

## EXTENSIONS OF REMARKS

THE INTEGRATED SPENT FUEL  
MANAGEMENT ACT OF 1995

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. UPTON. Mr. Speaker, yesterday I introduced the Integrated Spent Nuclear Fuel Management Act of 1995. This is comprehensive legislation designed to address our national problem with high-level nuclear waste by providing workable solutions for managing used nuclear fuel from America's commercial nuclear powerplants.

Nuclear powerplants currently provide more than 20 percent of America's electricity. They do so by harnessing the heat from uranium filled fuel rods to produce steam that turns electric turbines. When the energy in these fuel rods is depleted, the rods are removed from the reactor's core and placed in pools of water.

Where they go next is the focus of this legislation. In Sweden, used fuel rods will eventually go directly to underground storage. In France, the rods are chopped up; the radioactive materials within them are separated and then reprocessed into new fuel rods. These completely different approaches meet both the energy and the environmental needs of their respective countries.

In America, spent fuel rods go nowhere because there is nowhere for them to go. This elliptical sentence accurately describes the nexus of our peculiar problem with nuclear waste: We have been producing thousands of tons of post-reactor wastes over a period of decades without providing a place for their ultimate disposal. The wastes from over 100 nuclear powerplants have accumulated and continue accumulating at 70 sites in more than 30 States.

Nuclear wastes didn't come as a surprise problem like DDT or ozone depleting compounds. We have known from the earliest days of the nuclear era that spent fuel and other nuclear wastes would need the most careful attention. In those early days, however, planners foresaw a different nuclear cycle or system than the one we now have. They envisioned many more nuclear powerplants than exist today, enough to warrant an enormous reprocessing system similar to but larger than the system currently operating in France.

For reasons that I won't go into today, this reprocessing sector did not develop in this country. Rather than following the French reprocessing model, we are now pursuing the once through Swedish approach. This means a home must be found for thousands and thousands of highly radioactive fuel rods.

It was assumed from the outset that the Federal Government would be responsible for these wastes and that some Federal entity would construct and operate the facilities this

obligation would require. This assumption became law 13 years ago, with passage of the Nuclear Waste Policy Act of 1982.

The 1982 act set up a nuclear waste trust fund which was and is funded from a special fee on nuclear generated electricity. The fund was established to pay for a Federal nuclear waste repository. The Department of Energy was to begin accepting nuclear waste by January 31, 1998.

Despite the passage of the 1982 act and significant amendments to it in 1987 and the passage of 13 years, the Department of Energy has made little progress toward construction of a repository. The Department announced last year that it could not foresee completion of a repository any earlier than 2010, 16 years hence. Thus, Mr. Speaker, the repository that was 16 years away in 1982 is still 16 years away and half the \$10 billion paid into the nuclear waste fund by electricity consumers has been spent.

We have talked at length in this Congress about unfunded mandates, but this is a prime example of a funded mandate that the Federal Government has not honored. Small wonder that the Department's announcement generated great consternation among public utilities and utility regulators and two separate lawsuits against the Secretary of Energy. Consumers and electric utilities have upheld their end of the 1982 agreement. It's time for the Government to honor its side of the bargain.

Much time has been lost. Much criticism has been directed at the Department of Energy for its failure to achieve the 1982 act's objectives. I will not add to this criticism. As is so often the case in ambitious Federal programs, we have asked good people to do something or to build something that has never been done or built before.

As much as we may appreciate the difficulty of the task, however, I cannot accept the Department's assertion that it "does not have a clear legal obligation under the Nuclear Waste Policy Act to accept spent nuclear fuel absent an operational repository or other facility." This may represent a lawyer's narrow interpretation of statutory language, but it is not what the act's sponsors said in first presenting it to the Congress on this floor in the fall of 1982:

The primary objective of this legislation is development of licensed facilities to be constructed deep underground for the permanent disposal of high level nuclear waste. \* \* \* We have put into place the most thoughtfully planned out roadmap for what will be a 15-year site investigation and construction program that we could devise.

On the strength of such unambiguous public commitments, scores of electric utilities entered into contracts with the Department. As in all contracts, one party agreed to do certain things if the other party or parties agreed to do certain other things.

In this case, the utilities agreed to collect special fees from electricity consumers and to

remit those fees to the Department. The Department's reciprocal responsibility, in the words of the standard contract signed by all, was "To accept title to all spent nuclear fuel and/or high level wastes, of domestic origin, generated by the civilian power reactors. \* \* \*"

The Department's lawyers may quibble, as lawyers do, about the precise nature of DOE's obligations and responsibilities. They are even free to argue that no inescapable legal obligation exists, but they cannot argue that no moral obligation or expectation exists about the Department's responsibilities. The bill I am introducing today makes unambiguously clear what we expect to be done and, most important, when we expect it to be done.

My interest in this stems from our experience in western Michigan. The Palisades nuclear power plant, owned and operated by Consumers Power, ran out of storage space in its pools. Because there is nowhere to send the spent fuel rods, Consumers has had to use so-called dry cask storage in 130-ton concrete and steel containers a stone's throw from Lake Michigan. The four other nuclear powerplants in Michigan and more than 100 in other States will ultimately have to follow suit if the Federal Government doesn't live up to its responsibilities.

Both dry cask and pool storage are safe but there can be no question that centralized storage in one or several remote areas is better than leaving wastes at 70 sites sprinkled across the American continent. I am also concerned that the Federal Government's continued failure to honor this commitment undermines the Government's standing in the eyes of its own citizens.

## TRIBUTE TO TOM EVANS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. SKELTON. Mr. Speaker, local public service the cornerstone of democracy. The country depends on the willingness of good people who will stand for election and assume the responsibility of public office.

The Blue Springs R IV School District in Jackson County, MO, is honoring one of its leaders who is completing two terms of service on its board of education. Tom Evans' leadership potential was recognized early in his tenure and he served as treasurer, vice president, and twice as president of the board in his 6 years on the board.

During the time Tom Evans served on the Blue Springs Board of Education the district was in a dynamic period of growth in its physical facilities and its programs. The district opened a second high school, conducted a patron survey, established an alternative

● 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.

school, initiated a homework hotline, developed a business/patron/school partnership program, initiated a Saturday school detention program, established the CHOICES program and a youth offender unit, initiated an Air Force ROTC program, originated a senior seminar class, established a community education program, was selected as the first Missouri Goals 2000 community, established a school of economics and implemented the TechNet 2000 computer program. In addition the district passed a levy and four bond issues in his tenure.

Clearly, the public had justified faith in the leadership of its school board. It is fitting for the board to pause and reflect on the outstanding record of service and leadership established by Tom Evans.

I am pleased to note that record and offer it into the CONGRESSIONAL RECORD that others may be aware of it and seek to emulate this man's accomplishments.

#### REGULATORY REFORM FOR THE PEOPLE

### HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. PACKARD. Mr. Speaker, the American people are tired of drowning in a sea of red tape. America's regulatory regime has grown into an out of control tidal wave. The Republican Regulatory Transition Act, H.R. 450, represents the first step in turning back the flood of costly and excessive Federal regulation.

We must attempt to control this regulatory wave before the American people suffocate from bureaucratic do's and don'ts. Government regulations and guidelines restrict personal freedom and economic prosperity. Big government intervention more often represents the problem rather than the solution. Our Republican Contract With America includes regulatory provisions to get Government out of the people's lives while promoting economic opportunity. We will roll back taxes on investments that create jobs, not smother them.

Small businesses represent the heart and soul of our economy. American taxpayers work hard for every dollar they send to Washington. Republicans know this. We continue to work to free America from the economically burdensome bureaucratic red tape.

Mr. Speaker, Government exists to serve the needs of everyone, not the interest of a special few. The regulatory reform proposals within our Contract With America work to restore Government accountability and responsibility. Republicans promise to continue working for what the people want—a smaller, less costly and less intrusive Government.

#### CONGRATULATIONS LADY BRAVES

### HON. GLENN POSHARD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. POSHARD. Mr. Speaker, I rise today to pay tribute to the Mt. Zion eighth grade girls

basketball team. In true championship style the Lady Braves recently won their second straight I.E.S.A. class 8AA State championship.

This remarkable accomplishment may only be overshadowed by the dramatic fashion by which they won the trophy. In a nailbiter of a contest the Lady Braves traded baskets and held on to defeat a fine Lake Zurich South team, by the score of 35–34. With this victory the Lady Braves became the only team in Illinois' history to have two consecutive, undefeated I.E.S.A. State championship seasons.

As a former coach I understand the hard work and dedication it takes to develop a winning team. I applaud the coaches and athletes for their dedication and commitment to excellence. At this time, I would like to enter the names of the coaches and team members into the CONGRESSIONAL RECORD. The coaches are Richard Marshall, Greg Blakely, and Dick Jones. The team members are Arielle Bradley, Dottie Bradley, Nikki Bricker, Laura Dukeman, Kristin Jackson, Angie Jenkins, Carlin Long, Lindsay Lukowski, Emily McDonald, Michelle Morgenthaler, Jackie Pate, Tiffany Powers, Krista Schwartz, Rachel Severe, and Alexis Wright.

I am proud to represent these fine coaches and athletes in Congress. Congratulations Lady Braves, for being one of the best basketball teams in Illinois' history.

#### TRIBUTE TO JACK CALLAN

### HON. RALPH M. HALL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. HALL of Texas. Mr. Speaker, I rise today to honor Jack Callan, a legendary newspaperman and civic leader in Kaufman, TX, who died January 17, 1995, following a long illness. Jack Callan's career spanned a lifetime in the newspaper profession, from the days when newspapers were printed on hot type presses to today's offset operation. He was publisher of the Kaufman Herald from 1931 to 1971 and was one of Kaufman's leading citizens.

