

EXTENSIONS OF REMARKS

THE STATE DEPARTMENT CONSIDERS ISSUING A VISA TO A VIOLENT ISLAMIC FUNDAMENTALIST; HASN'T STATE LEARNED ITS LESSON FROM THE TRADE CENTER BOMBING?

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Ms. SNOWE. Mr. Speaker, I would like to submit for the RECORD the following article from the May 13, 1994, edition of New York's Forward newspaper. This article discusses in disturbing detail the State Department's current consideration of a visa request by Sheikh Rashid el-Ghanoushi, the convicted leader of Tunisia's violent Islamic fundamentalist movement.

As ranking Republican of the Foreign Affairs Subcommittee on International Operations, last year I led an investigation into the legislative weaknesses and incredible bureaucratic bungling that led to the State Department repeatedly issuing American visas to the radical Egyptian cleric, Sheikh Omar Abdel Rahman, who had at that time already been implicated in the assassination of President Anwar Sadat. Now, 15 months after the bombing of the World Trade Center by followers of Sheikh Abdel Rahman—and just before the Sheikh himself is set to go on trial for his part in the bombing—the State Department is apparently considering making the same mistake by granting a visa to his Tunisian equivalent, Sheikh Ghanoushi.

Tunisia is a pro-Western moderate country surrounded and threatened on one side by the radical regime in Libya and on the other by a strong Iranian-style fundamentalist movement in Algeria, which Ghanoushi is trying to export to Tunisia. And yet, it seems that the State Department is currently involved in anguished hand-wringing over the visa application, out of concern that there must be a presumption of a right to come to the United States unless it can prove that Sheikh Ghanoushi was at some point personally involved in a terrorist act.

It apparently is not enough that Ghanoushi fled Tunisia after his underground organization launched violent attacks against the Government of Tunisia. It apparently is not enough that he has been convicted in absentia to life imprisonment in Tunisia for his personal involvement in planning his group's attempts to overthrow the Government and assassinate Tunisia's President Ben Ali. It apparently is not enough that he has denounced the United States for its support for Israel, and has stated, "The Jewish Satans have been at work * * * to promote the current hellish marriage between the American-led Western project and the Jewish project to jointly destroy the Islamic world and control its riches."

Mr. Speaker, after my investigation into the Sheikh Abdel Rahman case, I introduced H.R. 2041, the Terrorist Interdiction Act. This legislation was a package of reforms in the State Department's visa and consular operations to stop the Department from repeating its mistakes in issuing a visa to Sheikh Abdel Rahman. All but one of the reforms contained in that bill were enacted as a part of the fiscal year 1994-95 State Department Authorization Act. Unfortunately, the one part that was not enacted into law is that section of H.R. 2041 that would automatically deny visas to members of terrorist groups. This was not enacted because it is under the jurisdiction of the Judiciary Committee, which has not yet reported out any legislation this Congress relating to immigration reform, visa procedures, or criminal aliens.

Mr. Speaker, I hope that the State Department will use its existing discretionary authority to deny entry to Sheikh Ghanoushi. I also hope that my colleagues take note of this case, and understand that passage of my legislation is needed now, more than ever.

[From the New York Forward, May 13, 1994]
TUNISIAN TERROR SHEIK SPARKS FUROR ON HILL—"WOULD-BE AYATOLLAH" SEEKS ENTRY TO UNITED STATES

(By Lucette Lagnado)

NEW YORK.—A militantly anti-West, anti-Israel sheik—dubbed "the would-be Ayatollah of Tunisia"—is attempting to gain entry into America over the objections of key American senators and the Tunisian government, which is warning that granting him a visa would be tantamount to a "hostile act."

For the past several weeks, a visa application for Sheik Rashid el-Ghanoushi, the exiled leader of Tunisia's Islamic fundamentalist movement, has been pending inside the State Department, even as a battle rages both at Foggy Bottom and in Congress over whether to keep him out of this country. Key staffers of the Senate Foreign Relations Committee have expressed unease over his possible arrival, while a ranking Republican, Senator Brown, has urged the State Department to exercise extreme caution in its decision-making.

"HELLISH MARRIAGE"

The possible arrival of the sheik is forcing a re-examination of American visa policies, including how generous the State Department should be in granting entry papers to controversial individuals who, though not formally branded as "terrorists," are known for espousing extremist views. The debate comes as Sheik Ghanoushi's notorious counterpart, the Egyptian cleric, Omar Abdel Rahmad, is scheduled to go on trial in New York for his alleged connection to a plot to blow up key New York landmarks, including the Lincoln and Holland tunnels and the United Nations. The fight over Sheik Ghanoushi—who has referred to Israel as a "cancer," condemned Jews as "Satanic" and denounced the so-called "hellish marriage", between America and Jews that seek "to jointly destroy the Islamic world"—was

precipitated several weeks ago when the University of Southern Florida invited him to participate in a conference, scheduled for mid-May. Although the conference has been postponed, the invitation remains in effect, and the State Department must decide what to do about the sheik.

"The information we were given raises very serious questions about whether Sheik Ghanoushi should be admitted into the U.S.," a top aide to Senator Brown told the Forward. "The Tunisians are gravely concerned about what they describe as Sheik Ghanoushi's terrorist involvement as well as a spillover of fundamentalist instability," he added.

Senator Brown has sent a letter to Secretary of State Christopher, asking him to evaluate reports that the sheik has sponsored and supported "violent action against Americans, against American allies, and wholesale disruption of the Middle East peace process." Senator D'Amato, a New York Republican, has also raised objections about the sheik, as have staffers for Senator Helms of North Carolina.

LONDON EXILE

Although Sheik Ghanoushi was sentenced in absentia to life imprisonment in 1989 for attempting to overthrow the Tunisian government—and accused of plotting to kill its president—some Democrats on the committee believe that the Tunisian government is overreacting. They note that the sheik was granted asylum by Britain, a country, they say, that would be loath to welcome a terrorist in its midst.

"There are values we strongly stand for as Americans, and one of them is freedom of speech," said another Foreign Relations Committee staffer. Before we make a decision we want proof [of terrorist involvement] and saying ugly stuff is not sufficient."

A State Department official told the Forward the agency "received an application [from the sheik] and the matter is under consideration." He refused to elaborate.

Even from his London exile, Sheik Ghanoushi has been openly calling for the overthrow of the Tunisian regime of President Ben Ali, and the calls have grown more strident since elections in March. After Mr. Ben Ali—the only candidate for president—received 99.91 percent of the vote, the sheik signed a communique urging Tunisians "to unite to rid the country of this specter of dictatorship," according to a wire-service report.

Despite its obvious failings, Tunisia, according to Daniel Pipes, editor of the Middle East Quarterly, "is among the better of the autocracies." Mr. Pipes says the Tunisian government is terrified because of the growing fundamentalist fervor in neighboring Algeria. The Tunisians—who have relatively progressive policies toward women and Jews—believe that, if given a chance, Sheik Ghanoushi would swiftly radicalize the country.

"JEWISH SATANS"

According to Mr. Pipes and other sources, the sheik has been spotted at a number of key Islamic conferences in Iran and the Sudan that were also attended by other radical clerics. Mr. Pipes likened these conferences to a sort of "Islamic

● 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.

Internationale," where the leaders are united in their staunch hatred of America, the West and Israel. "Yes, they speak different languages and eat different foods—but that's not what counts. What counts is ideology," Mr. Pipes said.

In Tampa, Todd Simmons, spokesman for the University of South Florida, confirmed that the sheik had been invited to be part of a "roundtable" discussion among scholars. "I know nothing about the man or his politics," Mr. Simmons said, insisting that the invitation did not mean the college "is endorsing or sanctioning any of his beliefs."

Sheik Ghanoushi is said to be considerably more worldly—and more slick—than his Islamic counterparts. He dresses in Western-style suits and can be spotted giving interviews to journalists in fashionable London tearooms.

Statements attributed to the sheik and provided to the Forward by Senator Brown's office suggest that his views smack of a peculiar branch of anti-Semitism that combines classic European anti-Jewish canards, blended with a distinctly Arabist tinge. "The Jewish Satans have been at work since the . . . Renaissance and the Reformation in Europe to promote the current hellish marriage between the American-led Western project and the Jewish project to jointly destroy the Islamic world and control its riches" is but one example among many now under State Department scrutiny.

