

EXTENSIONS OF REMARKS

A NEW REPRESSIVE POLICE APPARATUS IN RUSSIA?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. SMITH of New Jersey. Mr. Speaker, since the demise of the Soviet Union, and the dissolution of its repressive police state, Russian society now faces the challenge of balancing law and order with protection of individual liberties. We are all aware that Russia is experiencing a dramatic rise in crime and a high rate of violence. Unfortunately, the cure envisioned by the Russian Government for this dilemma may be worse than the disease.

According to recent reports, the lower house of the Russian Parliament—the Duma—has voted overwhelmingly in favor of a bill proposed by President Yeltsin that would dramatically expand the powers of the domestic intelligence agency of the Russian Federation, known as the Federal Counterintelligence Service, or FSK. FSK agents would be able to enter homes, government offices and businesses without a search warrant from a court or the prosecutors office, as had been the case previously. The FSK would manage its own jails, and could employ undercover personnel working in other government agencies.

Bear in mind where the FSK stands philosophically these days. I would call attention to a FSK report published on January 10 of this year in the Moscow newspaper *Nezavisimaya Gazeta*. In this report, the FSK accuses various foreign policy research centers, non-governmental organizations, and foundations such as the Soros Foundation and Ford Foundation, of being used by United States secret services to conduct intelligence-gathering and subversive activities on the Russian territory. For instance, the FSK alleges that American specialists have set up a "network of contacts for information on legal sources" in Russia that would become a foundation for clandestine sources should United States-Russian relations worsen. Of course, this analysis came from the folks who reportedly did the planning for the Chechnya operation.

The Russian population is plagued by crime and corruption and, therefore, I can understand how this bill could be widely popular. The bill was approved in the Duma through the democratic process. But, Mr. Speaker, we all know that even democratically passed laws, especially those passed in the heat of the moment, can be seriously flawed. The key principle is protection of the civil liberties of minorities while carrying out the will of the majority. A Russian journalist quoted in the February 28, 1995, *Washington Post* said, "In this country, people don't understand [about civil liberties] until the moment the FSK people come to their flats and knock on their door."

Mr. Speaker, as I noted, crime and corruption are an overwhelming problem in Russia

today, and our colleagues in the Russian parliament are faced with the serious task of developing the proper legislation to combat it. But, as chairman of the Commission on Security and Cooperation in Europe, an organization vitally concerned with the principle of rule of law in the OSCE signatory states, I would urge the Federal Assembly and President Yeltsin to deliberate very carefully before giving the domestic security service such expansive powers. In legal terms, these proposed powers may even violate the Russian Constitution. In operational terms, there may soon be little to distinguish the FSK from the KGB of the cold-war era.

TRIBUTE TO EARL THOMAS HUCKLE

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. CAMP. Mr. Speaker, Earl Thomas Huckle lived his life by a code of "community first." While best known as the former editor and publisher of the Cadillac Evening News, the impact of his service to the entire area will be felt for generations.

Earl found and promoted the local chapter of the Kiwanis Club; he served for many years on the chamber of commerce; was a member of the Mercy Hospital Advisory Board and later, chairman; he served as chairman of the Retail Merchant's Association; was on the board of directors of Cadillac's first Community Chest; and was a noted historian with a northern Michigan flavor.

In addition, Earl saw the hope and promise in the children of his community. He worked tirelessly on their behalf. Whether encouraging safe skiing techniques, sponsoring competitions or spending time with his 3 children or 6 grandchildren, Earl Thomas Huckle knew that children are the key to the future.

His work with the Cadillac Evening News is legendary. He worked hard with his father to make that newspaper not only the leading source of news in the community, but one of the most productive and responsible newspapers in the State. As its publisher, he revolutionized the printing operation by introducing computer typesetting and offset printing; as its editor, he provided consistent and thoughtful commentary on local and world events.

The citizens of the greater Cadillac area will surely miss the presence of Earl Thomas Huckle. His joy in his family and his contributions to that community will live forever.

CHILD NUTRITION PROGRAMS

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. HILLIARD. Mr. Speaker, the Republican forces of Speaker GINGRICH are attempting to justify the block granting of child nutrition program funding by arguing that it actually increases the child nutrition funding nationwide by 4.5 percent.

It seems as though the Republicans will say almost anything to hide that they have cut children's food programs to fund tax breaks for the rich.

The fact is, that Federal funding for our child nutrition and WIC programs, will be slashed by GINGRICH's Republicans by over \$2 billion over 5 years.

While the Republicans slash and cut our children's food programs, they are taking care of their wealthy friends.

