, "Thou shalt not bear false witness against thy neighbor."

Violent and destructive words are akin to violent and destructive deeds. They will inspire violence on the part of others. Here is how Kipling said it:

... And sure it keeps their honor clean
The learned court believes
They never gave a piece of plate
To murderers or thieves
They never told the ramping crowd
To card a woman's hide
They never marked a man for death
What fault of theirs he died?

They only said intimidate
And talked and went their way
By God, the boys who did the work
Were better men than they.

[From the U.S. News & World Report, Aug. 8, 1994]

WHATEVER IT IS, BILL CLINTON LIKELY DID IT
(By Greg Ferguson and David Bowermaster)

Sitting in a cozy parlor and wearing a red cardigan, Larry Nichols looks into the camera like an earnest Mr. Rogers and tells of

"countless people who mysteriously died" after having run-ins with Bill Clinton. Nichols, an Arkansas state employee fired in 1988 for making hundreds of calls to the Nica-raganu Contras from his office, says it's all part of Clinton's "evil society."

So goes "Bill Clinton's Circle of Power," a video made earlier this year by Citizens for Honest Government, a California-based conservative group headed by television producer Pat Matrisciana. The video is filled with dark suggestions that as president and governor, Clinton was connected to the murders and beatings of several people, including political opponents. The Rev. Jerry Falwell promoted the video during a month of TV infomercials, and it has sold more than 100,000 copies, according to its makers. They hope its sequel, "The Clinton Chronicles," which repeats the charges at greater length, might outsell the first, even without Falwell's help.

Beyond last week's congressional Whitewater hearings and the ferment over Paula Corbin Jones' sexual harassment lawsuit, attacks against Clinton have taken a decidedly sinister turn. Televangelists, conservative talk-show hosts, political opponents and some computer bulletin-board aficionados are suggesting that Clinton could be tied to dozens of deaths, from a pneumonia case in Delaware to three of the four federal agents killed in the raid on the Branch Davidian compound in Waco, Texas.

WEIRD ERA

Even at a time of great national anxiety and confusion, the intense, fecund and often bizarre charges leveled against Clinton are startling. He has unusually high negative ratings in many polls, but even that fails to explain fully the extreme nature of the charges leveled at him. "These attacks have reached a level of inventive and viciousness that is unparalleled," complained White House counsel Lloyd Cutler during last week's Whitewater hearings. "There are a great many people who would like to bring President Clinton down who will stop at practically nothing."

No episode seems beyond Clinton's reach in the world of conspiracy buffs. A Wall Street Journal editorial in March chastised the "respectable press" for showing "little-to-no appetite for publishing anything about sex and violence" in Whitewater-related matters. It proceeded to report that while working on a story for the New Republic about incestuous relationships between business leaders and politicians in Arkansas, writer L.J. Davis opened the door to his Little Rock hotel room and remembered next awakening face down on the floor with a hefty bump on his head and "significant" pages of his notes missing. The implication was that some sinister elements had tried to quash Davis' piece. But Davis soon admitted drinking at least four martinis that night. No pages were missing from his notebook, and he had no idea how he ended up on the floor. "I certainly wasn't about to conclude that somebody cracked me on the head," Davis said at the time.

Even the most serious charges are characterized by serious deficiencies in corroborating evidence. In a letter to congressional leaders, former Rep. William Dannemeyer lists 24 people with some connection to Clinton who have died "under other than natural circumstances" and calls for hearings on the matter. On Dannemeyer's list is James Wilhite, a friend of White House adviser Thomas "Mack" McLarty who suffered fatal head injuries in December 1992 when he skied into a tree in Colorado. Clinton was

nowhere near the scene. Dannemeyer also mentions Paul Tully, a chain-smoking, overweight Democratic strategist who, according to Little Rock police spokesman Lt. Charles Holladay and the Pulaski County coroner's report, died of a heart attack in 1992. Next is Jon Walker, an administrator in the Resolution Trust Corp. office probing Madison Guaranty; Walker died last year when he jumped from a Northern Virginia apartment building. Tom Bell, a detective with the Arlington, Va., police says Walker was a "particularly clear case of suicide because there was a witness."