CONGRESSMAN KILDEE HONORS
ALFRED FEDERICO

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. KILDEE. Mr. Speaker, it is with great pride that I rise before you today to urge my colleagues in the U.S. House of Representatives to join me in paying tribute to a pioneer who has dedicated his life to the working individual, Mr. Alfred Federico. Al's remarkable lifetime of achievements will be recognized by the Unity for Justice at a dinner in Flint, MI, on June 18, 1994.

Alfred Federico began his long and distinguished career at Buick as a young man in the year 1927, working periodically until in 1934 the seniority of an employee was recorded. In 1936, he became involved in union activities, spurred on through his close association with Roy and Victor Reuther.

When the United Automobile Workers Local 599 was chartered in 1937, he was the first chief steward in plant No. 31, department 17. His union career included being committeeman, shop committeeman, and a member of the political action and education committees. Al's reputation as a fair and effective leader was recognized by his fellow union members when they elected him chairman of the UAW National Negotiating Committee. It was during his service on this committee where he and Walter Reuther established a long and close friendship. To this day, Al keeps alive those ideas that Walter Reuther helped develop to enrich not only the UAW but all society. Indeed, it is because of people like Al that these ideas are now ingrained in our society.

Brother Federico's exemplary personal history as a union man continues as he devotes

his life to helping those who seek his assistance. Since his retirement in 1971, Al has continued to represent his union brothers and sisters by working to resolve consumers problems in conjunction with the consumer protection division of the Genesee County Prosecutors office. He has voluntarily given of his time and expertise in this work. To this day, Al remains active at Local 599, serving as a mentor and champion of worker's rights.

On January 15, 1994, Al was presented the Mayor's Drum Major Award for contributing to the Flint community in the area of labor, exhibiting the life and legacy of Dr. Martin Luther King, Jr.

Mr. Speaker, Al Federico has been a sure and steady mentor of mine whose ideas and advice have helped form my political philosophy. Without a doubt, the UAW and the city of Flint are better because of Al Federico. I know with certitude that I am a better person because of Al Federico. I am very pleased to have this opportunity to bring to the attention of the Members of the 103d Congress and the Nation the outstanding achievements of this truly remarkable individual.

TRIBUTE TO DR. ETHEL B.
STALLING

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. SKELTON. Mr. Speaker, today I wish to honor the memory of a fellow Missourian, Dr. Ethel B. Stalling, who passed away on June 8 at the age of 73. Dr. Stalling, a resident of Lake Lotawana, practiced as a chiropractor for over 50 years, contributing to her community through her many leadership positions and valued friendships.

Dr. Stalling was originally from Lafayette County, and our families have been friends for at least three generations. Upon graduating from Cleveland Chiropractic College of Kansas City in 1941, she began working in Mexico, MO, and then started her practice in Cass County in 1949. In 1992, she received the Cleveland Chiropractic College's Alumnus of the Year Award. She was also an influential member of the Missouri State Chiropractic Association, and was the recipient of a service award from that association as well. In 1989, she was named Chiropractor of the Year by the International Chiropractors Association.

Dr. Stalling held several leadership positions, including president of the Academy of Missouri Chiropractors, secretary and president of the alumni association of Cleveland Chiropractic College of Kansas City, and vice president of the Cleveland Chiropractic College multicampus board of trustees. She also was an officer of the Missouri State Chiropractors Association and a member of the Pleasant Hill Chamber of Commerce.

She was an excellent health care provider and her community benefitted from her service and warm spirit. Dr. Stalling will be deeply missed by all who knew her.

ANOTHER ENERGY SOURCE

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. TORRICELLI. Mr. Speaker, I would like to take this opportunity to inform my colleagues of the unique energy source Mount Hope Hydro, Inc., can provide to help avoid the rolling blackouts endured throughout the Northeast last winter. Mount Hope is developing an advanced pumped storage waterpower project located in northwestern New Jersey which will provide an alternative, reliable, and safe power supply across the Northeast.

Mr. Frank Fisher, president of Mount Hope, recently testified before the House Energy and Power Subcommittee and revealed the important contribution advanced pumped storage waterpower can make to our Nation's energy supply. I am providing a copy of Mr. Fisher's testimony for my colleagues to review.

TESTIMONY OF FRANK S. FISHER, PRESIDENT, MOUNT HOPE HYDRO, INC., BEFORE THE SUBCOMMITTEE ON ENERGY AND POWER, HOUSE OF REPRESENTATIVES, MARCH 17, 1994

Mr. Chairman and Members of the Subcommittee: My name is Frank Fisher, and I am president of Mount Hope Hydro, Incorporated, which is developing a large, advanced pumped storage waterpower project in northwestern New Jersey, 35 miles due west of New York City. Thank you for the opportunity to testify this morning on measures which should be taken to avoid future electric service interruptions such as those which occurred on the Pennsylvania-New Jersey-Maryland ("PJM") Interconnection this past January.

As other witnesses before the Subcommittee have testified, the rolling blackouts of January 19 revealed some shortcomings within the PJM system. It is difficult for me to be precise about the exact causes of the blackouts because we have not had access to all of the pertinent information. However, one factor was that massive demand for natural gas caused a deficiency in pipeline supply. Simply put, there was not enough to go around. Next, the system is dependent on technologies which are not weather resistant, and as a result, power plants could not operate to full capacity under the extreme cold. Also, PJM typically does not consider the winter months a period of peak demand, so a significant proportion of capacity was out of service for planned maintenance and repair work.

Clearly, the region—and the nation as a whole—needs a low-cost insurance policy against future blackouts and brownouts. Diversity of power sources is key to preventing peak demand power shortages in the future. The recurrent theme in recent press releases and comments about the crisis—that such events are so rare and unpredictable that it would not be cost-effective to guard against them—ignores the potential benefits of new technology.

Instead of taking recent events as a warning, power companies are likely to continue to be pushed by regulatory uncertainties and increasing commercial pressure to take a short-term view. Indeed, they risk being penalized for not doing so. Many PJM utilities are moving toward natural gas projects as the solution to future demand, despite the fact that the 1991 New Jersey Energy Master Plan, for one, warned about the danger of excessive reliance on a single resource. Depending on natural gas as the only new

source of reliable, clean power could set the region on a long-term course for economic disaster.

Alternatives are available to provide reliable, safe power on a nearly instantaneous basis. What's more, as Clean Air Act standards tighten in the highly-industrialized Northeast region, it is in everyone's interest to look for new power sources which do not create the local pollution emissions associated with gas burning utility plants.

For example, the Mount Hope Project currently under development will, when completed in 2002, operate at a capacity of 2000 megawatts *** enough to protect more than half a million homes from blackouts or brownouts during peak demand periods. Had Mount Hope been on line in January, it would have provided the low-cost peaking power and transmission stability to prevent the blackouts, serving as PJM's "energy insurance policy."

Fundamentally, Mount Hope's pumped storage technology works on the simple principle of gravity. A 1.6 billion gallon above-ground reservoir will be connected by a shaft to an underground powerhouse and water storage caverns which serve as a lower reservoir. Water will circulate back and forth between the reservoirs in a "closed cycle," and during peak electrical demand periods or simply on demand, water will be released from the upper reservoir into the vertical shaft to the powerhouse, 2,800 feet underground.

Once in the powerhouse, the water will pass through six fast response turbines which can reach full generating capacity in less than 15 seconds. The power is brought to the surface by cables in another shaft, and is ultimately connected to existing transmission lines.

After traveling through the turbines, the water is stored in the underground lower reservoir. During off-peak hours, the turbines will be reversed to pump the water back to the upper reservoir, at which point the process can start again. This entire process can be repeated up to 20 times a day to meet demand and to optimize the use of other regional generating facilities. It is impervious to weather since underground temperatures remain at a constant 56 degrees Fahrenheit.

Mount Hope is patterned on the Dinorwig Pumped Storage project operated in Wales by the British National Grid Company. Dinorwig is one of the world's most technologically advanced pumped storage facilities and uses a fast-response technology which can produce at full output from standstill in less than a minute. This technology significantly enhances the capacity and reliability of the British transmission system, far beyond the capabilities of the earlier, less-sophisticated pumped storage facilities on the PJM grid. Indeed, the lack of advanced pumped storage facilities makes the U.S. unique among the industrialized nations.