Born July 16, 1920 in Brady, TX, to Louis G. and Clara McAdams Callan, Jack Callan began his newspaper career as a young reporter for the Winters Enterprise in Winters, TX. His brother, L.E., was publishing the Antlers American in Antlers, OK, at the same time. In 1931 to two brothers purchased the Kaufman Herald. Callan worked as a reporter and then became editor of the paper, while his brother, noted as an excellent printer, took care of most of the newspaper's production work.

As editor, Callan helped earn the Herald a place of prominence among Texas community newspapers. In 1944 the paper was named Texas' "Best All-Round Weekly Newspaper" and through the years also captured State and regional awards for news writing, column writing, typography, and advertising. In 1952 Callan purchased his brother's interest in the newspaper and continued to run its operations for the next two decades with the help of his

family and pressman J.W. Melton. In 1962, in tribute to his outstanding contributions to journalism in North and East Texas, Callan was awarded the Sam C. Holloway Memorial Award by the Northeast Texas Press Association. He was a member of the Dallas Press Club, a member of Sigma Delta Chi journalism fraternity, the Texas Press Association, and was a member and president of the Northeast Texas Press Association.

In 1972 Callan sold his newspaper but began a "second" career in community service. He was a substitute teacher in the Kaufman school system for several years and managed the Kaufman Chamber of Commerce for 6 years. A long-time member and past president of the Lions Club, he often served as an installation officer of out-of-town clubs. In 1980 he was named "Senior Citizen of the Year" and also received the President's Award from the Chamber of Commerce. In 1984 he was named "Outstanding Citizen of the Year" by the Chamber.

Callan is survived by his wife of 53 years, Wynelle Callan, two daughters and sons-in-laws, five grandchildren, one great granddaughter, and numerous nieces and nephews. Services were held in the First Christian Church of Kaufman on January 19.

Callan devoted his life to the betterment of this community through his commitment to excellence as publisher of the Kaufman Herald and through his selfless efforts as a civic leader. He will be remembered and missed by all those who knew him. Mr. Speaker, as we adjourn today, I would like to pay tribute to this outstanding citizen of Kaufman County, TX—Jack Callan.

#### TRIBUTE TO BILLY ROSSER

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. VISCLOSKY. Mr. Speaker, it gives me great pleasure to rise today and pay tribute to an outstanding citizen of Indiana's First Congressional District, Billy Rosser. On Saturday, February 25, 1995, Mr. Rosser, along with his friends and family, will celebrate his retirement from public office. The celebration will take place at Rosser Hall in Hobart, IN.

Billy has dedicated a substantial portion of his life to the betterment of northwest Indiana, particularly Hobart Township.

After a 30-year career with Inland Steel's accounting department, Billy retired to pursue a life of public service. In 1970, Billy was elected Hobart Township Trustee, and throughout his 24-year role in this position, Billy has successfully led Hobart Township into one of the only debt-free townships in the county. With an emphasis on the improvement of education amongst Hobart Township's youth, as chief administrator of Hobart, and as a member of the Lake County Board of Education, Billy was instrumental in the restructuring of the Hobart Township school system from 1971 through 1974. During his tenure as Hobart Township Trustee, Billy procured funds to establish Rosser Hall, which is utilized for various celebrations, and Rosser Park. The

moneys generated from these structures flow back into Hobart Township, and are applied directly to the township's assistance fund.

Billy has held past presidencies of the Lake County Township Trustee Association, the East Gary Police Association, and the Hobart Township Lake Ridge Community Services. He served as chairman of the Lake Station-Hobart Township Precinct Organization, and director of the East Gary Democratic Club. Billy holds memberships in the Hobart Elks, the Lions Club, the Shriner's organization, the Fraternal Order of Police Associations of Hobart and Lake Station, as well as membership on the advisory board for the Regional Lake Station Bank of Indiana Board of Directors. This year, Billy was recognized by the Indiana Township Trustees Association for his years of service and success as the Hobart Township Trustee and as the original president of the Lake County Township Trustee Association.

Mr. Speaker, I ask you and my colleagues to join me in honoring this amazing person for his commitment to the betterment of his community. However, as one great public servant leaves, I am sure that Ms. Barbara Rosser will continue to carry on her father's legacy as the new Hobart Township trustee. I truly hope that the Rosser's celebration this Saturday proves to be a most joyous occasion.

INTRODUCTORY STATEMENT, H.R.  
1026

**HON. JOEL HEFLEY**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. HEFLEY. Mr. Speaker, yesterday, I introduced legislation, H.R. 1026, to designate the U.S. Post Office building located at 201 East Pikes Peak Avenue in Colorado Springs, CO, the Winfield Scott Stratton Post Office.

This designation will honor the memory of a man who contributed greatly to the community of Colorado Springs. Working as a carpenter and prospector for over 18 years, Winfield Scott Stratton was one of the many adventurers who came to Colorado looking for their fortune. In his case, the fortune was a rich deposit of gold in Cripple Creek, CO.

Mr. Stratton's lifestyle changed little after his gold strike. He believed it was the duty of anyone who made a fortune to use his wealth in the development of his community. In keeping with that philosophy, Mr. Stratton dedicated the rest of his life to helping others less fortunate and to advancing the development of Colorado Springs and Colorado.

He purchased and gave Colorado Springs the ground for its city hall; he helped finance a new courthouse; he purchased and upgraded the street railway system; he built the first privately funded building at the Colorado School of Mines; and he endowed the Myron Stratton Home, a foster home for children and impoverished elderly which is still serving the Colorado Springs community today. Thousands of Coloradans today are the direct beneficiaries of Mr. Stratton's generosity.

Regarding H.R. 1026, it is noteworthy that Winfield Scott Stratton also purchased the property at 201 East Pikes Peak Avenue and

sold it to the Federal Government for half its value on the condition that the Federal Government build the post office which stands there today.

In view of Mr. Stratton's contribution to the existing post office and to Colorado as a whole, it is an entirely fitting and appropriate gesture to name this U.S. Post Office the Winfield Scott Stratton Post Office. He was a man who shared his riches with an entire State, and he left a legacy of love and care which continues today.

TRIBUTE TO CAPT. EMMANUEL L.  
"MANNY" JENKINS

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. GILLMOR. Mr. Speaker, I rise today to recognize Capt. Emmanuel L. "Manny" Jenkins, U.S. Maritime Service, on the occasion of his retirement from service at the U.S. Merchant Marine Academy.

Manny Jenkins served on active duty in the U.S. Navy from 1957 to 1960 at the Third Naval District Headquarters. He joined the staff of the U.S. Merchant Marine Academy [USMMA] in 1970, after spending 10 years with Dryfuse & Co., a member of the New York Stock Exchange.

Manny Jenkins' career included distinguished service as the USMMA director of admissions. Under his stewardship, USMMA's ranking in Barrons' Profiles of American Colleges elevated to the top category of most competitive in 1979, a position occupied by only 32 other select institutions.

In May 1992, Captain Jenkins was appointed as the USMMA Congressional Liaison Officer by the Superintendent of the Academy.

Captain Jenkins graduated from Howard University in 1956. He holds a masters in education degree from C.W. Post College, and a masters in science degree from Long Island University. He is a Commander (retired) in the U.S. Naval Reserve.

Captain Jenkins has received numerous awards from the Maritime Administration, including the Special Achievement Award, the Medal for Superior Service, and the Equal Opportunity Award. He also received the Maritime Administration's Bronze Medal, the top honor award granted in recognition of extremely competent performance of official departmental duties over a long period of time.

Mr. Speaker, Manny Jenkins' service to his country has touched the lives of countless young men and women entering the United States Merchant Marine Academy in pursuit of careers in the maritime service. His integrity and his commitment to excellence are the trademarks of his career.

I ask my colleague to join me in thanking him for his distinguished and selfless service to the U.S. Navy and the U.S. Merchant Marine Academy, and to wish him well as he enters this new and exciting time in his life.

AMENDING GOALS 2000

**HON. WILLIAM F. GOODLING**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. GOODLING. Mr. Speaker, today I am introducing legislation to amend Goals 2000 and the Improving America's Schools Act of 1994 [IASA] to eliminate the National Education Standards and Improvement Council [NESIC] and to remove references to opportunity to learn standards or strategies, provisions that interfere with traditional state and local control of education. Twenty-six Members are joining as original cosponsors of this legislation.

Public education in this country is the constitutional and historic responsibility of the States and of local school districts. Federal involvement in education is conditioned on respect for that relationship and, consequently, is limited. Occasionally, Congress enacts legislation that fails to respect these limitations on Federal action. When that happens, it is our responsibility to revisit those laws and to remove the provisions that intrude on state and local control.

The Goals 2000 legislation and the Improving America's Schools Act of 1994 [IASA], both passed in the 103d Congress, contain provisions that violate the traditional limits on Federal involvement in education. The National Education Standards and Improvement Council [NESIC], created by Goals 2000, is a body to be appointed by the President that has the mission of reviewing and certifying national education standards and State standards that are voluntarily submitted to it. The distance between standards and curriculum is not very great. There is a prohibition on the Federal Government dictating curriculum to States and school districts in the legislation creating the Department of Education, and there is also good reason to be wary of Federal involvement in certifying education standards. The seriously flawed and justifiably controversial history standards illustrate how the standards-setting process can go awry and point out the dangers of having a Presidentially appointed, unaccountable body certifying standards.

Standards-based reform remains one of the most promising strategies for improving education for all children in our Nation. Of course, these must be rigorous academic standards and not vague and fuzzy attempts to shape students' attitudes and values, matters that should be left to parents. The most important standards development must take place in our communities and school districts. States and national organizations can assist this process by creating model standards. However, Federal certification of these standards is not necessary for this process to be effective or constructive.