Others on the Dannemeyer list are more curious but completely lack evidence implicating Clinton. In March, a plane piloted by 72-year-old Herschel Friday, head of a prestigious Little Rock law firm, crashed on approach to a private runway near Friday's home. Friday served on Clinton's presidential campaign finance committee, and his widow, Beth, says the Clintons were "good friends." However, rumors about a link between Whitewater and Friday's death began circulating soon after the crash. The National Transportation Safety Board has not issued its final report on the crash, but so far investigators have given the family no indication the plane had mechanical problems. Mrs. Friday is confident her husband's death was "purely an accident." Dannemeyer admits that Clinton may have had no involvement in Friday's death and some of the others, but he insists that the "number goes beyond coincidence." He says he merely wants them investigated.

THE CLINTON BODY COUNT

Dannemeyer's list of "suspicious deaths" is taken largely from one compiled by Linda Thompson. She is an Indianapolis lawyer who in 1993 quit her one-year-old general practice to run her American Justice Federation, a for-profit group that promotes program causes and various conspiracy theories through a shortwave radio program, a computer bulletin board and sales of its newsletter and videos. Her list, called "The Clinton Body Count: Coincidence or the Kiss of Death?" and updated biweekly, now contains 34 names of people she believes died suspiciously and who had ties to the Clinton family. Thompson admits she has "no direct evidence" of Clinton killing anyone. Indeed, she says the deaths were probably caused by "people trying to control the president" but refuses to say who they were. Thompson says her allegations of murder "seem groundless only because the mainstream media haven't done enough digging."

Earlier this year, Thompson released two videotapes and a folksy music video purporting to show that the February 1993 shootout in Waco, Texas, was a conspiracy in which three agents from the Bureau of Alcohol, Tobacco and Firearms were "executed" in the Branch Davidian's armory by their own men because of what they might have witnessed as Clinton's bodyguards. Though the men did help the Secret Service guard Clinton a few times, the Treasury Department's report in the Waco standoff refutes the charge: "Contrary to some publicly disseminated accounts, none of the agents that entered the armory was killed." According to the report, the men were killed in different locations around the compound. ATF spokesman Les Stanford says, "Her videos are replete with falsehood and errors."

Of the "suspicious deaths" listed by Thompson and endorsed by Dannemeyer, many victims have only the most tenuous ties to Clinton—four members of Marine Helicopter Squadron One, for example. The unit

is responsible for transporting the president. The four marines died in May 1993 when the Blackhawk helicopter they had taken out for a maintenance-evaluation flight crashed. According to a Marine spokesman, Chief Warrant Officer Robert Jenks, faulty installation of a spindle pin allowed the helicopter's engines to produce too much power until an overspeed protection device shut them down. There was no evidence of sabotage. Clinton had set foot in the aircraft on only one occasion, two months before, when he traveled from the White House to the USS Theodore Roosevelt. Thompson concedes, "I don't know what Clinton's motive was." But she speculates that they "could have been privy to information about Clinton's plan for Bosnia."

FOSTER'S DEATH

The starting place for all Clinton murder theorists seems to be Vincent Foster, the deputy White House counsel whose death last year unleashed a torrent of speculation. Jerry Falwell, Pat Robinson, Rush Limbaugh and others have suggested that Foster was probably murdered. On the anniversary of Foster's death, July 20, Foster's family made a public appeal to end the speculation. The death has been ruled a suicide in two separate investigations. Foster's family says they fully accept that verdict. That hasn't stopped Clinton's attackers, however. Many have dismissed the report by Whitewater investigator Robert Fiske Jr., a former U.S. attorney for New York under Presidents Ford and Carter and highly respected private attorney, calling Foster's death a suicide. In rejecting more macabre theories about Foster, these critics say, Fiske—a Republican—was simply doing Clinton's bidding. "Fiske was appointed by Janet Reno at the suggestion of Bernard Nussbaum," says Falwell. "It's like putting Hillary Clinton in there." Testifying last week before Congress, Nussbaum said he never mentioned Fiske or anyone else to Reno as a potential special counsel.