Because of its location and ultra-fast response capabilities, Mount Hope also offers the benefits of increasing the capacity of the existing regional high-voltage transmission system. It will provide a competitive advantage in its ability to enhance the effective import capability of the transmission system. Mount Hope's ability to permit the PJM utilities to take advantage of remotely located power sources beyond their boundaries will provide significantly increased reliability. Potentially, billions of dollars could be saved through enhancing the ability of the PJM utilities to import less expensive energy from such sources.

As attractive as the Mount Hope Project sounds, we have found it difficult to make

progress in our discussions with utilities in the PJM grid. These difficulties are three-fold. First, because of the increasingly competitive nature of their marketplace, the utilities are increasingly compelled to focus on short-term requirements without proper regard for the long term. While natural gas may offer a short-term "fix" during the '90's, this situation is unlikely to last long into the next decade. A prudent long-term view must contemplate a mix of resources, and on such a view, a project like Mount Hope doubly merits consideration. Not only does it offer an alternative source of energy in itself, but it can enhance the efficiency of other sources of generation and improve both the capacity and the stability of the regional transmission system.

The second problem is that non-utility power project developers are often left in the dark to assess the benefits of new technology to potential utility customers. Most utilities hold data relating to their needs as proprietary information, so developers of alternative projects are left to estimate or assume the degree of their projects' potential benefits to the utilities. As a result, the true benefits of projects based on new technology, like Mount Hope, may never be fully measured.

While we at Mount Hope understand there may be justification for a degree of confidentiality surrounding utility data, the future energy needs of the Northeast are far too important to allow this to be an obstacle to progress. We must work cooperatively toward our common goal of providing a reliable, cost-effective source of electricity to the consumer and not let the window of opportunity offered by Mount Hope pass by the region. Under its FERC license, the Mount Hope Project must start construction by August 1996 and it is important that we secure commitments as soon as possible.

SOLOMON DERIDES SHAM LEADERSHIP DEAL WITH DEFICIT CHICKEN HAWKS ON A-Z

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. SOLOMON. Mr. Speaker, today the majority leader and a small group of Democrats unveiled what can only be described as a sham deal in return for keeping those Members from signing the A-Z spending cut discharge petition.

The concessions the deficit chicken hawks have wrung out of their leadership won't even provide a transparent fig leaf of political cover for avoiding real spending cuts.

We had already been assured that the remaining appropriations bills would be brought under an open amendment process so that is no real concession. And moderate Democrats had already been promised a vote by their leadership this session on various budget process and entitlement reforms in return for their support for the budget resolution earlier this year.

The only thing new in this is that those who are boasting about this great compromise breakthrough seem to believe they have actually won something new. The Democrat leadership has done a masterful job in recycling the same old bargaining chips for every new

deal they are forced to cut with this group. It is a shrewd ploy as long as nobody calls their bluff and tries to cash in the chips on previous deals.

The bottom line remains that there is no substitute for voting on real spending cuts now as guaranteed by the A-Z plan. Hiding behind process reforms won't save the taxpayers a dime or reduce the deficit by a penny. It's simply a way of putting off until tomorrow what should have been done yesterday.

AVIATION PIONEER EMILY WARNER

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mrs. SCHROEDER. Mr. Speaker, I would like to join the Colorado State Senate in saluting Capt. Emily Warner, the first woman pilot for a modern U.S. airline. Captain Warner is one of Colorado's 20th century heroines.

EMILY WARNER HONORED BY COLORADO SENATE

(By Lance Ross)

The Colorado State Senate unanimously approved this week a resolution honoring Capt. Emily Warner, the first woman pilot for a modern U.S. airline. Warner was hired as a Frontier Airlines second officer in 1973, and is now with the Federal Aviation Administration.

The resolution is now pending in the Colorado House of Representatives.

"With 15 years of aviation-instructing experience and 7,000 hours, Emily Warner already had more flying experience than the vast majority of men being hired by the airlines," the resolution said of her struggle to break the barrier against women commercial pilots.

Warner was cited for "her remarkable achievements and contributions to state and national history."

"The most recent honor for her has come from the Friends of the Granby Airport, Inc., who have initiated the Emily Howell Warner Aviation Education Resource Center in Cooperation with the Granby Public Library," the resolution adds.

EAGLE SCOUT CHARLES WESLEY WELLS

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. BRYANT. Mr. Speaker, last evening, Charles Wesley Wells received the highest award of the Boy Scouts of America when he was awarded the rank of Eagle at his Eagle Scout Award Ceremony in Burke, VA.

This exemplary young man is the son of Col. Peter Wells and Karen Wells. Though born in Germany while his father was on active duty with the United States Army there, he is an All-American kid who has grown up in Virginia and Texas where he learned persistence, dedication, and the value of hard work.

A weight-lifter, outdoorsman, fisherman, and automobile enthusiast, he is a senior at Lake

Braddock Secondary School and a member of Messiah United Methodist Church. His determination to succeed has kept him in pursuit of his goal of an Eagle badge for 7 years, as he achieved rank after rank in the Scout program.

Charlie, as we all know him, concluded his quest for the rank of Eagle with an outstanding Eagle project on ecology involving labeling storm drains in the Kings Park neighborhood of Fairfax County. After receiving approval for the project from the State of Virginia, the project required Charlie to work for 8 months before it was finally completed.

On behalf of myself and of the American people I offer today our congratulations and express our great admiration as the rank of Eagle is awarded to an outstanding young American, Charles Wells.

CONGRESSMAN KILDEE HONORS
MR. JOHN (J.D.) DOTSON

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. KILDEE. Mr. Speaker, I rise today before my colleagues in the U.S. House of Representatives to pay tribute to an outstanding resident of my hometown of Flint, MI, Mr. J.D. Dotson.

J.D. Dotson was instrumental in the organizing of the United Automobile Workers [UAW] labor union in Flint, MI. He began work in the Buick foundry at the age of 21, coming to Flint from his birthplace of Vicksburg, MS, living in Chicago, Kankakee, IL, and finally Royal, NJ, along the way. He soon recognized a need for a union and began working with others toward that end.

As was the custom in those days, organizers were threatened with bodily harm. Mr. Dotson was no exception, receiving his share of threats. But he did not let that deter him from his goal. As the movement progressed, he was positioned as the captain of the Flying Squadron, a protest group. His courage and leadership skills were called on often anytime there was activity in one of the plants at Buick.

At this time Buick was a very segregated workplace. Blacks were only allowed to enter the plant at two locations and were only allowed to work in one place within the plant, the foundry. It was at this time that Mr. Dotson decided he needed to have a job in another part of the plant. He had worked closely with the legendary union leader, Walter Reuther, and decided to integrate the plant. In 1934 he was the first black to leave the foundry and began work in factory No. 31.

Now, at age 92, Mr. Dotson is still active in union affairs. He is a national board member and has traveled with the board to such places as Lansing, Columbus, OH, and Albion, MI. He continues to hold the positions of sergeant at arms, guide, and has a seat on the legislative committee.

Mr. Speaker, it is indeed an honor and a pleasure for me to rise today to pay tribute to this outstanding labor pioneer, J.D. Dotson. His courageous activities led to the formation of the UAW as well as the integration of the workplace and the union. His deeds and ac-

tions will never be forgotten by the millions of union members throughout this country. I wish him well as he is being honored at the Unity for Justice Dinner on Saturday, June 18, 1994. J.D. Dotson is truly an outstanding American.

TRIBUTE TO FATHER JOHN
CONDIT

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. SKELTON. Mr. Speaker, today I pay tribute to Father John Condit, an outstanding Missourian and former Navy chaplain who recently passed away at the age of 74. His professionalism and devotion to duty were admired by all who knew him.

After finishing his secondary education in Jefferson City, MO, and attending both the St. Louis Preparatory Seminary and Kenrick Seminary, Father Condit was ordained for the Archdiocese of St. Louis in 1953. He then served as the associate pastor of several parishes in the State.

Father John Condit was not only respected for his commitment to his parishioners, but also for his service to the U.S. armed services as a Navy chaplain. Father Condit received his commission in 1953 and served the Navy in this capacity for 20 years when he retired with the rank of captain. He dedicated the remainder of his years to serving as the pastor for the St. Francis Xavier Church in Taos, MO.