In addition, both Goals 2000 and IASA contain references to "opportunity to learn" [OTL] standards, including funds for the development of model national opportunity to learn standards and a requirement that states develop opportunity to learn standards or strategies. OTL is nothing more than a euphemism for decisions about spending and resources in

schools and school districts. Nothing could do more injury to state and local control of education than injecting the Federal Government into dictating decisions about the allocation of funds and other resources in local school districts.

This legislation, which eliminates the National Education Standards and Improvement Council and strikes all references to opportunity to learn standards or strategies from both Goals 2000 and IASA, will put a stop to an unwarranted Federal intrusion into education and preserve traditional State and local control of this vital enterprise. I urge my colleagues to support and cosponsor this bill.

**SALUTE TO THE OGONTZ AVENUE  
REVITALIZATION CORP.**

**HON. THOMAS M. FOGLIETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 24, 1995*

Mr. FOGLIETTA. Mr. Speaker, I rise today to salute the Ogontz Avenue Revitalization Corp. of Philadelphia.

The Ogontz Avenue Revitalization Corp. was established in 1983 to improve the quality of life in communities throughout the city of Philadelphia. The OARC has initiated programs which have created affordable housing, combated community deterioration, and curbed juvenile delinquency. Some of the OARC's contributions include the development of projects such as the Southeastern Pennsylvania Regional Employment and Training Center which provides essential training to dislocated workers and young people. The OARC has also assisted the community through the establishment of the Ogontz Avenue Business Association and the Police Mini Station which serve the many neighborhoods around Ogontz Avenue. The OARC has also been responsible for the sponsorship of an annual community festival, which has promoted a sense of community pride among the residents of West Oak Lane in Philadelphia. There is no doubt that the OARC has contributed greatly to the revitalization of these northwest Philadelphia communities and has restored hope to the city.

I am proud of the contributions of the OARC to the city of Philadelphia and I congratulate the OARC and the members of the OARC board on their accomplishments.

**TRIBUTE TO BOB BURY**

**HON. ANNA G. ESHOO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 24, 1995*

Ms. ESHOO. Mr. Speaker, I rise today to pay tribute to Bob Bury, an outstanding citizen of California's 14th Congressional District who was honored as the 1995 Outstanding Citizen of the Year at the Sequoia Awards in recognition of his extraordinary contributions and commitment to our community and our country.

Bob Bury served with distinction for six terms on the city council of Redwood City, in-

cluding several terms as mayor. He has also served as a city port commissioner, a member of the housing and community development board, the Casa de Redwood Senior Housing Project, and the San Mateo County Convention and Visitors Bureau.

Bob Bury is an exemplary civic leader and volunteer who is a model for others to emulate. He has given decades of generous service to such worthy groups as the Kainos program for mentally challenged adults and the Boy Scouts. He was an early supporter of the Fair Oaks Community Center, and has been a tireless advocate for the development of a park on the east side of Redwood City. Over the years, he has become a beloved community figure, an advocate for community services for all who need them and an effective, humane and generous leader. His lifelong partner in life, June Bury, and their children and grandchildren have helped make our community the special place it is today.

Mr. Speaker, Bob Bury is an exceptional individual who has strengthened our Nation as he has worked to build in every way his own community. I am privileged to call him my friend and urge my colleagues to join me in saluting him for receiving the Outstanding Citizen of the Year Award and for his incomparable generosity and tireless service to our country.

**AT-BIRTH ABANDONED BABY ACT**

**HON. HARRIS W. FAWELL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 24, 1995*

Mr. FAWELL. Mr. Speaker, today I am introducing, along with Congressman PETER VIS-CLOSKY and Congresswoman DEBORAH PRYCE, the At-Birth Abandoned Baby Act of 1995. The bill guarantees all babies abandoned at birth, or shortly thereafter, the right to immediate placement and bonding with preadoptive parents. The preadoptive parents are then given the right to immediately initiate proceedings for an expeditious adoption of the abandoned baby.

Something must be done about the terrible plight faced by babies abandoned at birth. Our present system, in effect, leaves our most vulnerable babies—those who are abandoned at birth and often drug addicted and/or HIV infected—without access to immediate bonding with loving parents or any chance for a permanent home, both of which they so desperately need.

Worst of all, they have no one to represent them for a chance to find loving parents and a permanent home.

The At-Birth Abandoned Baby Act of 1995 amends title IV(E) of the Social Security Act. The bill simply requires State welfare authorities to immediately place at-birth abandoned babies with suitable preadoptive parents who, in turn, will be allowed to immediately file for an expeditious adoption of the abandoned baby in the State court of proper jurisdiction. The State court will be responsible for the final decision of adoption, taking into account the legal rights of all parties involved, including the infant abandoned at birth, the natural parent(s)

and the preadoptive parents. The bill gives babies abandoned at birth at least a fighting chance for immediate parental bonding and a permanent home.

Mr. Speaker, we must take action here and now in Congress. I want to urge all of my colleagues to join me in cosponsoring this vital measure.

**NATIONAL ENGINEERS WEEK**

**HON. JOE SKEEN**

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 24, 1995*

Mr. SKEEN. Mr. Speaker, it gives me great pleasure to pay respect today to the 1.8 million engineers who work in the United States. Engineering is the Nation's second largest profession. And this week, February 19-25, we are marking their contributions by celebrating National Engineers Week.

As an agriculture engineer myself, and as chairman of the House Agriculture Appropriations Subcommittee, I have particular respect for the work that is being done in the area of food engineering. The same professionals who introduced TV dinners to the American marketplace more than 40 years ago, and more recently, thrilled school going children with the invention of juice boxes for their brown bag lunches are now working to produce more environmentally friendly food packaging. Engineers understand America's concern with our quickly filling landfills and they are working to reduce the throwaway by-products of food consumption.

Food engineers can be credited with the invention of decaffeinated coffee, as well as microwavable food, freeze-dried foods, even dehydrated products. Most recently, they have developed a way to keep milk fresh longer, even at room temperature.

Food engineers are also involved in cutting-edge technologies like genetic engineering to produce crops more resistant to pests or more durable for processing. And they are constantly working to improve established products by enhancing overall flavor, reducing manufacturing costs, improving nutrition, or making the packaging more recyclable.

I'm intrigued about the future of our food products, knowing that so many hard-working, professional engineers are working to improve the food products we will consume in the next generation. Today, I join my colleagues in saluting the work of all engineers who work to improve the technologies that enhance the quality of our lives.

**TRIBUTE TO UNIVERSITY OF  
TENNESSEE**

**HON. ED BRYANT**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, February 24, 1995*

Mr. BRYANT of Tennessee. Mr. Speaker, the University of Tennessee celebrated its bicentennial last year. For 200 years this excellent institution has provided a quality education to Tennesseans and to people from

around the Nation and the world. The history of the university is tied to the history of my State and I would like to submit for the RECORD an article by Mr. Harold C. Streibich which illustrates how this flagship institution is rooted in the rich history of Tennessee.

[From the Daily News, Aug. 18, 1994]

ON UT'S COLORS: THE LEGEND OF ORANGE AND WHITE

(By Harold C. Streibich)

Over the years, particularly during football season, people wonder, "Where did the University of Tennessee get the colors of orange and white?"

Now, there are many tales of how and why UT selected orange and white, from the color of mountain daisies to stories involving General Neyland's choosing them for a promotional package, but you must hear the whole story of the orange and white. So let's start at the beginning:

On July 12, 1690, William of Orange, husband of Mary Stuart, defeated Ex-King James II at the Boyne River in Northern Ireland, and established the right of William and Mary to the British throne. James had his "Green" Catholic Irish, and William had a conglomerate bunch of mercenaries and the Dutch Blue Guard, who wore orange and white cockades in honor of William. Since that time, the Protestant Irish have worn orange whereas the Catholic Irish have worn green.

The next chapter takes place when the "over-the-mountain" men of Western Carolina (today's East Tennessee) were proud to be Protestant or Scotch Irish and wanted everyone to know it. When they march out to help defend North Carolina proper during the American Revolution at the battles of King's Mountain and Cowpens under Uncle Dan'l Morgan and General Issac Shelby (for whom Shelby County, Tennessee is named), the only uniform part of their apparel was an orange and white cockade. This untrained group of militiamen gained fame for their value in holding the battle line, and being excellent sharpshooters.

After the Revolution and statehood, the orange and white cockade became a part of the tradition of the now Tennessee militia, which fought the Indians at Moccasin Bend (Sam Houston fought as a young Lieutenant and was wounded there) and other places throughout Tennessee, Georgia and Alabama.

Later when Major General Andrew Jackson left to defend New Orleans, the only way you could tell the difference between the Kentucky and Tennessee militia was that the boys from Tennessee wore their orange and white cockades.

Next came a man by the name of Davy Crockett who with 23 Tennesseans rode into the Alamo wearing their orange and white. After the Alamo fell, the rally cry of "Remember the Alamo" was used by Sam Houston and his boys in their charge of Santa Anna at the Battle of San Jacinto. They also wore their orange and white cockades.

During the Mexican War so many men volunteered from the State of Tennessee that it is remembered as "the Volunteer State," and Tennessee Volunteer Regiments colors were orange and white.

When the Civil War came, Tennessee regiments of both the Federal and Confederate armies honored the tradition of orange and white to such an extent that when people saw the colors, they just knew it was a Tennessee outfit. It just so happened that this was not true. A Confederate regiment fighting in Northwest Tennessee were very proud

of their orange and white colors, but they were Texans under General Hood, and Texas Rangers to boot.

Now when the University of Tennessee took the nickname "Volunteers," it only goes to reason that the colors would be orange and white.

