

EXTENSIONS OF REMARKS

HOW TO START REFORMING THE
OWCP

HON. MIKE KREIDLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. KREIDLER. Mr. Speaker, in Colorado, there is an injured Federal employee who is contemplating suicide because he sees his insurance policy as his only apparent means of providing for his family.

In California, a Vietnam war hero came close to bankruptcy twice, lost a chance at buying a home, relinquished his military reserve pay, and lost thousands of dollars in wages—thanks to a dog bite while delivering the mail.

In New Jersey, a Federal employee went 3 years without pay or compensation, liquidated all his financial assets and "sold anything I could" to get money, and was then fired, over a herniated disk.

In Washington, a trusted naval shipyard employee is threatened, lied to, humiliated, interrogated, called names, spied on, and fired, because he injured his back on the job.

In Georgia, the undercover agent who cracked the biggest bribery case in IRS history saw 11 doctors who declared him totally and permanently disabled, linking his problems to the stress of undercover work. And still the Government insisted he see more doctors. "This [harassment]" he said, "is killing me."

In Michigan, a Federal employee requires ongoing physical therapy to have a relatively pain-free life following an on-the-job injury. Denial of therapy leads to severe pain, but her therapy is constantly hindered by the Government's failure to approve continued treatment.

This is the dark side of the Federal Employees' Compensation Act, a side filled with tremendous amounts of pain and suffering, with inexcusable chaos, with an overwhelming and under prepared bureaucracy, a tangle of procedures, overly protective managers, and a clientele all too frequently living on the very edge of harrowing personal tragedy.

It is also a side the Department of Labor would prefer you to ignore.

The Department of Labor, which administers the Federal Employees' Compensation Act, instead wants you to focus on the generosity of a program which pays out nearly \$1.7 billion a year in compensation, death and medical expenses. The Department is proud of the role it plays in helping 260,000 Federal workers with job-related injuries or occupational diseases, and that 88 percent of all workers' compensation cases are approved either initially or on appeal.

But all across our country, congressional caseworkers know there is an entirely different story of how the Department administers the program through its Office of Workers' Compensation Programs.

Through my office, I've been communicating with caseworkers who say, with unmistakable clarity, that the OWCP has serious structural and procedural problems that need to be reformed. They say the OWCP is structured and administered to receive a high volume of relatively routine cases expeditiously. The OWCP, they say, is competent at this task, and the vast majority of its work force handles this function with a high level of professionalism.

But once a case evolves beyond the routine, the OWCP's procedures and administration disintegrate to the point where many caseworkers, and many medical specialists, believe the rights and the needs of injured Federal employees are routinely placed in jeopardy.

I've prepared three bills to begin addressing this situation. These bills are only a beginning; a comprehensive package is required, but should be preceded by oversight hearings into the entire scope of OWCP operations—hearings which we haven't seen for years. These bills get at a variety of problems, including:

First, appeals and judicial review: The bill makes statutory changes in the operation of the Federal Employees' Compensation Act, generally by borrowing from the Social Security program a series of statutory and regulatory policies designed in part to accomplish the following:

Shorten the time it takes to pay compensation.—One of the major flaws in the current administration of OWCP is the time it takes to begin payment of compensation. For far too many claimants, the wait is from 6 to 12 months for approval, with an additional 3 months to receive retroactive compensation. Some cases I know of are approaching 4 years in length for a decision on the initial claim—incredible, but not unusual. Because of these delays, many injured workers have their cars repossessed, their homes foreclosed upon, and their credit reputation ruined. Several provisions of my bill shorten this period.

Expedite appeals.—The Employees' Compensation Appeals Board has jurisdiction over any appeal filed by a person adversely affected by a final OWCP decision. However, according to a 1992 memorandum from the House Education and Labor Committee, the Employees' Compensation Appeals Board "seems to lack both the will and authority to impose its decision on OWCP." Further, the committee memo said, "the perception of unfairness in the FECA program is exacerbated by the fact that appeals are conducted by the same organization [OWCP] that initially reviewed and denied a claim." My bill eliminates the Appeals Board and replaces it with hearings before Administrative Law Judges.

Judicial review.—Federal employees are the only employees in the United States who are not entitled to access the courts to contest an adverse denial of workers' compensation claims. My bill gives the fundamental right of

judicial review to Federal employees. The right to access the court will provide finality and clarity in the OWCP claims process. And it would serve as a check on arbitrary decisions by the Employees' Compensation Review Board.

Physician fees.—The OWCP pays high fees to the Government physicians who evaluate the claims for the agency. In many cases, these fees are four to five times as high as the fee paid to the attending physician. My bill requires that the fees paid to Government physicians shall not exceed the fees paid for the claimant's physician. It also requires the Government to make payments to claimants' physicians within 60 days; currently, many physicians wait over a year to be paid.

Second, hand picked doctors: The General Accounting Office, in a February 1994 report, noted that when the OWCP assigns a physician to conduct an initial examination of an injured Federal employee, it is legally required to use an impartial selection process. This, however, is not the case for a second-opinion examination. Instead, the GAO found that while there is no conclusive evidence of bias, three out of five OWCP districts "used either a manual card file, their own automated database systems, or other sources to select second-opinion physicians." These practices give rise to the belief that in some cases the OWCP handpicks physicians in the hope of achieving predetermined outcomes to the detriment of the claimant.

The second-opinion physician plays a crucial role in the OWCP process. Following a review of the second-opinion physician's report, a claims examiner may find that the second-opinion physician and the claimant's physician agree and, in these cases, continue with the adjudication process. If, on the other hand, the views of the second-opinion physician and the claimant's physician disagree, OWCP is required to appoint yet another physician to resolve the medical issues.

My second bill, therefore, requires the OWCP to use a strictly impartial system for the selection of all second-opinion physicians, to eliminate any allegation that a second-opinion physician had been handpicked by the OWCP. Indeed, the GAO wrote in February that unless the OWCP moves to an unbiased selection process there will be "continued perceptions of bias by claimants whose benefits are terminated."

Third, medical certification: When an OWCP examiner has questions about medical evidence following case file reviews, the examiner can request additional information from a claimant's physician or by scheduling the claimant for exams by second-opinion physicians. Second-opinion exams may also be conducted first, when surgery is recommended for certain medical conditions, and second, to determine the extent to which an injured worker has lost the partial or complete use of a body part.

● 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.

Remarkably, considering the important role played by the second-opinion physician, the OWCP does not require second-opinion physicians to be certified by a board of medical specialties. My third bill requires this certification.

Again, these bills represent only a start—at a much needed start—at reforming the Office of Workers Compensation Programs.

I introduce these bills today with an outstanding group of original cosponsors, and I very much appreciate the support of Representatives AUSTIN MURPHY, BARNEY FRANK, TOM BARLOW, MATTHEW MARTINEZ, JAMES OBERSTAR, ANDY JACOBS, JOLENE UNSOELD, EDDIE BERNICE JOHNSON, ESTEBAN EDWARD TORRES, BRUCE VENTO, RON WYDEN, MIKE SYNAR, and HARRY JOHNSTON.