Father Condit also demonstrated his service to others through his involvement with veterans organizations, the Kiwanis Club and the American Legion. Father John Condit was deeply committed to his faith, his country and his parishioners. He will be missed not only by his many friends, but by the community he served for so many years.

CONGRATULATIONS TO THE CITIES
OF RIVEIRA AND NEWARK

HON. ROBERT G. TORRICELLI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. TORRICELLI. Mr. Speaker, I am both pleased and honored to rise before the House today in recognition of the very important partnership that has recently been agreed upon between the city of Riveira in the Autonomous Region of Galicia, and the city of Newark in my home State of New Jersey.

The June 17 signing of a sister city agreement between the mayors of Newark and Riveira is significant not only in its fostering of better international ties, but also in its recognition of the important contribution that Newark's 20,000 Galician and Spanish residents have made to the community at large. As most of these residents originally hail from Riveira, it is only fitting that a formal bond between the two cities be formed in appreciation of that vital link that they share.

The sister-city agreement between Riveira and Newark offers prospects that far exceed

the symbolic level. From economic exchanges to athletic, educational and tourism endeavors, this partnership will broaden the horizons of each community and offer a special element of cultural enrichment that few cities can boast.

I congratulate Mayor Sharpe James of Newark and Mayor Jose Luis Torres-Colomer of Riveira on this landmark occasion, and I thank our Spanish and Galician neighbors for their continued contribution to our State.

Mr. Speaker, I call upon all of my colleagues to join me in saluting the cities of Newark and Riveira, and in wishing them the best of luck in what will no doubt be a long and rewarding relationship.

REMARKS REGARDING THE MO-
TION TO INSTRUCT CONFEREES
ON THE RACIAL JUSTICE ACT

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. SCHUMER. Mr. Speaker, although some Members of the House sought to portray yesterday's vote on the motion to instruct the conferees not to include the Racial Justice Act in the final crime bill as up or down vote on the Racial Justice Act, many Members, myself included, viewed the motion as a vote on the retroactive application of the act. The version of the Racial Justice Act passed by the House and included in the House crime bill includes a retroactivity provision.

During the floor debate on the Racial Justice Act, I stated that I intended to work to strike retroactivity at conference. In keeping with that position, I supported the motion to instruct the conferees not to include the Racial Justice Act as passed by the House, not because I oppose the Racial Justice Act, but because the motion was really a vote on the retroactive application of the act. I support the Racial Justice Act and I intend to work at conference to create better, more tightly drawn, nonretroactive provision prohibiting the discriminatory application of the death penalty.

IN HONOR OF THE PARTICIPANTS
OF THE 67TH ANNUAL NATIONAL
SPELLING BEE

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to a group of New Jersey students for their participation in the 67th annual National Spelling Bee which was held in Washington, DC, from May 29 to June 3, 1994.

Among the participants was Helen Isip, 13, of Jersey City, the daughter of Domingo and Maria L. Isip. Helen represented Hudson County and was sponsored by her local newspaper, the Jersey Journal. She was a student at St. Paul's School of Excellence and will attend Holy Family Academy in the fall. Helen was in the top quarter of the competing spellers and the second best speller in New Jersey.

I am proud to have such an outstanding student representing Hudson County in a national competition. Helen's work is exemplary and deserves to be recognized. She has earned first honors in all her academic subjects since the fourth grade. Her hard work and dedication have truly paid off. Her favorite subjects are history and math. Those who say, "Our youth are in decline," need look only at Helen for a shining example of what America has to offer the world.

Helen was among the 238 students nationwide who participated in the spelling bee. The National Spelling Bee was sponsored by Scripps Howard Newspapers and other newspapers from around the United States. Authorized sponsors organized local spelling bees and sent their champions to Washington, DC, for the national event.

I also want to commend the Jersey Journal for graciously sponsoring the local competition. The National Spelling Bee is an annual tradition, and has become an important showcase for our young academic achievers. Sponsoring a local event and sending a champion to national competition demonstrates the Journal's strong ties to Jersey City and the greater Hudson County community, and I want to thank them for their commitment.

The participants in the 67th annual Spelling Bee deserve our congratulations for their accomplishments. Their dedication and excellence bodes well before America as it prepares for the 21st century. I salute them today and wish them luck in the future endeavors.

TRIBUTE TO AMERICAN LEGION
FOR THE UPPER PENINSULA
SUMMER CONVENTION

HON. BOB CARR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. CARR. Mr. Speaker, I appreciate the opportunity to pay tribute to the American Legion and this year's host of the Upper Peninsula Summer Convention, Uren-Cooper Post 50 of Iron Mountain, MI.

This year we celebrate two historic anniversaries. Fifty years ago this month, soldiers from Michigan, and all across our country, landed on the beaches of Normandy to liberate Europe and save the world from the tyranny of Nazi Germany.

In that same year, Congress passed and President Roosevelt signed one of the most important pieces of Federal legislation ever written. What began as a grassroots effort by Legionnaires across the country ended with the passage of the GI bill. As a result, veterans were given the opportunity to get a quality education and find new and better jobs.

As we commemorate the anniversaries of these historic events, it seems fitting that we again recall the sacrifices made by our Nation's veterans. We must rededicate ourselves to faithfully living up to the commitments we as a country have made to them, whether the issue is COLA's, VA benefits, spousal support, homelessness, or helping veterans suffering from exposure to agent orange or the mysterious Persian Gulf illnesses.

Today, as the American Legion Upper Peninsula Association prepares for their summer convention, I ask my colleagues to join me in redoubling our efforts on behalf of these men and women who have given so many years of leadership and service to our Nation.

INTRODUCTION OF THE OCCUPATIONAL SAFETY AND HEALTH REFORM ACT

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. GOODLING. Mr. Speaker, today I am joining Representative FAWELL and 22 of our colleagues in reintroducing the Occupational Safety and Health Reform Act. The bill is for the most part identical to H.R. 2937, which Mr. FAWELL introduced last August. What I said about H.R. 2937 then applies as much to the bill we are introducing today:

This legislation will force the Occupational Safety and Health Administration to reorient its compliance philosophy from one of confrontation—a philosophy which measures success by the number and amount of penalties levied and not by results—to one which will help employers comply with the law and one which will provide incentives to employers to undertake meaningful steps to improve workplace protection.

The two parts of H.R. 2937 that are changed in the bill we are introducing today involve: First, making sure that the voluntary programs at OSHA, some of which we are creating or codifying in our bill, receive adequate administrative attention and funding within the agency and increased recognition as an essential part of what OSHA's role is, and second, retaining current law with regard to coverage of State and local governments.

The second point is particularly important to me because of my concern about the Federal Government's increasing reliance in recent years on carrying out its policy objectives through unfunded mandates on State and local governments. Our earlier version of the bill provided for a 3-year delay in coverage of State and local governments, with a cost study of the impact of this change completed within 1 year of passage. The intent was that with the cost study Congress could revisit the issue before coverage was triggered.

Numerous letters from our constituents and others convinced us that the better approach is not to trust that this issue would be revisited after the cost study was done. Instead, the issue of how Congress should treat State and local governments should be dealt with directly in this legislation. We believe that current law, which allows but does not require States to adopt OSHA standards and provides 50 percent of the funding for enforcement and administration if the State seeks and obtains approval of its program by the Department of Labor strikes the appropriate balance between recognizing State's independent role and priorities and protecting worker health. Alternatively, if Congress is determined to impose the OSHA rules on all State and local governments, including schools and other public agencies, then the Federal Government should pay the full cost of the mandate.

We offered both of these choices during the markup of OSHA reform legislation in the Education and Labor Committee, but both were rejected by the majority on the committee. Thus, the OSHA reform bill comes to the House with a clear choice between those who support more unfunded mandates on State and local governments, and those who do not.

TRIBUTE TO FOOD FROM THE
'HOOD

HON. JULIAN C. DIXON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. DIXON. Mr. Speaker, I rise today to pay special tribute to a dynamic and enterprising group of Crenshaw High School students who have formed the Nation's first student-owned natural foods company: Food from the 'Hood. Founded in October 1992, Food from the 'Hood has an ambitious company mission that seeks to illustrate the potential of young adults and provide them with jobs, give back to the community, and prove that businesses can be socially responsible and profitable. Remarkably, the students have successfully marketed their first product, Straight Out 'the Garden Creamy Italian Salad Dressing, at over 10 major grocery chains throughout southern California; overall, about 2,000 stores are expected to carry this product. Projected estimates of annual profits total between \$100,000 to \$200,000, which will go toward scholarships for the student-owners and contributions to local charities.