What about Texas? The University of Texas also had colors of orange and white, which were the same as the Tennessee colors until Coach Darrell Royal changed them to "burnt orange and white," colors which are still used today. University of Texas and the University of Tennessee even have agreement on the use of the "UT," the colors and trademarks.

So, this Fall, when the UT Band is playing "The Spirit of the Hill" and 90,000 fans are screaming for the success of the Tennessee football team, I wonder how many will know the history of the colors and remember that they were also worn at Kings' Mountain, Moccasin Bend, New Orleans, the Alamo, San Jacinto, Shiloh and Missionary Ridge. The boys for "the hill" again wear orange and white in remembrance of the volunteers of old.

#### PASSAGE OF PAPERWORK REDUCTION ACT AND MORATORIUM ON REGULATIONS WILL REDUCE REDTAPE

HON. ROB PORTMAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. PORTMAN. Mr. Speaker, this week, the House of Representatives completed action on two important items which are a part of the Contract With America's Wage Enhancement and Job Creation Act, intended to relieve individuals and businesses of the burden of onerous Federal regulations, paperwork, and red tape.

On Wednesday, the House passed H.R. 830, legislation to strengthen the Paperwork Reduction Act, which would reduce the volume of reports, forms, applications, and other paperwork required by the Federal Government.

The House also passed the Regulatory Transition Act which prohibits Federal agencies from imposing any new rules until December 31, 1995, or the date Congress enacts reforms requiring cost/benefit analysis and scientific risk assessment as part of the process.

American taxpayers, small business owners, ranchers, farmers, property owners, and local governments have waited too long for Congress to take common sense action to lift the burden of excessive and costly Government regulation and paperwork. That's why the Contract With America includes provisions which promote economic growth by forcing us to halt ill-conceived regulations and make Government bureaucrats accountable for the burdens they impose on American taxpayers and workers.

Business owners spend millions of hours a year filling out Government forms at an annual cost of \$100 billion. And it is not only businesses who are overwhelmed with paperwork, it is estimated that the American people spend more than 6.5 billion hours filling out forms and compiling records for the Federal Government in 1994.

Why is this a problem? Because regulations, red tape, and excessive paperwork are essentially hidden taxes. Employers waste time and money complying with these burdens and cannot hire new employees or invest in machinery and equipment to make workers more productive. Onerous regulations and paperwork create jobs for lawyers but destroy jobs for business—especially small businesses that generate a vast majority of the new jobs in our economy. That is why it is imperative that we take action to stop this counter-productive trend now.

The regulatory moratorium is necessary while we sort out what regulatory reforms are appropriate. It does, of course, exempt rules that are necessary to prevent an imminent threat to health or safety or to enforce criminal laws.

I supported H.R. 830 and H.R. 450 because I believe these measures demonstrate a continuing commitment to the American people that Congress is finally willing to turn back the tide of paperwork and regulatory red tape burdening the American people.

#### SUPPORT SUNSHINE ON THE FEDERAL OPEN MARKET COMMITTEE ACT

HON. JAMES A. TRAFICANT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. TRAFICANT. Mr. Speaker, recently the Chairman of the Federal Reserve, Alan Greenspan, announced that transcripts of their Federal Open Market Committee [FOMC] meetings will be disclosed to the public—after 30 days.

Enough is enough. I urge my colleagues to cosponsor my "Sunshine on the Federal Open Market Committee Act," which will apply the Government-in-the-Sunshine Act to FOMC meetings.

As you know, Mr. Speaker, the "Fed" is charged with duty of not only conducting the day-to-day banking for the entire Nation, but regulating the economy through the formulation of monetary policy. Needless to say, it wields immense power. In a typical month, it pumps anywhere between \$1 billion and \$4 billion into the economy while dangling the threat of higher interest rates over the American public. Even more intimidating, Mr. Speaker, is that half of all the banks in the country are members of the Federal Reserve System while all national banks must belong. All told, the Fed has holdings of over \$300 billion—accounting for 7 percent of the national debt.

The entity within the Fed responsible for determining the country's monetary policy is the FOMC, which consists of the 7 member board of governors and 5 of the 12 district bank presidents. The FOMC meets every 6 weeks but, unfortunately for the general public, they meet in relative secrecy. I say relative because, in the wake of a FOMC meeting, members of the committee give speeches to business groups where, with a wink and a nod, they reveal specifics of the new policy. Meanwhile, the ordinary American gets a convoluted synopsis of the policy immediately

after the meeting, an edited transcript 6 weeks later, and the full story 30 years later. It is time to open these meetings up to all.

Mr. Speaker, the Government-in-the-Sunshine Act, passed in 1976 to increase accountability of over 50 Federal agencies, opens closed meetings to private scrutiny. It requires that "every portion of every meeting of an agency" that is "headed by a collegial body" must be "open to public observation." There are exceptions to the law, however, and the Fed has massaged the English language to the point where the Supreme Court overruled the lower courts and allowed one such exemption to apply to the FOMC meetings. Consequently, the Fed has the extraordinary timetable for disclosure that I mentioned.

Mr. Speaker, I understand the sensitivity with which the Fed must treat monetary policy. I also understand the need for apolitical decisionmaking during the FOMC meetings. But when a governmental entity can wield a \$300 billion bludgeoning tool at will in the marketplace, it should be held accountable. The Sunshine on the Federal Open Market Committee Act will ensure such accountability.

I urge my colleagues to cosponsor this important measure.

#### GUAM COMMONWEALTH ACT

### HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. UNDERWOOD. Mr. Speaker, it is my honor today to introduce the Guam Commonwealth Act, an act which embodies all the hopes and dreams for a better future for the people of Guam. The Guam Commonwealth Act would structure a better relationship between Guam and the Federal Government, and would ensure that Guam has sufficient political and economic tools to provide a secure future for our children and for future generations of Chamorros.

Today I call on the Federal Government to expand the Contract With America to include a contract with Guam. This contract with Guam would say that the indigenous people of Guam, the Chamorros, would reserve for themselves the decision over their future political status. This contract with Guam would say that Guam would be freed from economic constraints that have impeded our progress as a people. And this contract with Guam would say that our new relationship with the Federal Government would be based on mutual respect, and mutual consent.

I have chosen this bill as my first in the 104th Congress, just as it was my first bill in the 103d Congress, because the resolution of our political status must be the first priority of the Federal Government in its relations with Guam. And the desire to take our place as a new Commonwealth is the first and foremost goal of the representatives of the people of Guam.

The long road to Commonwealth began in January 1982 with the first political status plebiscite that allowed the voters of Guam to choose a status from among: status quo, statehood, incorporation, commonwealth, inde-

pendence and free association. Later that year a runoff plebiscite was held between statehood and commonwealth. An overwhelming 73 percent of the voters chose commonwealth, launching us on a journey that leads to the 104th Congress, and the introduction of the Guam Commonwealth Act today.

I know that this bill still has a long road to travel, but this journey pales in comparison to the epic struggle of the Chamorro people that began 474 years ago with the first contact with the outside world. The culmination of that struggle still eludes us, but the creation of the Commonwealth of Guam begins a new era of self-reliance, self-respect and self-governance for the people of Guam. I am honored to introduce the Guam Commonwealth Act today, and I am ready to tell Guam's story to the Congress and the Nation.

#### BELMAR ST. PATRICK'S DAY PARADE

### HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. PALLONE. Mr. Speaker, on the afternoon of Sunday, March 6, 1995, the 22d annual St. Patrick's Day Parade will move through the streets of Belmar, NJ.

Mr. Speaker, from its modest beginnings little more than two decades ago, the Belmar event has become the biggest and best-attended St. Patrick's Day Parade in the State of New Jersey, and one of the finest in the Nation. While not quite as big as the New York City parade, the Belmar event has steadily been attracting crowds of more than 100,000 people, drawn from the Jersey shore area and throughout our State, surrounding States and other nations, including Ireland itself. More than 4,000 marchers are expected this year, including members of community organizations, elected officials, 30 marching bands, including the award-winning Friendly Sons of Shillelagh Marching Band of Old Bridge, NJ, 20 floats, bagpipers, and leaders of Irish-American organizations. Both the participants and the many spectators always have a wonderful time.

The 1995 grand marshal is Msgr. Alfred D. Smith, pastor of St. Rose Roman Catholic Church in Belmar. The deputy grand marshal is Eileen P. O'Connell of Wall Township. A previous grand marshal, Monmouth County Freeholder Thomas J. Powers, has been selected by the parade committee to be this year's parade commentator. Mr. Powers underwent heart surgery shortly after Christmas, but he assures all of his friends and many well-wishers that he'll be ready for St. Paddy's Day.

The Belmar St. Patrick's Day Parade was established in 1973 by members of the Jerry Lynch Social & Athletic Club. Mr. Lynch is credited with being the parade founder. The first parade, held in 1974, had 50 club members marching in top hats and tails, followed by four marching bands and numerous fire engines. That year, the crowd of spectators was not much bigger than the contingent of marchers. The first grand marshal was my prede-

cessor and a name well known to many of the Members of this body: the late Congressman James J. Howard, a lifelong resident of the Jersey shore who took great pride in his Irish heritage.

Mr. Speaker, it is a great honor for me to pay tribute to the Belmar St. Patrick's Day Parade, a great and proud tradition of the Jersey shore for Irish-Americans and people of all backgrounds.

#### INTEGRATED SPENT NUCLEAR FUEL MANAGEMENT ACT OF 1995

### HON. THOMAS J. MANTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. MANTON. Mr. Speaker, I am pleased to join my colleagues, Mr. UPTON and Mr. TOWNS, in cosponsoring H.R. 1020, the Integrated Spent Nuclear Fuel Management Act of 1995.