TRIBUTE TO VINCENT BRUNHARD, SR.

HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. LEWIS of Florida. Mr. Speaker, today it is my pleasure to honor a distinguished citizen from my district. Mr. Vincent Brunhard, Sr., of Lake Worth, FL, has made many outstanding contributions to all of Palm Beach County, particularly in the Polish-American community.

His entire life, Mr. Brunhard has actively contributed to American society and the entrepreneurial spirit by establishing and operating many successful businesses.

As an active member of the Polish Cultural Society of the Palm Beaches, he served as one of the first presidents of the society. His commitment extended to serving as an officer for the next 10 years. In addition, he has been an active member of the Knights of Columbus, and many other civic organizations, contributing to the quality of life for all Palm Beach County residents.

One of his most notable achievements is the organization of the first gala event, "A Night in Old Warsaw," which is recognized as a special event throughout Palm Beach County.

Mr. Brunhard will be honored this November 13, 1994, for his lifetime of accomplishments. The Polish Legion of American Veterans honors Mr. Brunhard with a national honorary membership.

Mr. Speaker, I am proud today to recognize Vincent Brunhard, on behalf of Post 202 of the Polish Legion of American Veterans, U.S.A. He is truly an exemplary citizen, and I am proud to represent him in the House of Representatives.

TRIBUTE TO NELLO BIANCO

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. MILLER of California. Mr. Speaker, I rise today to pay tribute to an old friend and supporter, Mr. Nello Bianco, who is retiring in

November as the longest-serving Bay Area Rapid Transit [BART] director on the current board.

Nello has been a fixture, a voice for mass transit and for creative management and planning since he was first appointed to the board by the Contra Costa Board of Supervisors in 1969. He has won election after election since.

Nello has resided in the bay area for over 50 years, where he has made contributions as a businessman, community leader, and as an exemplary citizen. Nello has been associated with the Richmond Boys Club, the National Safety Council, the Salvation Army Advisory Board, and the American Public Transit Authority.

Nello also served on the Richmond City Council, as well as on numerous citywide commissions. His contributions to the bay area have been substantive and lasting, but none more so than his 25 years of public service on the BART Board of Directors.

Nello has served in a variety of capacities for BART. He has served as the president and vice president of the BART Board of Directors five times during his quarter century on the board. During his tenure on the board, Director Bianco has been the chair and vice chair, and served on every BART committee.

He has been instrumental in implementing many changes to the BART system, particularly the extension projects that will bring service to eastern Contra Costa County and portions of Alameda County. He headed the committees that negotiated San Mateo County's unique \$200 million buy-in to BART, which initiated construction of the long awaited BART extensions in east bay cities—Martinez, Pittsburg, and Antioch—and the San Francisco International Airport.

Nello was also instrumental in bringing the Morrison-Knudsen BART car construction plant to Pittsburg. Once the company won a contract to build new BART cars, Bianco encouraged the company to manufacture the cars in an old steel plant in Pittsburg. This will create hundreds of jobs in the Pittsburg community, as well as a needed economic boost.

Director Bianco's long reign as BART director comes to an end in November with the expiration of his term. His dedication and commitment to the people of the bay area will be missed by all. The contributions he has made have affected nearly every resident of the area, as well as many others. His efforts and hard work will be missed, but his many accomplishments will be enjoyed by bay area residents for years to come.

Nello Bianco and I have been engaged in local politics in the east bay for many years together, sometimes in opposition, but generally working together in mutual support of candidates and initiatives to improve the lives of the residents of the bay area. I treasure Nello's friendship and I salute his decades of service to BART and to California.

HEALTH CARE REFORM

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. PACKARD. Mr. Speaker, like those old-time snake oil salesmen, President Clinton and the liberal leadership hawk the Clinton-Gephardt bill as a health care system cure all. But just like snake oil, their remedy for reform is a sham.

They claim that the Clinton-Gephardt bill is a cost-containment measure. But if you look at the ingredients, you find the same old prescription the liberals in Congress always dole out: More government bureaucracy mixed in with higher taxes.

If the American public is forced to swallow this brew, the side effects could be deadly: health care rationing and reduced quality. This is hardly, what the American people want from health care reform.

The proposal calls for a national health cost commission to monitor the growth of health care expenditures. A group of unelected bureaucrats would decide what care they feel is appropriate for Americans. Mr. Speaker, I always thought that was the doctor's job.

The cost of global budgets and price controls would fall squarely on middle-class patients. Meeting the Clinton-Gephardt global budget goals would require a 24 percent reduction in available health care resources by the year 2000—effectively rationing one quarter of our health care system.

This will reduce quality and access to care. Doctors and hospitals would no longer provide the best, most advanced, most sophisticated care. Instead, patients can look forward to long lines and delays, if they can get health care at all.

Mr. Speaker, what the American people need is not more feel-good tonic, but real medicine. They need health care reform that will work. I urge my colleagues to read the Dole plan and the Michel plan. They contain real cost-containment measures which will not threaten the quantity and quality of our health care resources.

SALUTE TO GEOFFREY B. AVILA

HON. JACK REED

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. REED. Mr. Speaker, I rise today to salute a distinguished young man from Rhode Island who has attained the rank of Eagle Scout in the Boy Scouts of America. He is Geoffrey B. Avila of Troop 6 in Bristol, RI, and he is honored this week for his noteworthy achievement.

Not every young American who joins the Boy Scouts earns the prestigious Eagle Scout Award. In fact, only 2.5 percent of all Boy Scouts do. To earn the award, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. He must earn 21 merit badges, 11 of which are required from areas such as citizenship in the community, citizenship in the Nation, citizenship in the

world, safety, environmental science, and first aid.

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

For his Eagle Scout project, Geoffrey located homes in Bristol, RI, that had no number designation for 911 rescue purposes.

Mr. Speaker, I ask you and my colleagues to join me in saluting Eagle Scout Geoffrey B. Avila. In turn, we must duly recognize the Boy Scouts of America for establishing the Eagle Scout Award and the strenuous criteria its aspirants must meet. This program has through its 64 years honed and enhanced the leadership skills and commitment to public service of many outstanding Americans, two dozen of whom now serve in the House.

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

INTRODUCTION OF CIVIL RIGHTS PROCEDURES PROTECTION ACT

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mrs. SCHROEDER. Mr. Speaker, last week, the House voted 427-4 to extend to congressional employees coverage under Federal labor and civil rights laws, correcting a long-standing deficiency in these laws. Today, together with Representatives EDWARD MARKEY and MARJORIE MARGOLIES-MEZVINSKY, I am introducing legislation to address another serious problem that deprives many Americans of the legal protections Congress intended them to have when these laws were passed.