There are other suicides that the conspiracy buffs tie to Clinton. In May, Sherwood, Ark., police officer Bill Shelton found his live-in girlfriend, Kathy Ferguson, slumped on the couch in his apartment, dead from a self-inflicted gunshot wound. A month later, Shelton was found on Ferguson's grave, a bullet hole through his head, a gun by his side and a suicide note in his truck.

Less than a week before Ferguson's death, her ex-husband, Danny, was named as a co-defendant in Paula Jones's lawsuit against the president. Rumors began swirling that her death—and later Shelton's—was tied to the president's alleged infidelities. But police have found no reason to think so. The relationship between Ferguson and Shelton had reportedly fallen on hard times, and Ferguson's daughter told police her mother had been upset about a note from Shelton. The only people hinting at ties to Bill Clinton are in the media, police say. "It's like they want me to say something [about a connection]," says Sherwood Police Department spokesman Ray Snider. "It was suicide, period."

Luther "Jerry" Parks's death last September is almost as disputed as Foster's. Indeed, Parks's case is the only murder on Danne-meyer's list that law enforcement authorities do not consider solved. Parks's security company guarded Clinton's campaign headquarters in 1992. His son, Gary, asserts in both "Circle of Power" and "The Clinton Chronicles" that his father collected a secret file of the president's alleged indiscretions. Shortly before the elder Parks was shot to

death while driving his car, Gary says, the file was stolen. Lieutenant Holladay says there is no evidence of such a file, nor any evidence that Clinton had anything to do with Parks's death. Gary, he says, "is grasping at straws. We have found his allegations to be baseless." Jerry Parks reportedly had many enemies after he was fired from two Arkansas police departments and after a bitter falling out with a business partner. Still, Larry Nichols says he is helping Gary Parks bring a wrongful death suit against "someone close to Clinton who doesn't have presidential immunity."

One recent death is that of Stanley Huggins, who died in June. In 1987, Huggins examined the loan practices of the thrift, Madison Guaranty, at the center of the Whitewater storm. His 400-page report has never been made public. But Dr. Richard Callery, Delaware's top medical examiner, says Huggins died of viral myocarditis and bronchial pneumonia. Lt. Joel Ivory of the University of Delaware police says his "exhaustive" investigation of Huggins's death turned up "no sign at all of foul play."

The flood of accusations shows no sign of abating. And to all conspiracy buffs, official sources are suspect. Falwell asks how the Arkansas police could investigate the deaths: "The police in Arkansas brought Clinton's girlfriends to him." He also says that guilty or innocent, Clinton encourages suspicion: "He's trying to get the courts to postpone his sex harassment suit. If he gets by with that, O.J. Simpson should run for president."

INTRODUCTION OF THE CONSUMER HEALTH QUALITY PROTECTION ACT OF 1994

HON. RON WYDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, August 12, 1994

Mr. WYDEN. Mr. Speaker, by now it seems that every major interest group has newspaper and TV ads and lobbyists fully engaged in the health reform debate. But in my opinion, the single most important voice in the health reform debate has also been one of the quietest voices—the voice of the consumer.

In an effort to address this imbalance of influence, on May 10, 1993, I joined representatives of 30 national consumer organizations—the core members of what is not the Coalition for Consumer Protection and Quality in Health Reform—to launch a campaign for health care reform built on consumer protection and quality improvement.

We acted out of a shared conviction that there is nothing automatic about achieving quality and accountability in health care reform. I agreed with these consumer groups that the new health care system Congress is now designing must include specific provisions on health care quality. These provisions must not only protect existing quality safeguards from the financial pressures of the health care marketplace, but correct defects in the current system, establish accountability for health insurance companies, and expand opportunities for meaningful consumer choice.

Since we kicked off our campaign for quality care, this coalition of consumer groups has testified before all of the major House and

Senate committees, as well as the Subcommittee on Regulation, which I chair. Over the past 18 months, representatives of these 30 organizations have worked closely with me and my staff to draft legislation to promote the health quality agenda.