The Department of Energy is responsible for receiving shipments of spent nuclear fuel from America's nuclear powerplants beginning in 1998. They have received billions of dollars from America's electricity consumers to fund this program and were given clear direction from Congress in 1982 and 1987 to establish a Federal spent fuel management program.

The Government has less than 3 years to fulfill its end of this agreement, yet the Department of Energy is still 15 years away from operation of a permanent repository for spent fuel. Even more disturbing, the Department is not even considering interim steps to manage this radioactive waste.

Mr. Speaker, it is imperative that we begin consideration of H.R. 1020 in order to ensure that the Department of Energy is ready to accept spent nuclear fuel in 1998, and that it is prepared to do so in a manner that places the public health and safety above all other concerns.

In New York alone, electricity consumers have paid \$584 million into the Nuclear Waste Fund. Consolidated Edison customers have paid more than \$96 million, New York Power Authority customers nearly \$220 million, Niagara Mohawk customers \$162 million, and Rochester Gas & Electric customers \$105 million.

If a federally centralized management facility is not operational by 1998, 26 nuclear power plants will be forced to build additional waste storage or shut down prematurely. One of those is operated by Niagara Mohawk Power Co. which is one of six nuclear power units that generates 25 percent of the electricity used in New York. Rochester gas will also need additional storage for spent fuel at their nuclear units in 1999 and Electric and New York Power Authority plants in the year 2000.

It is clear that New York can no longer wait for the Energy Department to voluntarily decide to fulfill its nuclear waste obligations. This bill would force the Energy Department to develop an integrated spent nuclear fuel management system, including an interim storage facility that the Federal Government can site and build by 1998. The Department of Energy already has a conceptual design for such a facility which they could site on Federal Government property in Nevada.

I realize that the schedule proposed in this bill is ambitious, but we must consider the necessary adjustments to this program now so that the Federal Government can meet its obligations to electricity customers nationwide.

Mr. Speaker, time is running out for the Federal Government to fulfill its duty to consumers and the capacity to store spent nuclear fuel at nuclear power plants is quickly diminishing. Electricity customers will soon be confronted with spending millions of dollars in addition to their monthly payments to the Federal Nuclear Waste Fund.

We have received a number of comments on this legislation from Governors, State attorneys general, State public service commissioners as well as others, and we have attempted to incorporate these comments into H.R. 1020 in order to develop an integrated plan that will get this program on track.

Mr. Speaker, I am pleased to tell you that there is widespread support for this legislation. I would like to particularly site the efforts of the National Association of Regulatory Utility Commissioners [NARUC], which has spent the last few years examining this nuclear waste problem. I commend their efforts in sponsoring dialogue with affected parties to unearth and examine the different options. There have been a series of resolutions past by NARUC in the past few years which underscore the need for the four essential components of the integrated spent fuel management system.

Mr. Speaker, Congress must chart a new course for the Nation's spent fuel management program. I urge my colleagues to join me in supporting the Integrated Spent Nuclear Fuel Management Act of 1995.

#### CRIME PREVENTION THAT WORKS

**HON. ROBERT K. DORNAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. DORNAN. Mr. Speaker, the Local Government Law Enforcement Block Grants Act of 1995, section 101, authorized the Director of the Bureau of Justice Assistance [BJA] to make grants directly to units of local government for reducing crime and improving public safety. These funds can be used for hiring or training personnel, equipping law enforcement officers, enhancing school safety, or establishing crime prevention programs. The local jurisdictions have great flexibility as to how they used these funds.

An article by Chris Gersten, president of the Anti-Crime Alliance, in the November 28, 1994 issue of the Washington Times describes one new technology that has the potential to take a big bite out of crime. Mr. Gersten outlines how the use of video monitoring in Great Britain in the Washington, DC subway system has led to dramatic decreases in crime. Video monitoring is now employed in over 300 cities in Great Britain with virtually no complaints about civil liberties. The Prince George's County public school system in Maryland has recently pioneered in the use of video monitoring in some high schools.

I request that Mr. Gersten's article be placed in the RECORD and that jurisdiction

around the country explore the potential uses of closed circuit video monitoring in their efforts to reduce crime.

[From the Washington Times, Nov. 28, 1994]

#### CRIME PREVENTION THAT WORKS

(By Chris Gersten)

Despite having a violent crime rate still a fraction of our own, British lawmakers have taken dramatic steps to reduce crime.

American observers were surprised to read of England's new Criminal Justice and Public Order Act which became law two weeks ago. The most controversial aspect of the new law is the modification of the right to silence. Now, anyone who remains silent after being arrested, can have his silence used against him in court. The new statement by police reads: "You do not have to say anything. But if you do not mention now something which you later use in your defense, the court may decide that your failure to mention it now strengthens the case against you."

The law also contains new powers for police to stop and search vehicles and pedestrians, to arrest squatters and trespassers, and to prevent or break up raves—drug-laden parties sweeping the country.

In addition to the new restriction on the right to silence and the increase in police powers, the British have employed new technology to curtail what they see as a dramatic increase in crime. At least 300 towns across Great Britain have installed or are planning to install video surveillance of public spaces to catch and deter criminals, according to PhotoScan Ltd., a leading British video system installer. The pioneering British city, King's Lynn, and other towns have installed monitoring cameras in city centers, parking lots, streets, high-crime housing projects, industrial parks, sports complexes, churches and alleyways. Officials report a high rate of arrest and conviction since installation of the monitoring systems.

The British Home Office, which oversees the police, is promoting video monitoring as "one of the most exciting and constructive applications of new technology in the fight against crime, according to Junior Home Minister David Maclean. A clear majority of citizens express support for the use of video cameras to stop crime.

Video monitoring has been utilized successfully in the United States for some time. The Washington D.C. Metro subway system has had a closed-circuit monitoring system since it opened in 1976. The system has a total of 1,200 cameras and an equal number of monitors with 10 to 30 cameras in each station, depending on station size. The entire system cost approximately \$3 million to install with the cameras costing \$2,000 to \$2,500 each and the monitors \$200 each. It costs roughly \$250,000 per year to maintain the system.

The monitors for all the cameras in each station are housed in one enclosed booth where an official watches the screens. This creates a strong deterrent effect as potential criminals are aware that every movement in the station is being monitored. If a crime is committed, the station guards can usually reach the suspect within seconds.

The use of the camera system has made the Washington subway system the safest in the country, according to Patricia Lambe, spokesman for the Washington Metro Area Transit Authority. In 1993, only 33 violent crimes occurred in the system. From 1990 through 1993, only one murder. All the other violent crimes were classified as aggravated assaults. Many of these crimes were commit-

ted in parking lots and garages not covered by video cameras. This is an amazing record for a metropolitan area subway system serving over 4 million people.

Closed circuit camera technology has increased dramatically since the Washington subway camera system was installed. Cameras can be installed which rotate and tilt to cover a wide area and can zoom in on an individual up to a mile away. Cameras can be programmed to turn to any area where there is movement or noise. A camera covering a huge parking lot can detect someone breaking into a car or committing an assault and zoom in on the crime.

Police watching closed circuit monitors are alerted that a crime is being committed and move in on the suspects immediately. One person can watch up to 10 television monitors at a time. Police substations should be located within a short drive to the scene of any crime located by the monitoring system.

Closed circuit systems should be tested in high-crime inner-city areas such as public housing facilities, playgrounds, parking garages and lots, open air drug markets, and schools. The cameras should be mounted on inaccessible rooftops or street lights.

A pilot project in 10 cities, funded with federal dollars, could produce dramatic results for under \$50 million. Each city could install 1,000 cameras in high-crime areas for a cost of \$3 million each or \$30 million for 10 cities. Upkeep and replacement costs would be approximately \$250,000 a year per city or \$2.5 million per year for the 10 cities. The city or state government would be expected to pick up the cost of the personnel to watch the monitors. The total cost of maintenance would be \$12.5 million for five years for a total cost of \$42 million.

This is less than the cost of midnight basketball, self esteem-building classes or a handful of other very dubious programs just passed in the federal crime bill. It is the cheapest way to reduce crime in our cities and make our urban residents feel free to go outside again.

While civil libertarians will complain about invasion of privacy, we are being monitored by video cameras already in a host of private establishments including banks, supermarkets, department stores, airports and subway systems. Such monitoring doesn't make most of us feel like big brother is watching. It makes us feel safer. If closed circuit monitoring works in Great Britain, in the Washington Metro subway and in a variety of private businesses, isn't it time to try this approach in our crime ridden inner-cities?

Get-tough legal changes are being enacted by the federal and state governments and through the voter initiative process. Many of these reforms, such as life sentences for third felony convictions (three strikes you're out), eliminating parole and longer sentences for violent offenders are important steps in reducing crime.

These get-tough laws will keep prisoners incarcerated for much longer periods, resulting in reduced crime rates in the years to come.

But installation of closed circuit video cameras and monitors will have an immediate and dramatic impact on the crime rate and on the lives of America's beleaguered inner city residents.

As the new GOP leadership in Congress contemplates serious changes in the recently passed Crime Bill, taking resources from the social programs and earmarking them for closed circuit cameras and monitors would

be a good investment with an immediate payoff.

TRIBUTE TO LEON WINSTON AND  
RAY DEFRESS

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. DAVIS. Mr. Speaker, I rise today to pay tribute to the winners of this year's Fairfax County Don Smith Employees Advisory Council [EAC] Award. The winners are Leon Winston and Ray DeFress. These two men are being honored for consistently going the extra mile for those around them. These two fine men will be honored on Monday, February 27, 1995, at ceremonies at the Fairfax County Government Center.

The Don Smith Award was established by the Fairfax County EAC in 1991 to honor Donald D. Smith, who retired in 1990 after devoting 16 years to the EAC. The award honors employees who have contributed to the well-being of their fellow employees. Recipients receive \$1,000 and a plaque.