Our legislation, the Civil Rights Procedures Protection Act, would prevent the practice of requiring employees to agree to submit any claims of job discrimination that may arise to binding arbitration. The willingness to sign such an agreement is often made a condition of hiring, continued employment, or promotion. The practice of mandatory arbitration, which is already in widespread use in the securities industry, is growing in popularity among many individual corporations especially in the construction, insurance, banking, and information technology industries.

The Wall Street Journal profiled the handling of a sexual harassment case by the securities industry on June 9. The article described the case of Helen Walters, a secretary subjected to obscene name-calling, physical threats, and unwanted gifts of condoms from her boss—actions most reasonable people would agree constitute a hostile work environment. Her case was ultimately dismissed; not by a court or the Equal Employment Opportunity Commission, but by a three-member arbitration panel hired and paid for by the secu-

rities industry. A recent GAO report on the subject found that arbitrators employed by the securities industry are typically white males, averaging 60 years of age, with little or no specific training in employment law. In Ms. Walters' case, she did not realize that the agreement she signed when she became a registered securities agent contained the mandatory arbitration clause, nor did she know that barring fraud the arbitration panel's decision could not be overturned in court.

The Civil Rights Procedures Protection Act would amend seven Federal statutes to specify that the powers and procedures provided under those acts could not be overridden by any contract, Federal statute of general applicability or other mechanism. Our legislation specifically permits employees to voluntarily elect to resolve an employment claim under arbitration after the claim has arisen.

The Federal statutes amended by our bill are: title VII of the Civil Rights Act of 1964, section 505 of the Rehabilitation Act of 1973, the Americans With Disabilities Act, section 1977 of the Revised States, which encompass the damages provided under the Civil Rights Act of 1991, the Equal Pay Act, the Family and Medical Leave Act, and the Federal Arbitration Act. The amendment to the FAA extends the protections of the bill to claims of unlawful employment discrimination that arise under State or local law as well as to any other Federal statute under which similar charges of job discrimination may be brought.

Congress passed each of these laws with the intention of extending its protections to all Americans. No one wants to believe at the time of hiring that he or she may one day be in a position to bring an employment discrimination claim against an employer. Mandatory arbitration represents a disturbing trend in employment law, one that forces many workers to choose between a job or promotion and their civil rights. This is a choice no one should be forced to make. I hope my colleagues will join us in cosponsoring the Civil Rights Procedures Protection Act.

INTRODUCTION OF THE CIVIL RIGHTS PROCEDURES PROTECTION ACT OF 1994

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. MARKEY. Mr. Speaker, today I am introducing, along with Congresswomen SCHROEDER and MARGOLIES-MEZVINSKY, legislation that responds to a growing threat to American employees' civil rights. Specifically, our bill would prevent employers from forcing their employees to give up their right to pursue employment discrimination and sexual harassment claims in courts of law. This bill responds to the burgeoning practice, engaged in most prominently by the securities industry, but also increasingly relied on by employers in information technology and other fields, of compelling employees to sign contracts that require all employee-employer disputes to be resolved through binding arbitration. This practice has resulted in an important—and, by all

accounts, growing—segment of corporate America simply opting out of the anti-discrimination laws on the books.

Signing away one's right to pursue a discrimination claim in court may be a condition of employment or advancement, or may be required in order to gain certain employee benefits such as stock options. In the securities industry, securities firms require that certain employees, as a condition of their employment, register with one or more stock exchanges, thus becoming registered representatives. As part of that process, they must submit a so-called U-4 application, which is a standard contract used by each of the securities exchanges. The U-4 agreement requires, somewhat elliptically, that all disputes or controversies with the employee's firm be arbitrated if the rules of the exchange with which the employee is registered requires them to be arbitrated. The exchanges, in turn, have rules that require registered representatives and member firms to arbitrate all controversies that arise between them.

Thus, in order for brokers to have a license to do business as employees of brokerage houses, they must sign or resign. The employee has no choice in the matter, and indeed, even if he or she were to have offers of employment from more than one firm, shopping around to find one that does not require arbitration would be to no avail: it is an industry-wide practice, with no opportunity for individual modification.

This practice, however, flies in the face of the spirit of the antidiscrimination laws passed by Congress and on the books of States and municipalities across the country. When Congress passed the various civil rights and fair employment practices laws, it established access to the courts as the means of enforcing the fundamental rights those laws sought to safeguard. The judiciary is the objective arbiter of these rights; without access to the courts, the employee has no clear means of establishing them. The employer, in turn, has less incentive to follow the letter of the law. The existence of an unassailable neutral forum in which to vindicate these basic rights is therefore critical to their vitality. For private employers to forcibly interpose instead a substitute forum—with a distinct set of procedures, no access to a jury, no right to appeal, and no requirement that the arbitrators even follow the letter of the law in rendering their decision—constitutes a constructive denial of the right to a nondiscriminatory workplace.

No industry has practiced such constructive denial of rights as consistently as the securities industry. Not only is the practice pervasive, but the impartial and independent judicial forum envisioned by Congress is exchanged for a captive one where neutrality and independence are in serious doubt. Securities industry arbitration is run by the industry selfregulatory organizations [SRO's], with industry members represented on each arbitration panel, and with arbitrators with little or no expertise in the area of employment law sitting in exclusive judgment. As the GAO discovered in its recent report to my subcommittee, the vast majority of arbitrators at the major SRO's are white males, above the age of 60. At best, such a setting has the appearance of unfairness; at worst, it is a tainted forum in which

an employee can never be guaranteed a truly objective hearing.

Procedurally, securities arbitration is a far cry from adjudication, with substantial limitations on discovery and no obligation on the part of the arbitrators to even explain the reasons for the final outcome. The secretive nature of the proceedings, combined with arbitrators' ability to follow whim rather than precedent, and not have to justify their decision either in writing or to an appellate tribunal, result in a system poorly adapted to the vindication of fundamental civil rights. Moreover, the broad public policy purpose behind individual enforcement of the civil rights laws is undermined. In addition to their remedial function, the antidiscrimination laws serve an important deterrent function. This purpose requires both a public forum and one that can bind employers through precedent, the force of law, and moral suasion. Forcible industry-sponsored arbitration provides none of those.

At its best, arbitration is an efficient and low-cost alternative to the courtroom. If conducted fairly, both parties to the arbitration proceeding can benefit. But even at its best, arbitration is not suited to disputes over fundamental rights unless both parties, once a claim has arisen, decide that it is an appropriate means of resolving the dispute. The bill we are introducing today would invalidate all predispute agreements to arbitrate claims raised under Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; section 1777 of the Revised Statutes of the United States; the Equal Pay Act of 1963; and the Family and Medical Leave Act of 1993. It would also amend the Federal Arbitration Act by rendering it inapplicable with respect to a Federal, State, or local claim of unlawful discrimination based on race, color, religion, national origin, age, or disability. Together, these changes will ensure that all employees can enjoy the fundamental protections offered by the civil rights laws.