In response to the Los Angeles disturbances, a science teacher at Crenshaw High School, Ms. Tammy Bird, encouraged her students to restore the school's garden and give the food to the needy. On December 18, 1992, the students reaped their first harvest and donated it to a local food bank, Helpers for the Homeless and the Hungry. While always giving at least 25 percent to the needy, the students also sold produce, enabling them to provide 600 dollars' worth of college scholarships to three graduating students. With the help of Ms. Melinda McMullen, a former marketing executive, the students soon expanded their base and formalized the concept of a student-owned business.

All student-owners participate in an intensive employee development program that, through a points system, determine individual scholarship amounts. Students earn points by working in the business, maintaining high academic grades, and devoting time in college preparatory activities; points can be taken away for not meeting these obligations. Tutoring in math, science, English, and Spanish are also offered. Scholarships are determined by calculating the percentage of total points earned, with a potential for acquiring points worth up to \$15,000 a year. Any profits above the scholarship margins will be donated to various community initiatives.

The students' persistence and dedication, combined with the support of Crenshaw High School administrators and faculty, have yielded an enthusiastic response from the community. Their efforts have garnered the patronage

of Mr. Norris Bernstein, the Weingart Foundation, the city of Los Angeles Community Development Department, the California Community Foundation, RLA—formerly referred to as Rebuild L.A.—and countless other businesses and professionals. Nonetheless, in addition to promoting their salad dressing, the students continue to operate the garden and market at Crenshaw High School.

It is a pleasure to recognize the following innovative students who share ownership in Food from the 'Hood': Angelica Becerra, Shannon Burton, Karla Becerra, Marshon Caulton, Seak Chan, Kahlelah Croom, Charo Darwin, Leonie Felix, Dennis Fomond, Jaynell Grayson, LaTosha Hayden, Kristi Hernandez, Zakiya Hill, Ketric Jenkins, Naeisha Jones, Carlos Lopez, Ivan Lopez, Mary Lucas, Rashard MaGee, Maurice McNeely, Brian Morris, Ben Osborne, LaChentia Patton, Natasha Proby, Edwin Rhodes, Kendal Robinson, Michael Santos, Santana Scott, Mark Sarria, Kabeer Smith, Jasmine Talley, Sommer Tillett, Osofu Washington, Luther Waters, and Maria Wilson.

Mr. Speaker, I am extremely proud of Food from the 'Hood's' astounding accomplishments, and ask my colleagues in the House of Representatives to join me in commending the 35 student-owners. In devising a means through which they could further their education and enhance the quality of life within their community, these young entrepreneurs have served as examples for our youth and have provided a source of much-needed hope to the inner-city community of Los Angeles.

BUFFALO SOLDIERS COMMEMORATIVE RIDE OF COL. CHARLES YOUNG

HON. DAVID L. HOBSON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. HOBSON. Mr. Speaker, nearly 80 years ago today during the Great War, Col. Charles Young undertook a 600-mile journey on horseback to Washington, DC, from Xenia, OH, to prove his fitness for service in the U.S. Army.

By the age of 50, Colonel Young had already proven himself as a distinguished soldier in Cuba, the Philippines, Haiti, and the Mexican campaign. And his deeds were a tribute not only to his home State of Ohio, but also to our great Nation.

I am proud to honor this man and many like him whose service to the United States as Buffalo Soldiers—from the time of their service on America's western frontier to the Korean war—went largely unnoticed and unheralded.

Through his outstanding military service, Colonel Young promoted by example the right to equality for himself and every African-American. I honor his courage, not only in the course of battle, but in the course of fighting against discrimination and segregation which was routine in our military's history.

At Arlington National Cemetery today, a ceremony at the gravesite of Colonel Young marks the end of the Buffalo Soldiers' commemorative ride which began in Ohio 4 days ago. Let it also mark the end of racial discrimi-

nation in our military and a new beginning for remembering the deeds and the services of America's Buffalo Soldiers.

WELCOME TO THE 26TH ANNUAL CONFERENCE OF THE WOUND, OSTOMY, AND CONTINENCE NURSES SOCIETY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. CARDIN. Mr. Speaker, the Third District of Maryland is proud to welcome the 26th annual conference of the Wound, Ostomy, and Continence Nurses [WOCN] Society to the Baltimore Convention Center on June 19-23. The theme for the conference is "Positioning for Change—Where Do We Go From Here?"

WOCN is a professional association of 3,000 registered nurses who specialize in the care of patients with wounds, ostomies, and incontinence. The WOCN membership consists primarily of ET nurses, formerly known as enterostomal therapists [ET's]. ET nurses traditionally specialized in the care of patients with ostomies; however, as the needs increased for specialists in managing wounds and related skin conditions, ET nurses incorporated wound care into their practice. ET nurses have also extended their practice into the area of continence care, including prevention, assessment, diagnosis, and management.

In addition to these ET nurses, the WOCN membership consists of registered nurses who specialize in only wound or continence care. The WOCN nurse is an integral part of the health care system in providing cost-effective care to their patients.

Participants in the conference will include the WOCN membership, allied health care professionals, and medical and pharmaceutical manufacturers. The conference provides an opportunity for the participants to become more knowledgeable of the practice of the nurse who specializes in the care of patients suffering from wounds, ostomies, or incontinence. The conference aims to identify the current issues and trends that impact professional practice, and to provide a forum in which the participants can discuss such clinical and professional issues. The conference also seeks to provide resources to assist participants in marketing their practice, as well as to recognize available collaborative practice opportunities in various healthcare settings.

The Clinton administration will be represented at the conference by Ms. Kathleen Hastings, consultant to the Surgeon General on health care reform. Ms. Hastings will deliver the conference's keynote address at the opening session on June 20 at 9 a.m.

I am pleased and honored that WOCN has chosen the fine city of Baltimore to host their conference. I sincerely hope my colleagues will join me in wishing WOCN success with their event.

CHURCHVILLE JUNIOR HIGH SCHOOL

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. HYDE. Mr. Speaker, one of the outstanding junior high schools in Illinois, Churchville, is located in Elmhurst, a fine community in my district.

On May 27 of this year I had the pleasure of addressing their eighth grade students. Their teacher, Robert Caldwell, chairman of the social studies department, asked the students to compose an essay describing why they would like to attend a luncheon with their Congressman.

I have read these essays, and they are indeed interesting. Today I will provide three of them for my colleagues to read, and next week I will provide three more. I commend them to your attention.

WHY I WOULD LIKE TO GO TO LUNCH WITH REPRESENTATIVE HYDE

(By Priscilla Damitrescu)

The reason why I would like to meet Representative Hyde is because I have a strong interest in meeting him. I also would like to find out his point of view on certain matters. Most of all I would like to get to know the person who represents me and my area.

The issues I would like to discuss with Representative Hyde are Health care, the situation in Singapore, certain parts of the Constitution that I hold an opinion on, and I would also like to discuss the gang matter that is starting to move within Elmhurst.

The questions I would like to ask are his opinion on those issues I have listed. I would also like to know what got him to become a politician. I would also ask him questions in general about becoming a politician.

The reasons I think I should be are that I think that I would represent Churchville in a good manner and because I am highly interested in finding out more about politics.

WHY I WOULD LIKE TO GO TO LUNCH WITH REP. HYDE

(By Randy Kuczaj)

I would really like to go to lunch with Rep. Hyde because I would like to talk to him about the issues that are important to me. The main issue is gun control, but there are others such as health care, abortion, and the White Water Scandal. I feel very strongly against gun control and abortion. I also think that President Clinton should come up with a better health care plan. I have a lot of questions that I would like answered about these issues. I would also like to find out how he feels about gun control and what other bills the House is thinking of passing.

Another reason why I would like to go to lunch with Rep. Hyde is that I would like to meet him in person. It is not every day that you get to have lunch with your Representative.

I think I should be chosen because I am a good student and I really could benefit from this experience by learning something new. It would be a honor for me to be chosen.

WHY I WOULD LIKE TO GO TO LUNCH WITH REP. HYDE

(By John Mendola)

I would like to go because there are many questions I would like to ask. Questions about gun control, abortion, and what's it

like to be a representative of our country. I would like to meet Mr. Hyde because I have always been fascinated by government and I would like to meet one of its employees.