Ray DeFress, an employee in the real estate assessments office, is being honored for his timeless generosity. Employees know that they can turn to Ray DeFress for a lift or help with a move. He can be found on his lunch hour taking someone to the service station or fixing their car. He is always available to help employees moving from one place or another. He has also raised money for people in need and spent hundreds of dollars of his own money to help people in their darkest hour. He has been a county employee for 26 years, with an exemplary record.

Leon Winston, a custodian at Navy Elementary School in Fairfax, is being commended for his commitment, leadership, hard work, and contribution to a positive work environment, and concern for others. When another custodian became ill, Winston offered to share work hours. He is a favorite with the students at the school, who not only see him as a supervisor but, a friend. He is a man who can always be trusted to always have the school open, even during the strongest snow storms, and clean for the public.

Mr. Speaker, I know my colleagues join me in acknowledging and honoring these two fine men who exemplify all that is right with local government employees not only in Fairfax, but across the Nation. Their honor, voted by their peers, is one for which we can all be proud.

THE SAVINGS AND INVESTMENT  
LIBERATION BILLS

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. CRANE. Mr. Speaker, today I introduce a package of three bills designed to give Americans the freedom to invest and save, without interference from the IRS. Our current tax code acts as an obstacle for individuals to

do what they have been counseled to do by their parents for generations—save and invest.

A study by the Tax Foundation revealed that effective tax rates on income from savings and investment are substantially higher than the effective tax rates on income from wages. As a result, the tax burden falls heaviest on those who earn a greater portion of their income from savings and investments—namely entrepreneurs and senior citizens. As a consequence, these high tax rates actually discourage Americans from saving and investing.

Again according to the Tax Foundation, the current estate laws have similar negative effects in the market. Amazingly, the current Federal estate taxes have the same punishing effect on Americans as doubling income tax rates.

As a member of the Ways and Means Committee, I am attempting to put some rationality back in the tax code, and as part of the effort to achieve fundamental reform of the code, I am introducing a package of three bills to do the following:

1. Eliminate dividend and interest taxes on individuals;
2. Repeal estate and gift taxes and the tax on generation-skipping transfers; and
3. Repeal the capital gains tax on individuals.

It is high time we stopped punishing those who save and invest. A typical taxpayer who chooses to save is taxed several times on the same dollar of earned income under the present system. As a result, savings and investment rates in the United States are among the lowest of the world's major industrial powers. Under this legislative package, taxpayers will finally be set free from these redundant taxes.

I encourage my colleagues to support these bills for the benefit of their constituents.

THE PENSION REFORM ACT OF 1995

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mrs. KENNELLY. Mr. Speaker, I rise today to introduce the Pension Reform Act of 1995.

There can be no doubt that the status of women in America has changed dramatically in this century with these changes having profound implications for the long-term economic security of women. Whereas, heretofore extended families cared for the aged, both male and female; women today are increasingly likely to be alone as they age due to the disappearance of the extended family, mortality rates, and the increased incidence of divorce and single parenthood. And when one considers the average woman earns 68 cents for every dollar earned by the average man, it is easy to understand why the poverty rate is so much higher among older women than older men, 15 percent versus 9 percent. Even more striking is that the median income of women aged 65 and older is \$6,425, 56 percent lower than the median income of older men—\$11,544.

The Retirement Equity Act of 1984 made an important start. It improves the chance of wid-

ows actually receiving a pension by offering survivors protection to employees as soon as they become vested and requiring a wife's notarized signature before her husband can sign away her right to receive a survivor's benefit. The law also makes it easier for a divorced wife to get a share of a court-awarded pension directly from a former spouse's pension plan; lowers the age at which plans begin counting service for vesting credit, and extends the amount of time women can take off for child-rearing without losing credit for prior service.

But the Retirement Equity Act didn't go far enough. Women divorced before its passage have no pension rights. That means that a 56-year-old woman divorced in 1980 is now 65 and has no pension rights. That means we could have a whole new class of poor elderly women. The Pension Reform Act of 1995 would allow pensions not divided at the time of divorce, to be divided now, pursuant to a court order thereby effectively making the Retirement Equity Act retroactive. The Pension Reform Act of 1995 would also require the division of pension assets prospectively unless a domestic relations order provides otherwise.

The Tax Reform Act of 1986 continued the trend of enhanced retirement security for women. It reduced the vesting period, the period of service which must be completed before an employee has a nonforfeitable right to a pension, to 5 years for single employer pensions. This means that employees must be 100 percent vested after 5 years of service or, using an alternative vesting schedule, 20 percent vested after 3 years and 20 percent for each year thereafter. In general, therefore, employees who have been covered by an eligible pension plan for 5 years and work at least 1 hour after January 1, 1989 are automatically vested. This change is particularly important for women as it is estimated that approximately 1.9 million additional workers are now entitled to pensions. Multiemployer pension plans however, are not covered by these new vesting rules. The Pension Reform Act of 1995, would extend the 5 year vesting period to these types of plans as well. This provision was contained in H.R. 4210 and H.R. 11 in the 102d Congress—both were vetoed by the President. It was also contained in H.R. 3419, which was passed by the House of Representatives, but ultimately never reached the President's desk for signature. It is my hope that we can at least enact this provision this year.

Faster vesting also leads the way to greater portability; the ability to carry one's credit for service in an employer-sponsored pension plan from job to job. This is of particular importance to women as they are much more likely to change jobs and interrupt their participation in the work force at one or more times in their lives.

The Tax Reform Act of 1986 also limited integration, a little known, but potentially devastating, mechanism whereby employers may reduce pension benefits by the amount of Social Security to which an employee is entitled. Although originally intended to offset the employer contribution to Social Security, integration has often had the effect of eliminating an employee's entire private pension. In 1986, after much struggle, it was determined that Social Security benefits do not adequately replace the preretirement earnings of low- and

middle-income workers. Today, therefore, the law limits integration and assures that all eligible employees receive some minimum level of benefits. However, this protection only applies to benefits earned in plan years beginning after December 31, 1988. The Pension Reform Act of 1995 would extend this protection to all benefits earned since January 1, 1987 and eliminate integration entirely by January 1, 2000.

Under current law of the Railroad Retirement Act a divorced spouse may receive a divorced spouse annuity at age 62 if the employee has attained age 62 and is receiving an annuity. The Pension Reform Act of 1995 would amend the Railroad Retirement Act by eliminating the language that suspends the payment of a divorced spouse annuity when the employee although he or she is age-eligible, chooses not to receive an annuity.

I would urge my colleagues to support this vital piece of legislation.

Thank you.

### THE FEDERAL ACQUISITION REFORM ACT OF 1995

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. CLINGER. Mr. Speaker, today I am introducing legislation, on behalf of myself, and National Security Committee Chairman Floyd Spence and International Relations Committee Chairman Benjamin Gilman, to simplify and streamline the Federal procurement process. This legislation will complement the work we started last year with the enactment of the Federal Acquisition Streamlining Act of 1994 [FASA].

There is no doubt that the almost \$200 billion spent each year by the Federal Government has been done in an inefficient and Byzantine way. The current system has cost too much, has involved too much red tape, and has ill-served both the taxpayer and industry. FASA was a direct attack on a procurement system that had gone haywire—it applied some common sense approaches to the bureaucracy to reduce the inefficiencies of the system, get some real cost savings for the taxpayer by encouraging competition, and reduce the burdens on both Government contracting officials and those who sell to them.

Reforming the Federal procurement system is an extremely difficult and complex task because the procurement process is itself arcanelly difficult and complex. Nevertheless, it is an issue of prime importance to both American business and the American taxpayer.

This bill we are introducing today will serve as the foundation for procurement reforms beyond those provided in FASA. The bill includes two issues which we were unable to resolve to our satisfaction during the development of FASA.

First, the bill would repeal current provisions of law known as "Procurement Integrity" and replace these provisions with simple prohibitions and clearer administrative standards. This proposal was developed originally by the Bush administration in 1989 and is supported by the Clinton administration.

The proposal more squarely addresses the same basic concern as current law: the unauthorized disclosure and receipt of procurement-sensitive information. But it does so by focusing on the information to be protected, not—as in current law—on the status of persons who might disclose or obtain the information or the particular stage of a procurement when sensitive information may be created.

The complexity of the current restrictions have frustrated the ability of the contracting workforce—both in Government and industry—to abide by them. Also, while our bill contains remedies similar to those available under the current law, it does not rely on the complex system of certifications demanded by current law to ensure compliance. We believe that statutory certification requirements are unlikely to deter conduct to be proscribed. Moreover, the certifications create considerable administrative burden that the system can no longer afford.

Our legislation also would remove remaining agency-specific post-employment restrictions. These provisions were made unnecessary when Congress passed the Ethics Reform Act of 1989 which included government-wide conflict of interest laws. The accumulation over time of several layers of tailored post-employment restrictions has complicated efforts to provide guidance and advice to those who must abide by the rules, and has frustrated Federal agencies in attracting the highest quality talent from industry and academia.

Second, our bill repeals a current provision of law which disadvantages U.S. companies when selling American products in international markets. Current law requires that a fee be paid to the U.S. Government on foreign sales of products and technologies developed under Government contracts. It may have been an appropriate policy when it was originally adopted in the early 1960's as a way of sharing development costs with U.S. allies. But today, our allies are our competition, and this current policy threatens the future of American workers by making it more difficult for their employers to compete for business in the world marketplace. The Bush administration recommended repeal of this provision, and the Clinton administration currently is recommending its repeal.

Beyond these reforms, we will be calling on the administration, industry and other interested parties to provide additional proposals which will assist us in developing the remainder of our legislative package. Although we do not intend a new procurement reform effort to be as comprehensive as FASA, we must continue to push for reforms which will make the Federal procurement system work better and cost less.