TRIBUTE TO UNITED MINORITY
MEDIA ASSOCIATES

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. RUSH. Mr. Speaker, I rise today to honor the achievements of the United Minority Media Association as it celebrates its 20th anniversary.

The UMMA has been a leader in calling for increased minority participation and ownership in the telecommunications, print, broadcast, advertising, and public relations industries. For over 20 years, through many and varied programs such as professional skill enhancement and recruitment opportunities, UMMA has worked tirelessly to bring about changes that benefit black Americans.

Mr. Speaker, I am proud to salute and honor the kind of commitment and dedication shown by the UMMA.

SURGICAL PROCEDURES PATENTS

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. BRYANT. Mr. Speaker, putting aside for a moment all of the problems which exist in our Nation's health care delivery system—and they are legion—most of us would agree that the United States leads the world in the development and practice of state-of-the-art medicine.

Unfortunately, the U.S. Patent and Trademark Office may be erecting a barrier to providing the most up-to-date surgical procedures.

The American Society of Cataract and Refractive Surgery has brought a serious matter to the attention of Congress: the approval of patents for purely surgical procedures. For most of our history, medical procedures, independent of a medical device, were not considered patentable. In 1952, new and useful processes were added to the list of subject matter that could be patented, a move that was intended to codify existing policy, not change it. At the time, surgical procedures were not considered patentable.

In more recent years, however, the Patent and Trademark Office has issued process patents for purely surgical procedures and the holders of those patents have actively sought to enforce them. One example is a 1992 patent issued to a doctor for a particularly shaped incision for eye surgery. No patentable devices, instruments, or drugs were claimed. I have been told that this doctor is now suing and threatening to sue other surgeons for using the same or similar incisions.

Such patents pose a serious problem, both in terms of health care costs and medical treatment. License fees and infringement litigation would increase the cost of providing health care. In addition, the threat of litigation places a pressure on doctors to refrain from using surgical techniques or delay using surgical techniques, for non-medical reasons. Many foreign countries do not permit surgical procedures to be patented.

The American Society of Cataract and Refractive Surgery has presented to Congress its view that medicine has long had an alternative incentive system to promote surgical innovation and sharing of information: the recognition and prestige that flows from publishing in medical journals and presenting papers at medical conferences. The Society has pointed out that the extraordinary progress in surgical procedures during the past century has been accomplished with virtually no encouragement from the patent laws and that injecting patent law into this field is unnecessary and harmful.

Mr. Speaker, I would like to encourage my colleagues on the House Judiciary Committee to look into this matter. There is little to be gained and a great deal to be lost from a policy that discourages physicians from practicing state-of-the-art medicine.

AMENDMENT TO ANTI-HEAD TAX
ACT

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. OBERSTAR. Mr. Speaker, the recently passed conference report on the Federal Aviation Administration Authorization Act included (section 112) an amendment to the Federal Anti-Head Tax (49 U.S.C. section 40116 (d)(2)(A)) to make it unlawful for States or their political subdivisions to levy or collect new taxes, fees, or charges imposed exclusively upon any airport business, if the tax, fee or charge is not used wholly for airport or aeronautical purposes. I would like to clarify that this provision was not intended to limit the grandfather authority of airports under 49 USC section 47107(b). That section permits qualifying airport operators to spend airport revenues for certain off-airport purposes. The recently passed amendment to the Federal Anti-Head Tax Act was not intended to prohibit airports from spending new taxes, fees or charges in accordance with the grandfather provisions of 49 USC section 47107(b).

RECOGNITION OF THE SERVICE OF
E. GENE KEIFFER

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to recognize and commend the accomplishments of an exceptional individual who has worked for the strengthening of our national security and aerospace industry for 44 years.

On August 25, 1994, Mr. Gene Keiffer will retire as chairman of the board of E-Systems. E-Systems is headquartered in Dallas, TX and is vital to the national intelligence community in protecting our country.

He joined E-Systems as an antenna and microwave design engineer and was subsequently promoted to the vice president, general manager of the Garland Division located in the Third Congressional District. His managerial skills were further recognized in 1989 when he was elected to the position of chairman and chief executive officer. The selfless character and innovative skills that he has brought to the management of highly classified programs have made our country a safer and more democratic nation.

His service is exemplified in his support and participation in the Institute for Electrical and Electronic Engineers, American Defense Preparedness, the Association of the U.S. Army and the Space Advisory Board at Texas A&M University.

Keiffer is a graduate of Southern Methodist University with a degree in Electric Engineering where he went on to receive his Master's degree in the same discipline. In 1989 he was the recipient of the SMU Distinguished Alumni Award.

Fortunately, he and his wife Carole, who has been very supportive during his quality

years of service to our country and industry, will continue to reside in the third district. I thank him for his dedication and commend him on a lifetime of invaluable service to America.

COLLEGE FACILITY TO BE NAMED
FOR COMMUNITY PILLAR HY
ROSENBLUM

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. SOLOMON. Mr. Speaker, I think it would be appropriate for this body to add its voice to the chorus of tribute being prepared in honor of Hy Rosenblum of Rensselaer County in upstate New York.

Hy Rosenblum was born in East Schodack in 1911. This one-time product of a one-room schoolhouse graduated from the St. Lawrence University School of Law in Brooklyn and began his legal practice in 1937.

For over 50 years, Mr. Rosenblum became increasingly involved in community life. He was attorney for many years for the towns of East Greenbush and Schodack and the village of Castleton. In 1943, he created the Consideration Award, which he presents to local high school students judged by faculty members to have shown the highest regard for the personal and property rights of others.

In 1946, he incorporated the Hudson Valley Broadcasting Corp., the forerunner of WROW radio and WROW-TV. For many years he served on the company's board of directors.

In 1953, Gov. Thomas Dewey appointed Mr. Rosenblum to the original board of trustees for Hudson Valley Community College, a board he served for many years as secretary.

Mr. Rosenblum has also chaired the Rensselaer County Park Committee, during which time he played a major role in developing what became the Grafton Lakes State Park.

In addition, Mr. Rosenblum worked hard to secure additional state troopers for improved highway safety, to prevent the closing of the Fort Orange Paper Co. in 1973, saving hundreds of jobs, and the drive to close the Dunn Memorial Bridge during rush hour. He also served on the town of Schodack's advisory committee to develop a master plan for the Castleton Island State Park. And finally, he is a former assistant attorney general for the State of New York.

Mr. Rosenblum is a member of the Rensselaer County and New York State Bar Associations, the Kiwanis Club and Schodack Businessmen's Association, and a former member of the civic affairs committee of greater Albany Chamber of Commerce and the board of directors of the Daughters of Sarah Nursing Home.

In honor of his vital contributions to Hudson Valley Community Center, a former local monastery will be named the Hy Rosenblum Administration Center. The dedication will take place on Friday, September 9, 1994, and I hope to be there to pay my respects.