The legislation I am introducing today was originally drafted as an amendment to health reform legislation marked up by the Committee on Energy and Commerce. Unfortunately, disagreements prevented our committee from reporting a bill. Subsequently, I have shared this language with the committee chairmen who drafted the House bill with the majority leader, and asked for its incorporation in that legislation.

Some of these provisions have been incorporated into the House and Senate health reform bills, and I am hopeful that all will find their way into the bill that emerges from conference.

As decisions are made on each of the consumer protection provisions, one key point I intend to emphasize over the next month is that consumer protections must be funded as fully and equally important components of the new health system Congress is now constructing. I say this because in the current declining budget for discretionary funding, quality assurance mechanisms that depend on new appropriations for funding are unlikely to be funded or to provide meaningful consumer protection.

My legislation funds these essential functions through the same kind of premium draw that is used in both House and Senate bills to fund medical research. I wholeheartedly support medical research, but there is little sense in a policy that gives researchers a more secure funding base than health care quality protections for consumers.

The bill I am introducing today will identify the policies that consumers feel are needed, and, I hope, will provide a useful reference point in evaluating the quality of care safeguards in any legislation considered by the House and Senate.

Here is a brief list of several quality safeguards high on the consumer agenda, which are incorporated in this legislation.

CONSUMER QUALITY INFORMATION

Within the next 60 days, the Congress will most likely finish its work on national health reform legislation that significantly restructures the health care system in this country. Many aspects of health reform are uncertain. But this much is clear: tomorrow's consumers are going to be asked to be more involved in the choice of their health care and their providers.

In my judgment, if the reformed health system is to be built on the principle of consumer choice, consumers must have ready access to reliable, comparative information on quality.

This is no radical, futuristic concept. The last Congress enacted bipartisan legislation I sponsored to publish infertility clinic pregnancy success rates, so consumers can choose which clinic, if any, to invest with their hopes and their cash. In October 1995 this first legally required comparative health outcomes information will hit the streets and start helping consumers to make better health care decisions.

This kind of performance report on health plans is sometimes called a report card. But some report cards provide objective information, and some do not. Health insurance plans

are already starting to put out report cards comparing themselves with their competitors, without disclosing their financial interests. Because consumers need to know they are reading an advertisement, and when they are reading objective facts, my bill includes sunshine standards for advertisements masquerading as report cards, to head off a new category of consumer fraud.

But, Mr. Speaker, it's not enough to give consumers information on the quality of health insurance plans. A health plan may be the key component of the health care system to economists and providers, but consumers are more interested in the quality of care provided by doctors, hospitals, and clinics. In fact, when they can afford to, people choose their health plans because of which doctors the plan will let them see, not the other way around.

The sad truth is Americans today have more product performance information available to them when purchasing breakfast cereal than when choosing a heart surgeon. This means that additional measures of quality are needed. Consumers must have easy access to comparative information on plans, providers, and the success rates of the treatments they provide. My bill will provide for these measures, and set deadlines for their publication.

At the very least, consumers must be informed as to which doctors they may wish to avoid. The public has a tremendous appetite for information on disciplinary actions and other markers of poor quality care, and they are outraged to learn that such data exists for thousands of practitioners, but that it is now kept secret in a taxpayer-funded National Practitioner Data Bank. On April 21, 1994, I introduced a companion bill, H.R. 4274, legislation to open the data bank to the public and to close loopholes that allow doctors to avoid reporting to the data bank today. I have worked to persuade my colleagues in the House and Senate to include this important consumer protection provision in final health care reform legislation.

FREEDOM OF CHOICE

In my view, the freedom to choose one's medical providers will be a litmus test for any successful health reform plan enacted in this Congress. And the best information in the world is useless if consumers don't retain some freedom to choose their providers. At the urging of consumer groups and my personal appeals to the Clinton administration, the Health Security Act proposed requiring every HMO to offer a point of service option. Health plans with point of service features allow consumers to use out-of-network non-HMO providers, provided the consumer agrees to pay higher out of pocket charges.