H.R. —

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Acquisition Reform Act of 1995".

#### SEC. 2. PROCUREMENT INTEGRITY AMENDMENT.

(a) AMENDMENT OF PROCUREMENT INTEGRITY PROVISION.—Section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) is amended to read as follows:

#### "SEC. 27. RESTRICTIONS ON DISCLOSING AND OBTAINING CONTRACTOR BID OR PROPOSAL INFORMATION OR SOURCE SELECTION INFORMATION.

"(a) PROHIBITION ON DISCLOSING PROCUREMENT INFORMATION.—(1) A person described in paragraph (2) shall not, other than as provided by law, knowingly and willfully disclose contractor bid or proposal information or source selection information before the award of a Federal agency procurement contract to which the information relates.

"(2) Paragraph (1) applies to any person who—

"(A) is a present or former officer or employee of the United States, or a person who is acting or has acted for or on behalf of, or who is advising or has advised the United States with respect to, a Federal agency procurement; and

"(B) by virtue of that office, employment, or relationship has or had access to contractor bid or proposal information or source selection information.

"(b) PROHIBITION ON OBTAINING PROCUREMENT INFORMATION.—A person shall not, other than as provided by law, knowingly and willfully obtain contractor bid or proposal information or source selection information before the award of a Federal agency procurement contract to which the information relates.

"(c) PROHIBITION ON DISCLOSING OR OBTAINING PROCUREMENT INFORMATION IN CONNECTION WITH A PROTEST.—(1) A person shall not, other than as provided by law, knowingly and willfully violate the terms of a protective order described in paragraph (2) by disclosing or obtaining contractor bid or proposal information or source selection information related to the procurement contract concerned.

"(2) Paragraph (1) applies to any protective order issued by the Comptroller General or the board of contract appeals of the General Services Administration in connection with a protest against the award or proposed award of a Federal agency procurement contract.

"(d) PENALTIES AND ADMINISTRATIVE ACTIONS.—

"(1) CRIMINAL PENALTIES.—

"(A) Whoever engages in conduct constituting an offense under subsection (a), (b), or (c) shall be imprisoned for not more than one year or fined as provided under title 18, United States Code, or both.

"(B) Whoever engages in conduct constituting an offense under subsection (a), (b), or (c) for the purpose of either—

"(i) exchanging the information covered by such subsection for anything of value, or

"(ii) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract, shall be imprisoned for not more than five years or fined as provided under title 18, United States Code, or both.

"(2) CIVIL PENALTIES.—The Attorney General may bring a civil action in the appropriate United States district court against any person who engages in conduct constituting an offense under subsection (a), (b), or (c). Upon proof of such conduct by a preponderance of the evidence, the person is subject to a civil penalty. An individual who engages in such conduct is subject to a civil penalty of not more than \$50,000 for each violation plus twice the amount of compensation which the individual received or offered for the prohibited conduct. An organization that engages in such conduct is subject to a civil penalty of not more than \$500,000 for each violation plus twice the amount of compensation which the organization received or offered for the prohibited conduct.

"(3) ADMINISTRATIVE ACTIONS.—(A) If a Federal agency receives information that a contractor or a person has engaged in conduct constituting an offense under subsection (a), (b), or (c), the Federal agency shall consider taking one or more of the following actions, as appropriate:

"(i) Cancellation of the Federal agency procurement, if a contract has not yet been awarded.

"(ii) Rescission of a contract with respect to which—

"(I) the contractor or someone acting for the contractor has been convicted for an offense under subsection (a), (b), or (c), or

"(II) the head of the agency that awarded the contract has determined, based upon clear and convincing evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting such an offense.

"(iii) Initiation of suspension or debarment proceedings for the protection of the Government for the protection of the Government in accordance with procedures in the Federal Acquisition Regulation.

"(iv) Initiation of adverse personnel action, pursuant to the procedures in chapter 75 of title 5, United States Code, or other applicable law or regulation.

"(B) If a Federal agency rescinds a contract pursuant to subparagraph (A)(ii), the United States is entitled to recover, in addition to any penalty prescribed by law, the amount expended under the contract.

"(C) For purposes of any suspension or debarment proceedings initiated pursuant to subparagraph (A)(iii), engaging in conduct constituting an offense under subsection (a), (b), or (c) affects the present responsibility of a Government contractor or subcontractor.

"(e) DEFINITIONS.—As used in this section:

"(1) The term 'contractor bid or proposal information' means any of the following information submitted to a Federal agency as part of or in connection with a bid or proposal to enter into a Federal agency procurement contract, if that information has not been previously made available to the public or disclosed publicly:

"(A) Cost or pricing data (as defined by section 2306a(i) of title 10, United States Code, with respect to procurements subject to that section, and section 304A(i) of Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b(i), with respect to procurements subject to that section).

"(B) Indirect costs and direct labor rates.

"(C) Proprietary information about manufacturing processes, operations, or techniques marked by the contractor in accordance with applicable law or regulation.

"(D) Information marked by the contractor as 'contractor bid or proposal information', in accordance with applicable law or regulation.

"(2) The term 'source selection information' means any of the following information prepared for use by a Federal agency for the purpose of evaluating a bid or proposal to enter into a Federal agency procurement contract, if that information has not been previously made available to the public or disclosed publicly:

"(A) Bid prices submitted in response to a Federal agency solicitation for sealed bids, or lists of those bid prices before public bid opening.

"(B) Proposed costs or prices submitted in response to a Federal agency solicitation, or lists of those proposed costs or prices.

"(C) Source selection plans.

"(D) Technical evaluation plans.

"(E) Technical evaluations of proposals.

"(F) Cost or price evaluations of proposals.

"(G) Competitive range determinations that identify proposals that have a reasonable chance of being selected for award of a contract.

"(H) Rankings of bids, proposals, or competitors.

"(I) The reports and evaluations of source selection panels, boards, or advisory councils.

"(J) Other information marked as 'source selection information' based on a case-by-case determination by the head of the agency, his designee, or the contracting officer that its disclosure would jeopardize the integrity or successful completion of the Federal agency procurement to which the information relates.

"(3) The term 'Federal agency' has the meaning provided such term in section 3 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472).

"(4) The term 'Federal agency procurement' means the acquisition (by using competitive procedures and awarding a contract) of goods or services (including construction) from non-Federal sources by a Federal agency using appropriated funds.

"(5) The term 'contracting officer' means a person who, by appointment in accordance with applicable regulations, has the authority to enter into a Federal agency procurement contract on behalf of the Government and to make determinations and findings with respect to such a contract.

"(6) The term 'protest' means a written objection by an interested party to the award or proposed award of a Federal agency procurement contract, pursuant to section 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759) or subchapter V of chapter 35 of title 31, United States Code.

"(f) LIMITATION ON PROTESTS.—No person may file a protest against the award or proposed award of a Federal agency procurement contract alleging an offense under subsection (a), (b), or (c), of this section, nor may the Comptroller General or the board of contract appeals of the General Services Administration consider such an allegation in deciding a protest, unless that person reported to the Federal agency responsible for the procurement information that the person believed constituted evidence of the offense no later than 14 days after the person first discovered the possible offense.

"(g) SAVINGS PROVISIONS.—This section does not—

"(1) restrict the disclosure of information to, or its receipt by, any person or class of persons authorized, in accordance with applicable agency regulations or procedures, to receive that information;

"(2) restrict a contractor from disclosing its own bid or proposal information or the recipient from receiving that information;

"(3) restrict the disclosure or receipt of information relating to a Federal agency procurement after it has been canceled by the Federal agency before contract award unless the Federal agency plans to resume the procurement;

"(4) authorize the withholding of information from, nor restrict its receipt by, Congress, a committee or subcommittee of Congress, the Comptroller General, a Federal agency, or an inspector general of a Federal agency;

"(5) authorize the withholding of information from, nor restrict its receipt by, any board of contract appeals of a Federal agency or the Comptroller General in the course

of a protest against the award or proposed award of a Federal agency procurement contract; or

"(6) limit the applicability of any requirements, sanctions, contract penalties, and remedies established under any other law or regulation."

(b) REGULATIONS.—(1) Proposed revisions to the Federal Acquisition Regulation to implement this section shall be published in the Federal Register not later than 60 days after the date of the enactment of this Act.

(2) The proposed regulations described in paragraph (1) shall be made available for public comment for a period of not less than 60 days.

(3) Final regulations shall be published in the Federal Register not later than 150 days after the date of the enactment of this Act.

(c) REPEALS.—(1) The following provisions of law are repealed:

(A) Sections 2397, 2397a, 2397b, and 2397c of title 10, United States Code.

(B) Section 281 of title 18, United States Code.

(C) Subsection (c) of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428).

(2)(A) The table of sections at the beginning of chapter 141 of title 10, United States Code, is amended by striking the items relating to sections 2397, 2397a, 2397b, and 2397c.

(B) The table of sections at the beginning of chapter 15 of title 18, United States Code, is amended by striking the item relating to section 281.

(C) Section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) is amended by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively.

### SEC. 3. INTERNATIONAL COMPETITIVENESS.

(a) REPEAL OF PROVISION RELATING TO RESEARCH, DEVELOPMENT, AND PRODUCTION COSTS.—Section 21(e) of the Arms Export Control Act (22 U.S.C. 2761(e)) is amended—

(1) by inserting "and" after the semicolon at the end of paragraph (1)(A);

(2) by striking out subparagraph (B) of paragraph (1);

(3) by redesignating subparagraph (C) of paragraph (1) as subparagraph (B);

(4) by striking out paragraph (2); and

(5) by redesignating paragraph (3) as paragraph (2).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective with respect to sales agreements pursuant to sections 21 and 22 of the Arms Export Control Act (22 U.S.C. 2761 and 2762) entered into on or after the date of the enactment of this Act.