Meanwhile, Mr. Speaker, I ask this House to join me so that we may forward our respects

as a body to a great American and good friend, Hy Rosenblum, who has worked tirelessly to improve the lives of his neighbors.

BEWARE OF U.S. TROOPS ON THE
GOLAN HEIGHTS

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. DELAY. Mr. Speaker, despite repeated assurances by administration officials that any discussion of deployment of United States soldiers to the Golan Heights is premature, there is reason to believe that in the event of a peace agreement between Israel and Syria, American troops will be dispatched to the Middle East. In fact, when Secretary of State Warren Christopher was asked whether United States troops on the Golan might be part of any Israeli-Syrian agreement, his response was, absolutely. This would be the first major stationing of U.S. forces there since the catastrophic 1983 Beirut deployment.

The possibility of such a deployment raises serious concerns about the safety of United States troops, the sustainability of such a mission, and the longterm security of Israel. I would like to submit for the CONGRESSIONAL RECORD an article that appeared in the Houston Chronicle on August 5 by Yoram Ettinger entitled, "Doubt a U.S. Presence on Golan is Sustainable." I encourage my colleagues and administration officials to read it, as it makes a number of very important points about the risks of such a plan.

[From the Houston, Chronicle, Aug. 5, 1994]

DOUBT A U.S. PRESENCE ON GOLAN IS
SUSTAINABLE

(By Yoram Ettinger)

Former U.S. Defense Secretary Les Aspin suggested at a June meeting in Tel Aviv that a current proposal to deploy U.S. troops on the Golan Heights—following total evacuation by Israel—will have to be in the magnitude of a brigade in order to be significant. Under current Pentagon guidelines, he noted, such an initiative would constitute a strain on the U.S. military, since it would require preparing a division—one-tenth of all American forces. Aspin indicated that if the scope of the deployment would be limited to the monitoring presence in Sinai, "then it would be trivial."

In addition, Rep. Lee Hamilton, D-Ind., chairman of the House Committee on foreign Affairs, has recently indicated that a survey is already under way to determine the specific locations of a U.S. peacekeeping force on the Golan.

Such a force would, supposedly, constitute an essential reassuring component. It would ostensibly be essential in light of:

(A) Syrian leader Hafex Assad's military potential and his record of brutality and unpredictability.

(B) The short-lived tenure of hundreds of Mideast inter-Muslim political agreements.

(C) The violently abrupt nature of their abrogation.

(D) Israel's risk-taking by giving away the Golan.

However, in order to bolster a potentially vulnerable accord, a U.S. presence on the Golan is required to be a durable, long-term and political/military sustainable undertak-

ing. Moreover, it is required to be compatible with U.S. interests, lest it be summarily withdrawn, thus upsetting a fragile arrangement and undermining the prospects for real peace. Is the deployment of U.S. peacekeepers (monitoring or combat, unilateral or multinational) consistent with such requirements?

A Washington power broker agreed with me last week that the question of a complete withdrawal from the Golan should be decided by Israel voters. He stated, however, that the fate of U.S. peacekeepers and their implications for U.S. national security should be debated by the American public and the appropriate congressional committees, independent of Israel's stance. I believe that public debate should go forward with the following in mind.

Unlike U.S. observers in Sinai (22,000 square miles of empty desert), U.S. personnel on the Golan (450 square miles) would be situated about 25 miles from two of the most notorious training/operational centers of international terrorism and narco-terrorism: Damascus and the Damascus-controlled Beqá Valley ("Medellin Drug Cartel East"). Unlike ordinary U.N. forces, U.S. servicemen on the Golan would serve as a lightning rod for these terrorists.

U.S. observers in Sinai are located on the Red Sea across from Saudi Arabia, a relatively predictable ally of the United States. On the other hand, a Golan contingency—stationed in a neighborhood the size of a small U.S. congressional district—would border Lebanon, a microcosm of Mideast volatility, violence, fragmentation and Islamic and Arab nationalist, anti-U.S. sentiments.

Moreover, the Sinai presence is situated between Israel and Egypt, which is ruled by a pro-U.S., relatively moderate Arab regime. However, a Golan contingency would separate Israel from Syria, a traditional ally of Iran, North Korea, Cuba and Somalia's Col. Mohammed Aided. Damascus has also demonstrated its capability to defy the United States, as evidenced by the devastation of the Marine headquarters in Beirut, the bombing of Pan Am Flight 103, etc.

Furthermore, the safe location of the Sinai monitors and their distance from Israeli and Egyptian military forces, puts them out of the line of fire should a clash occur. On the other hand, the Golan forces would be geographically sandwiched between Israel and its mightiest Arab neighbor, Syria, a few miles away from its armory, infantry and artillery.

Moreover, terrorist proxies of hostile, radical regimes (Syria, Iran, Iraq, Libya, etc.) could target U.S. servicemen. They could also preserve the element of deniability, while intimidating Washington, constraining its ability to respond to provocations elsewhere (e.g. the Persian Gulf area) and extorting political concessions.

In the absence of an effective U.S. combat force (which is precluded—even theoretically—by the diminished overall size of the U.S. military), one may predict a possible withdrawal of the peacekeepers in the face of hostage-taking and casualties. Such a withdrawal would be perceived as another retreat following Beirut, Somalia and Haiti. It would further erode the U.S. posture of deterrence, shrinking its public support for future well-thought-out and globally essential overseas military involvement.

While on the Golan, U.S. presence would constrain Israel by forcing her to coordinate preemptive and reactive operations with the United States, thus inadvertently shielding terrorists operating outside the Golan. It

would also deny the United States the benefits from Israel's "unauthorized actions" (e.g., the 1981 bombing of Iraq's nuclear reactor).

In fact, requiring Israel to seek prior approval in countering belligerence would strain U.S. relations with Israel. At the same time, appearing to have enabled Israel to act freely would damage U.S.-Arab ties. However, as demonstrated by the precedent of the 1982/83 U.S. episode in Lebanon, and as is evidenced by Mideast complexities, one can expect the undermining of the relationship between the United States and both sides, which is essential to the achievement of a genuine peace.

In addition, a U.S. presence at a stormy junction bordering Israel, Lebanon, Syria, Jordan and numerous terrorist groups, could draw the United States unwillingly into regional and costly inter-Arab and inter-Israel disputes, expanding the scope of these conflicts, otherwise confined to local significance (e.g., Somalia). It would certainly deepen the involvement of Russia (which has resumed strategic cooperation with Syria), France (which still views Lebanon as a French auxiliary) and other powers, further exacerbating global and regional tensions at the expense of U.S. concerns.

Keeping in mind the American public reaction to the U.S. military involvement in Lebanon and Somalia, and recognizing the likely pitfalls of a U.S. force on the Golan, such an undertaking would probably be neither durable, nor long term, nor politically/militarily sustainable. Thus, a political arrangement predicated upon such a tenuous component would ultimately imperil regional stability, threaten U.S. interests and jeopardize the quest for a solid, long-term peace in the Middle East.