In fact, the Ways and Means Committee yesterday reported on the Republican tax break plan for the rich. More than 76 percent of the benefits for the break go to people earning over \$100,000 a year.

Speaker GINGRICH, why is your Republican Party sacrificing our children to make the rich, richer?

TRIBUTE TO CLARION AREA JAYCEES

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. CLINGER. Mr. Speaker, I rise today to honor a group that has proudly been serving the Clarion community for an outstanding number of years. I am pleased to recognize the Clarion Area Jaycees on this their 30th year of continued service.

In 1965, this organization was founded for the sole purpose of improving the community around them. I am sure these young people were not aware of all the great things they would eventually, and continue to, accomplish. It is no small task for a group to work together closely and be productive for such a long period of time. As one generation of volunteers contributes to the Clarion area, the next generation readies itself for future challenges. Their dedication throughout the 30 years is apparent in every project they take on.

The Jaycees' enormous contributions are not felt by just a few individuals, but by the entire population. The work they do touches every member of the community. The creed of the Jaycees is, "service to humanity is the best work of life." It is obvious to all of us that these are not just words, but a conviction for

● 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.

this group of men and women. As a member of the community that is touched by the Clarion Area Jaycees, I want to thank them for all of their hard work. The mission of the Jaycees is fulfilled with every person they help. So in keeping with that tradition, I have the utmost confidence this organization will continue to render valuable services.

Today marks the Jaycees' celebration of 30 years of service. This event is made even more special by the fact the entire community can join in this special occasion; this accomplishment has certainly benefited us all.

Mr. Speaker, it is my distinct pleasure to recognize the Clarion Area Jaycees on this milestone. Once again, I want to thank them for all of their devoted service and my best wishes for continued success.

REPUBLICANS SHOULD SUPPORT THE COMMUNITY SERVICE BLOCK GRANT

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. FRANK of Massachusetts. Mr. Speaker, I think it useful for me to share with my colleagues a brief but very pointed letter from Mark Sullivan, who is the head of the community action agency in the city of Fall River, Citizens, Inc. Mr. Sullivan is one of the outstanding leaders in the fight to improve the quality of life for people in the lower economic brackets, and he has been doing it long enough to have considerable perspective. Thus, he points out that the arguments in favor of the creation of the community action agency, and their subsequent inclusion in a community service block grant, grew from concern that we bypass bureaucracy and provide help directly to the people most in need. Citizens for Citizens is one of the organizations that exemplifies the success of this approach. And because the point Mr. Sullivan makes about the relevance of that experience to much of the rhetoric we are now hearing from my Republican colleagues, I ask that this letter be printed here.

CITIZENS FOR CITIZENS, INC.,
Fall River, MA, January 31, 1995.

DEAR BARNEY: I just finished watching a 30 year history of the War on Poverty on PBS and the irony of history repeating itself became crystal clear.

The basic concept of all the programs in the War on Poverty was the empowerment of local citizens to make decisions and help design economic programs that affect their lives.

Thirty years later, the new majority in Congress headed by Speaker of the House Gingrich, is talking about designing government so that citizens will be empowered to make economic decisions on the local level for policies that affect their lives.

It seems to be redundant to reinvent the wheel when there is a Community Service Block Grant which serves all of the purposes and meets all of the criteria as established by the new leadership; albeit, it deals with low-income people who need the economic empowerment the most.

I believe that Speaker Gingrich, with his background as a historian has a knowledge

and appreciation of these programs for economic empowerment.

I welcome him as a spokesman for the need to extend and expand the Community Action Agency through increased funding for the Community Services Block Grant, and wish you would thank him for his generous forthcoming support.

COMMITTEE FUNDING RESOLUTION

HON. RON PACKARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. PACKARD. Mr. Speaker, I want to commend Chairman THOMAS for his hard work and diligence in bringing the committee funding resolution to the floor today. This bill represents the new Republican Congress commitment to downsizing and accountability.

On the very first day of the 104th Congress Republicans voted to cut our own committee staffs by one-third. We proved to the American people that we are serious about keeping our commitment to giving them the smaller, more effective Government they voted for.

This bill before us today shows the American people that we are keeping our promise. Chairman THOMAS has introduced a funding request that reflects the change we voted for just a few short months ago. It represents the largest decrease in committee funding ever.

Spending the taxpayers' money wisely is important. Chairman THOMAS' bill not only downsizes Congress but introduces a new level of accountability. Changing the way committees pay for staff and supplies forces them to justify every penny they spend.