This market-proven alternative shows that you can have real consumer choice and cost

containment in peaceful coexistence. It balances personal responsibility with freedom of choice at the individual level—where such decisions belong. What's more, health plans pay close attention to setting up high quality networks of doctors and other health professionals, knowing that a significant number of their enrollees are free to go outside of the network if, for example, they are told they have to wait 6 weeks for an appointment because the plan has too few OB-Gyns or mental health professionals. In this way, the point of service option provides powerful economic feedback that gives plans an incentive to build high quality, accessible networks.

My bill would require every health plan that utilizes a provider network to make available to enrollees the option of going out of that network for care. Preferred Provider Organizations—PPO's—meet this requirement by their very nature; Health Maintenance Organizations—HMO's—would have to offer enrollees an opportunity to purchase a rider that grants coverage for out of network items and services.

People could still enroll in pure HMO's, without buying the point of service feature—but even those people would benefit from the careful management of the plan's provider network, made necessary by the existence of a substantial number of enrollees who are not locked in to the network for unsatisfactory care.

The point of service feature is attractive for one additional reason: it allows people in traditional fee-for-service plans to join HMO's or other managed care plans with provider networks, without fear of being trapped in an unsatisfactory relationship with a limited group of health care practitioners. It is a tool for dramatically expanding enrollment in managed care organizations.

For these reasons, I believe this requirement should be a feature of the House bill, along with specifying the level of out-of-network cost-sharing to rule out unreasonably high coinsurance requirements by some health plans. My bill would also adjust coinsurance requirements for low income consumers, to make these choices meaningful to them.

INDEPENDENT QUALITY OVERSIGHT

Comparative quality information has a long way to go before consumers can rely on it to make life or death decisions. At least for the foreseeable future, therefore, consumers want and need reliable, independent oversight of quality. I am proposing the creation of two kinds of oversight organizations: a quality improvement foundation to work directly with doctors, and a consumer health care advocate to work with consumers.

Quality improvement foundations—QIF's—would work with doctors on quality problems,

and try to spur a bona fide quality improvement program in every health plan.

The new quality improvement foundations would monitor and compare patient morbidity and mortality in HMO's, hospitals and clinics, looking for areas needing attention. And when they find evidence of quality problems, they can take their evidence to the hospital or HMO and ask that the issue be investigated and, if found to be genuine, corrected.

They can spur collaborative efforts between health plans to address broader public health problems. They could offer to get experts together with doctors who need help to upgrade their skills. If the hospital, health plan, or practitioner is unresponsive or is unable to improve, the quality improvement foundation has the option of referring that plan or provider to State licensing officials or to the appropriate accreditation organization.

CONSUMER HEALTH CARE ADVOCATE

Consumers will need someone in their corner to contend with the new system. Their representatives in Washington have asked for a national network of health care advocates, modeled on the successful long term care ombudsman program that relies on trained volunteers to improve nursing home care. The health care advocate would help resolve complaints and grievances, and work to kick-start public and private officials to ensure that it jumps when consumers call for help.

STATE MEDICAL BOARD REFORMS

Numerous studies and reports from consumer groups and the HHS Inspector General have concluded that State medical licensure boards are underfunded and hamstrung by lack of legal authority and staff expertise to investigate quality of care cases.

The legislation I am introducing today will require States, as a condition of receiving Medicaid matching moneys, to include public members on their governing boards, to utilize licensure fees charged to doctors to fund board operations, to provide the board with basic investigative and disciplinary powers lacking in too many States, and to report annually on the number and type of actions the board has taken with respect to problem practitioners.

Mr. Speaker, I have spent my career working in the health field, and I know how complex the health policy can be. But protecting and improving the quality of health care is too important to let it slip through the cracks, or to go unfunded. I respectfully urge my colleagues to review and compare the safeguards in this bill with the versions which are adopted by the House and Senate, and work with me to get these important questions fully and squarely addressed by the conference committee that takes up health reform this year.