TRIBUTE TO HOWARD H. PENUEL

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. GORDON. Mr. Speaker, I rise to thank a devoted resident of my hometown of Murfreesboro and a great friend, Mr. Howard H. Penuel, for his 16 years of outstanding service as Rutherford County trustee and to congratulate him for serving longer than any other trustee in the history of Rutherford County.

A lifelong Middle Tennessean who was born in Wilson County, Mr. Penuel moved in 1941 to Murfreesboro, where he began his public service by driving a school bus and then serving the community as a salesman at Haynes Hardware Company.

Seeking self-employment, Mr. Penuel later formed a partnership and opened a business that he would later own, Seventy-Nine Auto Body Repair. After selling this business, Mr. Penuel opened Penuel's Surplus Sales, a furniture and general merchandise store in Rutherford County.

Mr. Penuel was an active force in State and county Democratic campaigns for several years, working tirelessly and selflessly for causes and candidates he believed in. This experience paid off for Mr. Penuel himself when he ran for—and won—his first political office in 1978: Rutherford County trustee.

His service made quite an impression not only on natives of Rutherford County but on all

Tennesseans, who elected him "Trustee of the year" after he served just one term. The County Officials Association of Tennessee, for which he served as president, also named him Outstanding Trustee of the Year.

Mr. Penuel displayed both foresight and vision as a trustee. Because he developed the county's first idle money investment program, the only debt Rutherford County owes is a debt of gratitude to Mr. Penuel. His initiative held the property tax rate low by earning the county millions of dollars in interest.

Rutherford County is indeed losing a valuable leader who has shown all of us what it means to serve and undoubtedly will continue to do so. Rutherford County's loss, however, is a big gain for Mr. Penuel's seven grandchildren and two great-grandchildren, who will be the new beneficiaries of his energy and attention. The golf course beckons him as well.

Please join me and all other Middle Tennesseans in wishing him well in his retirement.

EDUCATION IN THE 103D CONGRESS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, August 17, 1994, into the CONGRESSIONAL RECORD:

EDUCATION IN THE 103D CONGRESS

This is an exciting time in education. Major reform efforts are underway at all levels of government. The 103d Congress has approved several initiatives with broad support from educators, parents' groups, and members of Congress from both parties. The federal government has always played an important role in postsecondary education, but these efforts focus on elementary and secondary education. Congress has made two things clear: its commitment to education reform, and its belief that state and local governments must continue to take primary responsibility for education.

NEW INITIATIVES

Congress has passed bills aimed at improving educational opportunities for students in preschool to high school:

Head Start: This program, which provides educational and social services to disadvantaged preschool children, has been widely acclaimed. However, there have been concerns about the quality of some Head Start programs, and Congress enacted a law aimed at improving their effectiveness. The law sets aside a portion of Head Start funding for quality improvements, and requires evaluations before Head Start providers can expand services. Head Start programs will now identify highly skilled teachers to supervise and advise less experienced ones. The law also requires the creation of more stringent quality standards for Head Start programs, and evaluations of each provider at least once every three years. Providers are now required to make greater efforts to involve parents in the development of their children's program. Moreover, the law seeks to expand services for children under three, and calls for a study on the need for full-day and full-year Head Start instruction.

Goals 2000: Considered the centerpiece of President Clinton's education reform efforts,

Goals 2000 establishes a framework for federal support of states' comprehensive reform efforts. Participation in the program is strictly voluntary. The law codifies the National Education Goals, first drafted by President Bush and the nation's governors. It continues the National Education Goals Panel, which will monitor the nation's progress toward meeting the eight goals by the year 2000. In addition, a new board is charged with identifying the skills that students will need to pursue certain occupations so that they can better plan their course of study. A separate panel will develop recommended curriculum content, pupil performance, and opportunity-to-learn standards, which states can use as guideposts for their own reform efforts.

States wishing to participate in Goals 2000 must develop plans for systemic reform, and are not required to adopt the national standards. Most of the funding for reform must be passed along to local school districts. Goals 2000 fosters flexibility by allowing states and local schools to apply for waivers of federal regulations and by permitting the use of reform funds for public school choice.

Elementary and Secondary Education Act (ESEA): The House and Senate have passed different bills to reauthorize the ESEA, the law through which elementary and secondary schools receive most federal aid. Originally enacted almost 30 years ago, the ESEA primarily provides assistance for four purposes; to help meet the special needs of disadvantaged students; to improve instruction in certain subject areas, such as math, science, and drug abuse prevention; to support teacher training and development; and to provide aid for a variety of other resources, such as library books and computers.

By far the largest portion of ESEA funds are devoted to programs for disadvantaged students. Most congressional debate has focused on the degree to which funding should be concentrated on those schools with the highest proportion of poor students, and on allowing these funds to be used for schoolwide programs. Both the House and the Senate have sought to expand on the flexibility initiated in Goals 2000 by allowing schools to seek further exemptions from federal regulations. Greater emphasis is also placed on providing more extensive professional development for teachers.

School-to-Work Transition: Targeted at the 50% of students who do not go to college, this law provides aid to develop programs to prepare students for the workplace. Students will be able to integrate school-based and work-based learning in a course of study providing them with a high school diploma as well as additional certification in an occupational area. The program will be operated by local partnerships including employers, educators, and labor.

ASSESSMENT

I have never been pessimistic about the education system in the United States. There is always plenty of room for improvement, but I believe that we do a reasonably good job of educating our young people and preparing them for work. There isn't any doubt that we have to lift the performance of youngsters coming out of schools so that they have the skills required in today's world. No one of us should be satisfied with an educational system that is average or even just above average. The test is really whether we have the knowledge or skills to prosper in the arena of increased global competition.

The last thing we need is federal control of schools. But we do need to give expression to

legitimate national concerns about revitalizing and supporting local efforts to improve schools. Developing ideas about what constitutes high-quality education does not entail a national curriculum or standardization curriculum or standardization. Standards represent goals, and imaginative teachers will find a wide variety of ways to reach them. All of us want to see every student have a quality education and achieve proficiency in basic skills. We want every student to be economically productive and a good citizen. And we would like every school to have a healthy climate for learning. All of us want to give more dignity and status to our teachers. And we want each school to be free to shape creatively its own program.

I believe that states and localities are primarily responsible for providing the services that will help us achieve our educational goals, but I also believe that the federal government has an important role to play. All levels of government need to contribute to making America a nation of learners. The new education initiatives continue the ongoing national conversation about what our children will need to know in the 21st century.

COMMENDING CAPT. JUAN
TUDELA SALAS

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. UNDERWOOD. Mr. Speaker, I would like to commend Capt. Juan Tudela Salas of the U.S. Coast Guard, a native son of Guam and a distinguished graduate of the U.S. Coast Guard Academy, for the exemplary manner in which he has discharged his duties as commander of the Marianas section and as the marine safety officer of the U.S. Coast Guard on Guam.