The questions I would like to ask are: What do you define as an assault weapon? Are you against abortion and why? I will also ask many other questions.

I think I should be picked because I'm very involved in politics. I would very much enjoy talking to a politician, especially one from our state. I think I would benefit greatly and it would be an event I would never forget. Please consider my application.

HON. WILLIAM D. FORD JOINS WITH THE IMPROVED BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE WORLD TO HONOR SPECIAL PEOPLE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. FORD of Michigan. Mr. Speaker, I rise today to pay tribute to Isiah Pierce Norfleet, an exceptional young man and model of courage. Isiah was recently selected to be the 1994 Special People National Poster Child by the Improved Benevolent and Protective Order of Elks of the World [I.B.P.O.E. of W.]. In this role, Isiah will be representing all special people who have additional needs due to physical or mental challenges.

Although Isiah has cerebral palsy and the left side of his body is partially paralyzed, his medical condition has not dampened his spirits or hampered his accomplishments. Isiah shares the joys and interests of every 5 year old. In school, his favorite subject is music and he would like to enrich his love of the subject of music by learning to play the piano. Isiah enjoys attending church and school and uses his cheerful attitude to touch the lives of those around him. Every morning, he greets his teachers with a big smile and hug.

Isiah has used his lighthearted personality to overcome his disability and conquer adversity. By enjoying the daily delights and activities of a 5-year-old's life, Isiah meets his challenges head-on. The courage and perseverance which Isiah illustrates should set an example for us all.

I would also like to commend the I.B.P.O.E. of W. for their outstanding work on behalf of people with special needs. Through their efforts and interest, the attention of our Nation may be focused on the needs of special people and their unlimited potential.

I encourage my colleagues to join with Isiah, the I.B.P.O.E. of W., and with me to recognize the accomplishments and needs of special people everywhere.

THE CASE OF SEMYON LIVSHITZ

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. HOYER. Mr. Speaker, I would like to call the attention of this body to the case of

Semyon Livshitz, a former Russian naval officer currently serving a 10-year sentence in prison for alleged rape and robbery in Vladivostok.

This is a complicated story, Mr. Speaker. In February 1990, the captain of the ship upon which Livshitz served prior to his release from active duty was accused of rape and robbery. In the course of the interrogation, the captain accused Livshitz of being in the pay of Israeli intelligence, and plotting to hijack a Russian submarine to turn over to the Israelis—sort of a "Red October" scenario. Although the scheme was too farfetched for even the KGB, in August 1990, Livshitz was arrested and accused of being implicated in the rape and robbery cases under investigation in Vladivostok.

For a year and a half, Livshitz was in pre-trial detention, under living conditions indicating that jails haven't changed much in the Russian Far East since Chekhov's exposé of the penal colonies on Sakhalin Island exactly 100 years ago.

Suffice it to say that Livshitz' health was seriously impaired by that experience. He and 25 other prisoners were kept in a cell intended for 8 persons, with little light or air. In addition, he reported that he was repeatedly beaten by prison wardens.

In April 1992, Livshitz, along with the ship captain and another sailor, was found guilty by a military tribunal and sentenced to 10 years hard labor. According to Livshitz' lawyer, the investigation and trial were conducted in the best preperestroika Soviet tradition, with threats against victims and codefendants, extortion of gifts and cash from Livshitz' family and friends during the investigation, and an attempt by the judge to persuade a witness to retract his testimony.

The judicial procedure and investigation were so flawed that the sentence was struck down on appeal and a new trial was ordered. Incidentally, the investigating officer in the case was fired for having fabricated much of the evidence.

The retrial, again in a military court, began in February 1993. Observers reported that they felt the defense had made a good case and that "the prosecution was having a hard time grounding its claims." However, on April 22, 1994, the court found all three defendants guilty of rape and robbery, and sentenced them to 10 years in prison. Livshitz' attorney plans to appeal the decision again to the higher military tribunal in Moscow.

Mr. Speaker, I cannot make a clear determination of Semyon Livshitz' innocence or guilt on what are certainly serious charges, but it surely appears that basic principles of rule of law have been disregarded at the local judicial level in Semyon Livshitz' case.

As cochairman of the Helsinki Commission, the government body mandated by law to monitor and encourage compliance with the Helsinki Accords, I would urge the appeals court in Moscow to examine this case very closely.

MSGR. CHARLES OWEN RICE, 60 YEARS OF SERVICE

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. COYNE. Mr. Speaker, I am pleased today to pay tribute to Msgr. Charles Owen Rice on the 60th anniversary of his ordination as a Catholic priest.

Monsignor Rice has long been a prominent member of the Pittsburgh area community in his various roles as a priest and an outspoken advocate for civil rights and the rights of all working men and women. A lifelong champion of social justice, Monsignor Rice earned a highly respected reputation as a labor priest in the 1930's and his dedication to defending the rights and human dignity of each man and woman has been steadfast for the past 60 years.

Msgr. Charles Owen Rice has served as an inspirational role model for other members of the clergy and for the general population of the Pittsburgh area. His willingness to confront social evils and work for solutions has helped to improve the quality of life in the Pittsburgh area. Across the past six decades, Monsignor Rice has set a standard of personal commitment to the public good that has remained constant regardless of shifting political fashions.

Monsignor Rice grew up in the city of Pittsburgh to which he moved as a child from his native New York City. After graduating from Duquesne University in 1930, he began studying at St. Vincent Seminary. Ordained in 1934, he began a career of pastoral service to various local parishes and the community in general which has continued over six full decades.

As an active local priest during the Great Depression, Monsignor Rice organized some of the church's efforts to help individuals and families in need. He opened St. Joseph House of Hospitality to provide food, clothing, and temporary shelter for hungry and homeless men. Monsignor Rice also emerged as a well-known voice speaking out on the needs of the day as a radio commentator and a columnist for the Pittsburgh Catholic. His career in local radio was to continue for 44 years and his columns still appear regularly in the Pittsburgh Diocese's publication.

At a time when the Great Depression created severe problems for working men and women, Monsignor Rice began a lifelong struggle on behalf of the rights of labor. He emerged as an activist supporter of the American labor movement and addressed labor groups and others at thousands of events. Life as a "labor priest" was not without controversy at times, but Monsignor Rice's commitment to speaking out on behalf of labor was never shaken and his voice was never silenced.

Father Charles Owen Rice was officially installed as a monsignor in 1964 at a time when the United States was confronting the legacy of slavery and segregation. He was an active participant in the civil rights movement and became widely known as a forceful advocate of the rights of minorities to enjoy the full benefits of citizenship in the United States. He dedicated himself to helping African-Americans in

their effort to gain equal access to quality housing, employment and educational opportunities. Monsignor Rice used his moral voice to promote respect for the civil rights of all Americans and labored steadfastly to confront racial strife and social unrest.

Monsignor Rice also emerged as a committed advocate for an end to the war in Vietnam. He led a large number of antiwar marches and teach-ins. His dedication to working for peace served to place him in the forefront of national efforts struggling to secure an end to the Vietnam war.

St. Vincent Seminary honored Monsignor Rice's lifelong commitment to social justice in 1990 with the creation of a fund to establish a Msgr. Charles Owen Rice Chair of Ethical Studies. At this ceremony, Monsignor Rice was honored for his lifetime of service on behalf of social justice. In addition to his work for labor rights, racial harmony, and peace, Monsignor Rice was saluted for his dedicated work on behalf of prison reform and more recent efforts to help individuals suffering from AIDS. Today, Monsignor Rice continues to lead an active life of service as pastor emeritus to St. Anne Parish, Castle Shannon, and in the community in general.

Mr. Speaker, it is fitting that the assembled Members of the U.S. House of Representatives should have this opportunity to reflect on the lifelong service of an individual like Msgr. Charles Owen Rice. His commitment to social justice and his eloquence in speaking out for the rights of others should serve as an inspiration to everyone who seeks to serve the public.

INTRODUCTION OF THE OCCUPATIONAL SAFETY AND HEALTH REFORM ACT

HON. HARRIS W. FAWELL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. FAWELL. Mr. Speaker, today I and 23 of my colleagues are reintroducing the Occupational Safety and Health Reform Act. I say reintroducing because the bill is really an updated version of H.R. 2937, which was introduced in August 1993.