### IN SUPPORT OF FEDERAL FUNDING FOR THE ARTS AND PUBLIC BROADCASTING

**HON. BRUCE F. VENTO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, February 24, 1995

Mr. VENTO. Mr. Speaker, as we consider Federal support of the arts and public broadcasting, we must recognize the full cultural and economic benefits of these activities. The nonprofit arts industry is an important part of the economy, constituting nearly 1 percent of the entire U.S. work force and contributing \$36.8 billion to the national economy. In addition, Federal funding enhances the ability of

specialized artists and musicians to keep unique cultural traditions alive for future generations. I would like to bring to the attention of my colleagues the following letter and editorial from the Mississippi Rag and editorial from the Minneapolis Star Tribune which provide further evidence of the positive effect of Federal funding for these programs.

[From the Minneapolis Star Tribune, Feb. 22, 1995]

#### THE ARTS—A PRAGMATIC CASE ONLY GOES SO FAR

As political rhetoric against the evils of federal arts funding heats up, arts organizations are working hard to offer compelling counter arguments—as well they'd better. But something important about the nature of the arts is getting missed.

If you've been listening to House Republicans lately, you've heard the arts portrayed as, variously, the playground of the elite, the domain of leftist counterculturalists, the path to immorality and decadence. Recipient artists are seen as entrepreneurs on the dole—laggards who should, instead, submit themselves to the verdict of the marketplace. Each argument must be countered, and thoughtful folks are compiling facts and figures to do just that.

And yet the resulting defense, designed to persuade those who aren't attuned to the arts, falls short of expressing the value of the arts—and why Americans should make sure they flourish. Job statistics, investment payoffs, community growth potential—they're all meaningful, they're all true, they're even persuasive:

The nonprofit arts industry contributes \$36.8 billion to the national economy each year.

The 1.3 million jobs supported by the arts industry resulted in \$25.2 billion in paychecks earned by and paid to workers in every industry in the country. More than 20,000 people in Minnesota work in the arts industry.

The arts are an investment that will pay off in a better future work force. Arts have been shown to improve student learning, instilling self-esteem and discipline.

The NEA stimulates local economies and spurs urban renewal.

Jobs supported by the nonprofit arts industry represent, alone, nearly 1 percent of the entire U.S. work force.

Arts alliances are wise to underscore those points, given the current political landscape. Perhaps details about how the arts affect the economy will resonate with influential pragmatists who don't relate to flowery talk from people like actress Jane Alexander, the head of the National Endowment for the Arts. And yet. . .

And yet for those who see the arts as an essential to life, not as a frill, all this is a little cold. To those who have felt the power of a film, an ethnic dance troupe or a good book, the value of the arts is as clear as a mountain stream.

Not surprisingly, that value is most succinctly put by an artist. Violinist and conductor Pinchas Zukerman told a lingering St. Paul Chamber Orchestra audience the other night (OK, so we'll admit to being part of the blue-jeaned "elite" at the "Casually U" series):

"It comes down to this: Do you want Beethoven's Ninth in your life or not? It all depends on what the hell kind of soul you want, as a society."

That says it.

[From the Mississippi Rag, Feb. 1995]

MINNEAPOLIS, MN.

Public broadcasting must be saved. I base this opinion on the following background:

I have invested my career in over 50 years of American broadcasting as an employee, member of the military, free-lancer, and listener.

In the private sector as an employee, I researched, programmed, announced, and marketed broadcast services and sound products in New York City, Minneapolis-St. Paul, Denver, San Francisco, and Duluth-Superior.

In the public sector, I currently serve as programmer, spokesperson, and interviewer.

In the military, I was a member of a team developing radio broadcast concepts for hospital rehab programs during World War II.

I have also spent some 20 years studying and teaching in the area of electronic media. Here are some of the realities.

With some exceptions, it is my conviction that the profit-oriented broadcaster is not prepared to experiment, innovate, explore and expose new program concepts. I am willing to bet a microphone cord and a stack of classical and jazz CDs that few commercial broadcasters, if any, will rally to fill that specialized space in the bankrupt radio and TV spectrum should public broadcast funding be eliminated.

What will be the alternative? Again from experience in the revolving door of commercial broadcasting, I say do not count on the commercial licensee's sense of the public interest to pick up the slack.

Further from this half century perch and experience, I suggest most commercial broadcasters are electronic lemmings locked in battles of ratings and demographics. These broadcast marketers are hung up on formula TV and format radio. Operating a variety of musical ferris wheels, they dump on us everything from a repetitive load of adult contemporary, album-oriented rock, urban, and country music to what amounts to TV tabloid journalism. Add, if you will, sensation directed talk hosts whose topics are run as their counterparts program music in hit radio.

What will be the alternative to the audiovisual commodity business? I suggest again, with some exception, the commercial AM and FM TV dial will continue to program from the bland to the sensational and the violent. I contend the most creative investment in commercial broadcasting is reserved for spot advertising and promotions. Public broadcasting, for this debate, invests in new programs, concepts and people.

Slash those funds and there will be a giant "sucking sound" swallowing those unique voices and programs as the public broadcasting transmitters sign off because of lack of funds. Privatize public broadcasting and public broadcasting will be subject to the same demographics and rating game.

I ask you, don't we as Americans deserve a broadcast service which gives us an alternative system—a system which truly invests, innovates and experiments with new program concepts regardless of ratings, age, or background? No content warning for the most part! The CBC, BBC, and our own Voice of America are examples of innovators. So is American Public Broadcasting!

Time is of the essence. Join with me. Call your friends. Contact your congressman and senator. Public broadcasting must be saved for it is an important investment in . . . democratic debate, cultural understanding, family values, moral leadership and character.

Far from elitist, public broadcasting is a medium for breaking barriers and isolation.

It is a catalyst for building unity and celebrating who we are as Americans.

LEIGH KAMMAN.

[From the Mississippi Rag, Feb. 1995]

EDITORIALIZING

In this issue, jazz broadcaster Leigh Kamman makes an impassioned plea in favor of continued government funding for public broadcasting, asking RAG readers to join in the fray. This editor has already done so, contacting my senators, congressman, the Speaker of the House and the Senate Majority Leader.

At approximately \$1 per year per person, public broadcasting is a fantastic bargain for a jazz fan. My television is most often tuned to the local public television station where I've been able to view superlative programs on Duke Ellington, Louis Armstrong, Billie Holiday, Sarah Vaughan, and Benny Goodman, among others. I've also caught a few jazz festivals.

My car radio dial is set for four stations—all are public broadcasting stations which feature jazz (one exclusively). Every week, I make an effort to catch "Riverwalk," Butch Thompson's "Jazz Originals," Marian McPartland's "Piano Jazz," "Jazz at Lincoln Center," and Leigh Kamman's "The Jazz Image," all on public radio stations.

Ask yourself what jazz programs you regularly listen to. Dollars to donuts, you're listening to public broadcasting rather than a commercial station. Stay silent during the hearings to drop, cut, and/or rescind funding for the Corporation for Public Broadcasting and be prepared to lose that programing.

One argument against funding is that public broadcasting is unnecessary now with all the options offered by cable. This argument ignores the obvious, however—cable is expensive, not available in many rural areas, and therefore not an option for many citizens.

Another argument is that commercial stations will pick up the slack. A perfect counter argument is to offer an example of a now-defunct jazz program on WCCO-AM, a major Twin Cities commercial radio station known as "The Good Neighbor to the Northwest." The show, hosted by a fine, conscientious late night broadcaster, Joe McFarlin, actually inspired the launching of this newspaper. Joe (who was featured in an early RAG) spent hours preparing an eclectic collection of fine classic jazz, complementing the music with knowledgeable commentary. This weekly show ran in the wee hours of the morning, and many an early RAG was put to bed as we listened to him. Joe did this show on his own, with no support from the station—the show was not publicized, despite efforts on this editor's part to get the station's publicist to recognize the substantial following and respect Joe had earned. Eventually, with no budget for buying records (most he purchased on his own or brought from home), and no recompense or appreciation from the station for the hours he spent preparing the show, Joe gave up the good fight. I suspect that many of you can cite similar stories.

Traditional jazz and ragtime enthusiasts must realize that if we're going to keep this music alive for future generations, we have to fight for it on all fronts. It's no secret that most school music programs—elementary through college—go no further back in jazz history than Stan Kenton, choosing to ignore the roots of jazz and ragtime because the teachers themselves are not knowledgeable guides to this music. Some (not enough) jazz and ragtime societies are addressing this issue, making valiant efforts to get young people interested in the music through jazz

education programs, jazz camps and scholarships, and they are to be commended for their work. The challenge, as the RAG sees it, is to educate the teachers as well as the students.

Public broadcasting has been and can be an effective medium for doing this. We document jazz and ragtime history in these pages, and we value the role public broadcasting has played in expanding our own knowledge. This educational role often

seems to escape those who would privatize the programming of public broadcasting. They fail to appreciate that education is rarely "market driven" and is seldom profitable per se, but it's crucial in making us aware of the diversity of our culture. At its best, public broadcasting feeds the "Gee Whiz" factor, helping us to discover concepts that are not only new but exciting.

And, there is another consideration. The traditional jazz and ragtime recording busi-

ness is more prolific than ever, but the recordings need exposure in order for the labels to justify the expense. Where are you most likely to hear a recording by jazz or ragtime performers who are eminently capable but hardly household words? Think about it.

Let's not close any doors that can be opened to spread the word about the music we love. Let your voice be heard now.

Sincerely,

LESLIE JOHNSON.