Since assuming this post 2 years ago, Captain Salas efficiently dealt with an unusual heap of natural and manmade disasters which have struck Guam and its neighboring islands. Five typhoons, including typhoon Omar, which passed directly over Guam with winds in excess of 150 miles an hour, battered the island within the span of 3 months in 1992. The careful precautions that Captain Salas took assuming command of instructing his personnel and their families in typhoon preparations helped hold to a minimum the damage to Coast Guard personnel and facilities during this exhausting period. Under his command the Coast Guard was able to respond promptly and efficiently to the typhoon related emergencies in Guam's Apra Harbor. These included the grounding of 2 U.S. Navy vessels, the sinking of 13 fishing boats, oilspills caused by damage to these various vessels and damage to various navigational aids. Additionally, Captain Salas was able to alleviate the strains of water and power outages experienced by Coast Guard personnel and their dependents after Typhoon Omar by making arrangements for the use of shower and laundry facilities and obtaining portable generators from California and Hawaii.

The Coast Guard headed by Captain Salas responded once again on August 8, 1993, when a substantial portion of the island was

damaged by an earthquake measuring 8.1 on the Richter scale. Water and electricity was again cut off and the same prompt and immediate response of the Captain and his team directly helped in the island's swift recovery. He and his personnel were duly recognized with the award of special certificates for volunteer service by the First Lady's Committee for Special Projects in 1993 and 1994 for the assistance they gave their Sister Village of Merizo in the aftermath of typhoons and the earthquake.

Captain Salas has also proven himself a formidable commander beyond the scope of these natural disasters. The Marianas section, under his command, has responded to more than 300 search and Rescue missions during the past 2 years. Seventeen persons who had abandoned their ship at sea were rescued on one of these missions leading to the winning of the Controller of the Year Award for the entire Coast Guard in April 1993 by the Operations Center staff under Captain Salas. In the same respect a Reserve Coast Guard unit proposed to be disbanded just a few months before the captain assumed command was revitalized by this leadership to such an extent that it was nominated for the ROA Congressional Unit of the Year Award. The active command was also nominated for the Total Force Award and a Certificate of Appreciation was awarded to Captain Salas in May 1994 from the National Committee for Employer Support of the Guard and Reserve.

Advances in the field of environmental protection and maritime safety were also implemented through the Captain's efforts. Efforts initiated by him in the Coast Guard's enforcement of maritime and other Federal laws have led to the detection of numerous violations of the Lacey Act and the collection of substantial fines through the U.S. attorney's office for illegal fishing activities by foreign vessels within the U.S. Exclusive Economic Zone. Marine life, a valuable natural resource to the people of Guam was afforded significant protection as a result of this. Oilspill contingency plans for Guam, the Northern Marianas, and Palau, under the Captain's direction, have also improved. He has chaired and establishment of an oilspill response organization in Guam that had acquired 1.5 million dollars' worth of oilspill response equipment for Palau and Rota, formerly isolated and neglected locations. On top of these, he has assisted the Guam and the Northern Marianas legislatures in the preparation and enactment of oilspill responder immunity laws. He also has implemented with the governments of Guam and the Northern Marianas memoranda of understanding that delineate responsibility in the case of major oilspill, the first and third of such signed in the entire United States.

I commend Captain Salas for these accomplishments and the service he has given to the U.S. Coast Guard, the people of Guam and the Marianas. We all look forward to all the good things that will surely materialize during the next 2 years under his leadership.

THE 200TH ANNIVERSARY OF THE
TOWN OF BROOKFIELD, NH

HON. WILLIAM H. ZELIFF, JR.

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. ZELIFF. Mr. Speaker, this weekend is a special time for the town of Brookfield, NH, as residents there are celebrating the town's 200th anniversary.

The people of Brookfield can be proud of the strong heritage they have created over the past 200 years. Their town has been a positive example to others of a cohesive working community. And, these traits have made the town a landmark and a welcome home to people of all ages.

Without the benefits of carriages or wagons, families such as the Lyfords, Wiggins, Chamberlains, and Robinsons made their way to what was then wilderness and now the establishment of Brookfield. These pioneers of New Hampshire carved their permanence from Governor's Road to the mighty slopes of Tumbledown Dick; a mountain named for Oliver Cromwell's ill-fated son.

This town relishes its ancestry and honors its history. In fact, the proud citizens of Brookfield still hold their annual town meetings and other community functions in the town hall that was built in the 1820's. Moreover, the National Register of Public Buildings retains Brookfield's town hall in its listing of historic places. Indeed, the residents of Brookfield find their future firmly rooted in the past.

Mr. Speaker, the good people of Brookfield have reason to take pride in their heritage and I join with them in paying tribute to the spirit, hard work, and vision of the towns ancestors. I'm confident that when Brookfield celebrates another 100 years, our grandchildren and great-grandchildren will look upon this time with optimism and prosperity.

SOUTHWESTERN PENNSYLVANIA
GIRL SCOUTS

HON. RICK SANTORUM

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. SANTORUM. Mr. Speaker, I rise to recognize an outstanding organization in our country today—the Girl Scouts of America.

Since 1912, when Juliette Gordon Lowe founded the Girl Scouts, they have actively developed self-esteem, values, and leadership skills in America's young women. As the pre-eminent organization for school-aged girls, the Girl Scouts bring together young women from all walks of life and introduce them to new and dynamic experiences. For a Girl Scout, receiving the Gold Award, their highest achievement, is no easy task. Along the way, girls are required to complete difficult tasks to prove their abilities in leadership, citizenship, and outdoor skills.

Girl Scouts practice and offer the skills they learn by volunteering in local schools and organizations, and by enriching the community in which they live. Currently, the Girl Scouts of

southwestern Pennsylvania have achieved a membership of 21,063 girls and 6,155 adults. Additionally, their membership has risen consistently since 1986. On September 8, the Girl Scouts of southwestern Pennsylvania will celebrate the grand opening of their new headquarters in Pittsburgh. I rise today to acknowledge this upcoming event.

Mr. Speaker, I ask you, and my colleagues in Congress, to salute the valiant job the Girl Scouts have done in promoting the maturation of America's young women. In its 72 years, the Girl Scouts have consistently promoted leadership skills, and a commitment to public service in America's young women.

It is my sincere belief that the Girl Scouts will continue their service to our communities and further distinguish their members. I join all those in southwestern Pennsylvania and across the Nation in saluting the Girl Scouts of America.

CELEBRATING THE WORK OF
SCULPTOR GREGG WYATT

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. NADLER. Mr. Speaker, last year, a constituent of mine, Greg Wyatt, sculptor-in-residence at the Cathedral Church of St. John the Divine, New York City, was honored to exhibit his bronze sculptures in the Senate Russell Building rotunda. Three dimensional works by studio apprentices under Mr. Wyatt's tutelage were also displayed at that time. Mr. Wyatt previously exhibited his works in the Cannon House Office Building where I maintain my Washington office.