When that earlier bill was introduced, I said, on behalf of the cosponsors, that our bill was intended to reflect our ideas of what OSHA reform should look like in general, in contrast to the mandates and penalties in the other OSHA reform bill, H.R. 1280. I said:

We believe that Congress needs to look at a new role for OSHA, combining enforcement and incentives, and using the resources of the Federal Government not simply as the policeman of the workplace but also to encourage and reward employer and employee efforts to improve and maintain high standards for the safety and health of workers. Safe and healthful working conditions and practices are in the interest of both employees and employers. Most employees and most employers recognize that fact. Some do not, and our bill addresses those employers by providing OSHA with necessary enforcement tools to ensure that employee safety and health is not ignored. But for the vast majority of employers, existing Government re-

sources can be better utilized by providing expertise, consultation services, and training, and by encouraging employers and employees to make safety and health a priority in their workplaces.

Shortly after H.R. 2937 was introduced, Vice President GORE's National Performance Review [NPR] report expressed a similar goal for OSHA. To quote the NPR:

We will shift some federal functions from old-style bureaucracies to market mechanisms. We will use federal powers to structure private markets in ways that solve problems and meet citizens' needs—such as for job training or safe workplaces—without funding more and bigger public bureaucracies.

The bill we are introducing today continues, and we think improves upon, this approach to reinvent OSHA—emphasizing cooperation, market mechanisms, and incentives. For the most part, it is identical to H.R. 2937, with two substantive changes—both of which were based upon the comments that we received from many people after the earlier bill was introduced.

The first change from H.R. 2937 eliminates the extension of OSHA coverage to State and local governments. The original bill included such coverage after 3 years and a CBO study of the costs involved, along with a provision providing that fines otherwise assessed against such public agencies would be applied to the costs of abating the violation. Although these provisions were clearly less burdensome on State and local governments than those in H.R. 1280, many communications from my constituents along with, obviously, the increased awareness that all of us have to the burden of unfunded mandates on State and local governments convinced me and my colleagues to exclude this provision altogether and to retain current law.

It should be emphasized that current law does not leave public sector workers without avenues for protection. The policy adopted in 1970 when the OSH Act was passed was that States should be covered but not mandated to enforce OSHA rules in public-sector workplaces. States which do so receive up to 50 percent Federal funding for enforcement activities. Twenty-five States and territories have adopted such a program, while other States have chosen to provide protections in other ways, without the involvement of Federal Government oversight. That policy, we believe, recognizes that States and local governments are separate levels of government and not arms of the Federal Government, and that we ought to avoid imposing more unfunded mandates on already overburdened State and local government budgets.

The second change from H.R. 2937 in the bill we are introducing today would more clearly focus OSHA's efforts to promote and administer voluntary compliance programs. Our intent is that cooperative and voluntary programs should be recognized both within and without the agency as at least as important a part of OSHA's mission as enforcement or setting standards. To do that, the bill would establish a single office within OSHA to coordinate and administer all voluntary programs, including small business consultation, voluntary protection programs, technical and training and workplace-based incentives—and set a

floor of at least 25 percent of the agency's budget for such programs.

A section-by-section summary of the legislation we are introducing today is attached. We welcome any comments or questions, as well as cosponsorships, from our colleagues.

SECTION-BY-SECTION SUMMARY OF THE REVISED OCCUPATIONAL SAFETY AND HEALTH REFORM ACT

Section 1. Short Title.

Section 2. Congressional Coverage. Establishes a program for coverage of Congress and the instrumentalities of Congress comparable to private sector.

Section 3. Standard Setting. Provides uniform criteria for health and safety standards. Requires that standards be based on significant risk, feasibility, a reasonable relationship of costs and benefits, cost effectiveness, and minimized job loss. Requires OSHA to use negotiated rulemaking unless the agency finds that process inappropriate. Provides protections for small business against excessive paperwork and regulatory requirements.

Section 4. Application. Requires OSHA to report to Congress regarding number and types of inspections not conducted because of lack of jurisdiction. Provides that an employee participation program which deals in whole or in part with safety and health is not a violation of section 8(a)(2) of the National Labor Relations Act. Provides that safety and health audits which are done voluntarily by an employer are "privileged" in enforcement actions.

Section 5. Variances. Provides for automatic granting of variance if the application has been pending with OSHA for 180 days and if the inaction is not due to applicant.

Section 6. Inspections. Creates a legal requirement that OSHA inspections be conducted by personnel who are trained and knowledgeable in the industry or type of hazard. Requires OSHA to enter agreements with other enforcement agencies to check for fire hazards and report them to OSHA if the employer fails to correct. Makes permanent the Appropriations language partially exempting small businesses and family farms. Allows OSHA greater discretion in determining which employee complaints must be investigated.

Section 7. Consultation, Incentives, and Technical Assistance. Establishes a central office within OSHA to promote, administer, and coordinate consultation and voluntary compliance programs. Provides exemptions from random inspections and penalty reductions for employers which (1) utilize a third-party consultation program or (2) have a safety and health program and an exemplary safety record. Establishes a recognition and award program for model employers based upon the current Voluntary Protection Program. Codifies small employer consultation program. Provides for additional programs for education, training, and technical assistance. Sets aside at least 25 percent of OSHA budget for programs in this section.

Section 8. Employer Defenses. Codifies and modifies the defense for "employee misconduct." Creates a new defense for employers who have utilized alternative methods which are equally or more protective of employee's safety and health.

Section 9. Occupational Safety and Health Review Commission. Extends the time an employer may contest a citation from 15 days to 30 days. Gives deference to interpretations of law by the Commission.

Section 10. Discrimination. (Whistleblowers) Extends time for filing complaints

from 30 days to 60 days. Provides that if DOL does not decide to prosecute the case within 90 days, the complainant may take the case directly to the Review Commission for hearing and decision. Provides for appeal from Commission decision to Court of Appeals. Encourages use of mediation in such disputes.

Section 11. Enforcement. Retains current requirement that OSHA obtain court order to close down a worksite. Limits OSHA's authority to issue "notice of imminent danger" to 72 hours unless OSHA obtains a court order. Requires OSHA to conduct "special emphasis" programs, working with targeted industry to address special safety or health issues.

Section 12. Penalties. Creates a single civil penalty structure, with higher penalties targeted at violations which have caused death or serious injuries. Changes current criminal violation from a misdemeanor to a felony, and increases the degree of "criminal intent" required. Codifies OSHA policy regarding sharing of information with victims and family members of victims. Allows OSHA to issue warnings in lieu of penalties.

Section 13. State Programs. Requires states to conform labeling, content and hazard information to federal requirements. Provides that OSHA's oversight of state programs will be based on comparisons to federal enforcement rather than arbitrary benchmarks. Allows OSHA to grant waivers to states for alternative programs and approaches.

Section 14. NIOSH. Transfers NIOSH to the Department of Labor.

Section 15. Prevention of Alcohol and Substance Abuse. Requires OSHA to establish uniform federal standards for workplace drug and alcohol testing.

Section 16. Cost Effectiveness Studies. Requires OSHA to contract for studies on the cost effectiveness of standards, and authorizes \$2 million per year for such studies.

RECOGNIZING ACCOMPLISHMENTS OF CYNTHIA L. RAEHL, PHAR.D.

HON. SCOTT L. KLUG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. KLUG. Mr. Speaker, I am delighted to recognize the installation of a constituent of mine, Cynthia L. Raehl, Ph.D., as president of the American Society of Hospital Pharmacists during the society's 51st annual meeting in Reno, NV.

With a membership of 30,000, ASHP is the national professional association that represents pharmacists who practice in health-care systems, including hospitals, health maintenance organizations, long-term care facilities, and home-care agencies. The society has extensive publishing and educational programs designed to help members improve pharmaceutical services, and it is a national accrediting organization for pharmacy residency and pharmacy technician training programs.

Even a cursory review of Dr. Raehl's impressive credentials reveals that she has the expertise and leadership to guide the society toward a larger role for pharmacy within a reformed health care system. She holds appointments as professor in the School of Phar-

macy, University of Wisconsin, and clinical pharmacist in the cardiology department and coordinator of the ambulatory arrhythmia clinic at the William S. Middleton Memorial Veterans Hospital in Madison, WI.