CBSTV has informed Greg Wyatt that on Sunday, August 21, 1994, on "Sunday Morning," WCBS-TV will rebroadcast the interview by Charles Kuralt, filmed in the cathedral crypt studio in Manhattan. The program will show Mr. Wyatt's famous work at New York's Cathedral of St. John the Divine, the 40-foot-high "Peace Fountain," and feature his apprenticeship for art students. I am proud to have this accomplished artist living and working in my district.

At this time, Mr. Wyatt's bronze sculpture entitled "Eternal Spring" is featured at the Kennedy Galleries in New York City. Additionally, he informs me that a retrospective exhibit of his bronze sculptures was selected by the Newington-Cropsey Foundation trustees to join the permanent Jasper Cropsey painting collection at the foundation's new Gallery of Art at Hastings-On-Hudson. As you may know, Jasper Cropsey was the American master of the 19th century Hudson River School of Painting.

As the representative of New York's vital arts community, it is my privilege to commend the outstanding work of an inspirational artist. I believe that every Member of this House will recognize, after viewing Mr. Wyatt's work, that the arts matter, and merit continued support by Congress.

YOUNG BETHESDA ENTREPRENEURS EXPERIENCE ADVERTISING WORLD

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mrs. MORELLA. Mr. Speaker, starting a small business has been the first step on the path to success for tens of thousands of Americans, but seldom is that first step taken when the entrepreneur is only 10 years old. However, two of my constituents, that age, have decided this summer to take a leap forward into the world of small business and, specifically, into the world of advertising.

Rachel Marx and Elizabeth Whitman of Bethesda, MD, have chosen to start an advertising business as their summer venture, and this has earned them not only profits in the bank and publicity in the Washington Post, but also a letter of encouragement from Hal Shoup, vice president of the American Association of Advertising Agencies [AAAA]. In his letter to the young entrepreneurs, Mr. Shoup applauds their creativity and invites them to apply, when they are a little older, for the AAAA's LEAP program. This initiative, the Loaned Executive Assignment Program, provides for young advertising executives to spend a year in Washington learning about public service and Government operations.

These two young advertising executives and budding small business women will no doubt consider this future invitation seriously, but for now, they are experiencing an exciting summer. Excerpts from their story in the Washington Post follow:

TWO GIRLS PURSUE AD VENTURE, AND THE PERFECT JOB

[By Caroline E. Mayer]

Rachel Marx and Elizabeth Whitman are just 10 years old, but when it comes to making money, they don't kid around. They've tried the traditional lemonade stand. "But there's no money in that," said Marx. The two Montgomery County six-graders are after bigger bucks. So three months ago, the pint-size entrepreneurs launched a grown-up advertising business, called Kidz' Koupouns. The venture got started when Marx was sick with chicken pox. One afternoon, when Whitman visited the convalescing Marx, the friends decided they needed more spending money. Marx came up with the advertising idea. They would buy a page of advertising from a weekly community paper, then divide the page into smaller advertisements and sell space to local retailers who wanted to offer discounts. With a childhood enthusiasm that didn't take "no" for an answer, the two began calling businesses frequented by kids.

The product of their first endeavor was published in Washington Parent newspaper. The cost was small said Katherine Newell Smith, vice president of communications for Sutton Place Gourmet. What's more, Smith added, the money went to "a good cause—developing entrepreneurial spirit." "The girls were as efficient as any person I've ever dealt with," said Deborah Benke, Washington Parent's editor. "The copy arrived on time, in an envelope with a check and with camera-ready art. It was great—no hassle. I have many writers and advertisers that I have to call more than once." Sutton Place owner, Debora Shalom, was impressed with

Marx and Whitman. "It's amazing to me what they accomplished," she said. "they were able to do something a lot of adults can't pull off."

CONGRATULATING CAPT. EULOGIO C. BERMUDEZ ON HIS APPOINTMENT TO THE U.S. NAVAL SHIP REPAIR FACILITY, GUAM

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 17, 1994

Mr. UNDERWOOD. Mr. Speaker, I would like to commend and congratulate Capt. Eulogio Bermudes of the U.S. Navy on his command appointment to the U.S. Naval ship repair facility on Guam.

The distinguished captain is the son of the late Juan L.G. Bermudes and Maria Concepcion. He is married to the former Carmen Meno Paulino and is the father of five children: Florina, Tanya, Vincent, Eloy, and Renee. He graduated from George Washington High School as valedictorian of his class in 1965 and subsequently attended the University of Guam. Receiving his appointment from the late Governor Manuel F.L. Guerrero, he had the prestigious honor in 1970 of being the first Chamorro to graduate from the U.S. Naval Academy in Annapolis where he was awarded a degree in mechanical engineering. He also holds a master of science degree in mechanical engineering from the U.S. naval post-graduate school.

Captain Bermudes built upon his educational training through a wide range of assignments. Prior to his present assignment on Guam, Captain Bermudes served at the Pearl Harbor Naval Ship Yard, the Mare Island Naval Ship Yard, the U.S. Naval Ship Repair Facility at Subic Bay in the Philippines, the U.S.S. *Samuel Gompers*, the CINCPACFLT at Pearl Harbor in Hawaii, the Naval Reactor's Representative's Office at Pearl Harbor, the U.S.S. *Henry W. Tucker*, and the U.S.S. *Benecia*. Upon his recent appointment, Captain Bermudes became the first Chamorro to take command of the U.S. Naval Ship Repair Facility on Guam, the only U.S. facility in the Western Pacific to provide vital repair, maintenance, overhaul, and shore support to naval ships, to the Government of Guam, and to other agencies.

Through his distinguished military service and outstanding achievements, Captain Bermudes has brought recognition upon himself, the island, and its people. On behalf of the people of Guam, I congratulate and welcome home an exceptional native son.

SENATE COMMITTEE MEETINGS

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

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

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

Meetings scheduled for Thursday, August 18, 1994, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

AUGUST 29

10:00 a.m.
Environment and Public Works
Clean Air and Nuclear Regulation Subcommittee
To hold hearings to examine the potential health effects resulting from radium nasopharyngeal irradiation treatment.

SD-406

SEPTEMBER 13

2:00 p.m.
Veterans' Affairs
To hold hearings on the nomination of Kenneth W. Kizer, of California, to be

Under Secretary for Health of the Department of Veterans Affairs.

SR-418

SEPTEMBER 14

2:00 p.m.
Veterans' Affairs
To hold hearings on pending legislation.

SR-418

SEPTEMBER 21

2:00 p.m.
Veterans' Affairs
Business meeting, to consider the nomination of Kenneth W. Kizer, of California, to be Under Secretary for Health of the Department of Veterans Affairs.

SR-418