Dr. Raehl has written or collaborated on 35 articles appearing in refereed journals, book chapters and other professional publications. A recognized expert in cardiovascular pharmacotherapy, she has made presentations throughout the pharmacy profession in her community, State, and the Nation. She has also lectured before pharmacists in Turkey, Great Britain, Sweden, Spain, Israel, and the Pharmacy World Congress in Washington, DC.

Dr. Raehl received her undergraduate degree in pharmacy from the University of Wisconsin and, following completion of her 3-year pharmacy residency at the Albert B. Chandler Medical Center, the doctor of pharmacy from the University of Kentucky.

The American Society of Hospital Pharmacists has been an active participant in the health care debate of recent months. I look forward to its continuing leadership under Dr. Raehl's guidance.

TRIBUTE TO JUDGE WILLIAM J. ZLOCH, U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF FLORIDA

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 17, 1994

Mr. KING. Mr. Speaker, I rise today to recognize and pay tribute to the Honorable William J. Zloch, a true student-athlete who has gone on to become an outstanding American jurist. At the suggestion of Prof. Charles Rice of the Notre Dame Law School, I want to take this opportunity to offer into the RECORD the remarks of Judge Zloch before the recent Law Day meeting of the Broward County, Florida Bar Association.

As a graduate of Notre Dame Law School and a lifelong fan of the Fighting Irish football team, I can proudly report that William Zloch was the starting quarterback for the 1965 Notre Dame football squad which was ranked among the top 10 in the Nation. Bill Zloch went on from his gridiron triumphs to graduate from Notre Dame in 1966 and Notre Dame Law School in 1971. He also served his country as a naval officer in Vietnam.

Mr. Speaker, the members of this institution should note that in his Law Day remarks, William J. Zloch demonstrates why he is a respected member of the Federal judiciary. I encourage my colleagues to take note of Judge Zloch's comments.

LAW DAY SPEECH TO BROWARD COUNTY BAR ASSOCIATION

The annual celebration of Law Day provides us with an opportunity to reflect on our United States Constitution and its interpretation by our federal judicial system. In reflecting on this point, I want to put a slightly different perspective on what you may be accustomed to hearing. Isn't the job of a judge to apply the Constitution, as written, according to the intent of those who

adopted it, rather than according to his own view of what is useful or just? Didn't Alexander Hamilton warn in *The Federalist* No. 78 that "The courts must declare the sense of the law; and if they should be disposed to exercise will instead of judgment the consequence would equally be the substitution of their pleasure to that of the legislative body." (emphasis in original).

Federal Judges are tasked with the administration of justice and a debate has raged for thousands of years of human experience as to what is justice, a debate which is raging even today in our society. It is a debate which has basically set forth two diametrically opposed views of what justice is. On the one hand there is the view which unfortunately has found its way, to a large extent, into our society across the board, but also particularly among our leaders in the law and justice profession, that justice is a question of expedience.

William James wrote more than fifty years ago in describing his pragmatic philosophy that the truth, to put it briefly, is merely the expedient to our way of thinking and that which is right is merely the expedient to our way of behavior.

This philosophy has been articulated very well more recently by professors across the country who claim, wrongly I believe, that we, as a society, no longer share unchanging rational values. Nonetheless, they state, it is important that we breathe into our *corpus juris* whatever values we share today irrespective of whether we shared them yesterday, irrespective of whether we share them tomorrow. This philosophy would sever positive law from the unchanging principles of the natural law and it is a recipe for atrocities.

This illustrates a tendency in our system of jurisprudence to depart from the traditional concepts of natural law and to accept and embrace concepts of utility; i.e., that which works today is that which is good, that which is technologically feasible is that which must be done. This is a philosophy that holds that man's worth is measured only by his utility to the material world around him. And, as a corollary to this proposition, so are his habits.

Opposed to that philosophy is the philosophy that justice is something more than acquiescence to whatever may be the social whim of the day. For the wind of favor that blows today may very well turn into the wind of disfavor that blows tomorrow. And justice ultimately is a question of each and every one of us having preserved and protected our fundamental rights. And justice, in turn, is dependent upon each and every one of us being cognizant of our authentic personhood, what it means to be a person, because justice is essentially and ultimately a command of love.

The greater the influence or sovereignty over the affairs of man one has, the greater humility one must bring to the service of man. Our founding fathers in establishing that each of us had certain inalienable rights did so, not out of a burst of sudden and passing civility, but in recognition of the fact that our nation and our form of government and our system of laws was the end point of a bridge that spanned thousands of years back to when God told the prophets, "Before I formed you in the womb I knew you * * *. I have loved you with an everlasting love." (Jer. 1:5, 31:3).

Translated, this means to me that all of us in the law and justice profession must recognize and remember that our personhood stems from our divine origin and our

personhood requires not only that we have recognized for us our fundamental rights and duties but that we recognize our duties to others.

Today, our society is caught up in a parasitism of crime which involves among other things organized narcotics trafficking, pornography, child abuse, money laundering, murder and a decline in morals of unprecedented magnitude and scope. It is a crime wave and moral free fall that no one person seems to have a grasp on and which we all tend to view in the abstract sense. I think if we pause and reflect, we can recognize that one of the reasons for this is that we, as a society, have invited this crime wave and the moral free fall in which society finds itself today. And we have invited it in the sense that we have forgotten or are in danger of forgetting what it is to be a human being or a human person, because if we do not have an authentic definition of personality we are not able at all to define what it is that is good or harmful to our being and to our purpose. I suggest to you that we as a society have been and presently are on a course of conduct that continues to diminish the value of dignity of life. Certainly, when you spend enough time rationalizing acts that are clearly immoral, there then comes a hardening of the heart, of the spirit, and we end up in a moral free fall and facing unwarranted consequences.

Dostoyevsky, in his book, *Crime and Punishment*, wrote of a dream in which a child views a man beating his horse to death. In literary circles this is referred to as "The Dream of the Suffering Horse." In this dream the protagonist is a child. This horse was an old mare, gaunt and overworked, owned by a man whose job it was to ferry goods to peo-

ple in a cart around St. Petersburg, Russia. While stopped in front of a tavern, a group of drunken revelers came out of the tavern and jumped into the cart. They demanded that the owner take them away in the cart. At their encouragement and despite the frantic struggling of the horse, the owner began beating the horse to pull the load even though it was too heavy. The child cried and asked his father to intervene and the father said, "It is none of our business." The horse was beaten to death. When the horse died the child ran to it and embraced it and wept over it.

Dostoyevsky at the time that he wrote this novel was criticized as being anti-intellectual. He was not. He was at war with the theories of utilitarianism and social Darwinism which were running amuck in Europe. Dostoyevsky says to us that the man in the dream in killing the horse was actually killing himself.

It is my view that the horse represents the suffering of the innocent. It represents, I think, in a contemporaneous fashion, the suffering of our children in our society. Children, who because we have in so many respects lost the sense of our human identity and human dignity, are being asked to carry, like that horse, a load that they cannot bear. In condoning such action that destroys our children, we in turn destroy ourselves.

I submit that it is important to recognize that justice is not a question of escapements. It is a question of that to which we are all entitled as a matter of natural right. And we will indeed, as a nation, rediscover and reaffirm our respect for the law when we rediscover and reaffirm our respect for ourselves as persons and the value and dignity of life.

We must keep in mind that the law comes from a higher law giver. It is important for a coherent society to keep in mind that God is the ultimate law giver and that the law should be infused with a moral code which comes from God through the natural law, through what the Declaration of Independence called "the Laws of Nature and of Nature's God."

History has shown that when morals decline laws increase in number. However, I submit that the law of itself is not enough. You cannot do it simply with the law. The Lord's Prayer has fifty-six words, the Gettysburg Address has two hundred and fifty-six, the Ten Commandments have two hundred and ninety-seven, and the Declaration of Independence has three hundred words. Some laws that come out of Congress have thousands and thousands of words.

I think that indicates that the law of itself is not enough and the law has to be infused with something else. As Thomas Aquinas stated, it is impossible that the common good should progress unless there is virtue in the citizens and especially in those who administer the law.

In concluding, let me remind you that in September 1789 when the 1st Congress approved the First Amendment to the United States Constitution, they called upon the President of the United States to declare a day of national prayer and thanksgiving. As you also know, each session of the House of Representatives opens with a prayer. In that spirit, I ask you to pray to God for our country and pray to God for guidance for judges and those who exercise offices of leadership.

Thank you.