Congress must now publicly authorize all committee spending every 2 years and fund all staff salaries out of a single account. For the first time, committees will have to account for all of their operating expenses. Congress will no longer hide long distance phone call charges or paper costs in extraneous accounts. The American people will see just how we spend their money.

Mr. Speaker, as chairman of the Legislative Branch Subcommittee of Appropriations I am responsible for funding congressional operations. Mr. THOMAS' bill offers guidelines to my subcommittee—guidelines which I am proud to accept.

He and I both share a commitment to the American people who work hard for the tax dollars they have to send to Washington. The least we can do is spend those dollars wisely.

TERM LIMITS

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. DICKEY. Mr. Speaker, I have been a supporter of term limits since my initial election to the House in 1992, and I continue to support term limits today. Due to provisions added to House Joint Resolution 2 during the February 28, 1995, House Judiciary Committee markup, I can no longer support this bill.

In its current form, House Joint Resolution 2 preempts State term limit laws, like amendment No. 73, passed by the voters of my home State of Arkansas. The amended bill also removes the lifetime cap for service in the House. Specifically, it would allow a Member to serve six terms, sit out one term, then serve six terms more. That is not real term limits.

LEGAL REFORM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, March 15, 1995, into the CONGRESSIONAL RECORD.

LEGAL REFORM

The House last week approved three bills that would effect wide-ranging legal reforms in civil lawsuits. The measures respond to a public perception that the legal system has become burdened with excessive costs and long delays and that the growing number of lawsuits, particularly frivolous suits, are swamping the courts. These bills seek to curb lawsuit abuse which weakens the economy, eliminates jobs, and injures our global competitiveness.

I supported two of the three bills, albeit with some reservations. The civil justice system needs reform—and these bills are a first step in the reform process—but the bills considered in the House were poorly drafted and hastily considered and they overreach. My greatest concern is that their impact would be to tilt the courts in favor of large companies at the expense of individual plaintiffs. My expectation is these problems will be addressed during Senate consideration.

PRODUCT LIABILITY REFORM

This measure, which I supported, would for the first time create a uniform product liability law (covering state and federal actions) in three areas: punitive damages; joint and several liability; and fault-based liability for product sellers. First, the bill caps non-economic and punitive damages for all civil lawsuits. Punitive damages are awarded to punish negligence, rather than to compensate a victim, and non-economic damages are for things such as pain and suffering. Non-economic damages would be capped at \$250,000, and punitive damages would be capped at three times the claimant's award for monetary losses (such as lost wages and medical bills) or \$250,000—whichever is greater. Second, the bill restricts "joint and several liability" by allowing non-economic damages only up to the level of a defendant's responsibility. In other words, someone who is only 20% responsible would pay only 20% of the non-economic damages. Third, the bill prohibits product liability suits for injuries caused by products that are more than 15 years old, unless the product is expressly guaranteed for a longer period, or if the product causes a chronic illness that does not appear for more than 15 years (such as asbestos).

It is probably necessary to narrow the risk of manufacturers' and sellers' liability in certain cases involving defective products. Juries are sometimes confused and sometimes come in with awards that are neither reasonable nor justified by the evidence. In many cases, judges routinely reduce those

jury awards drastically, but perhaps not in all cases. The restrictions on joint and several liability also make sense. The important link is between behavior and responsibility, and the bill limits a defendant's liability to the share of damages caused by his own actions.

Capping punitive damages, however, has to be approached with great care. This bill represents a federal encroachment on well established state authority and responsibility. Furthermore, high punitive damages serve to keep a manufacturer on his toes.

SECURITIES LITIGATION REFORM

This bill, which I supported, would limit so-called "strike" lawsuits—class action lawsuits filed by stockholders against companies or stockbrokers for having misrepresented the company's economic position when the class of stockholders decided to buy the stock. Further, the bill limits security fraud suits by individual stockholders for similar claims of misrepresentation.

The problem of frivolous class action lawsuits against a company as soon as its stock drops is a real one. Because their stock prices are so volatile, high technology companies are especially vulnerable. Even so, we do not want to weaken the deterrent to financial fraud. To this end, the House, with my support, approved amendments to promote public disclosure of stock information; narrow exceptions to defendant liability; and define the responsibilities of accountants in reporting cases of fraud to federal regulators.

CIVIL LITIGATION REFORM

This bill, would make several significant changes in the federal civil justice system. First, it would require losing parties in federal civil cases to pay the attorneys' fees of the winning party under certain circumstances. Second, the bill would restrict the admission of scientific evidence in federal court. Third, the measure would make sanctions against lawyers who file frivolous lawsuits mandatory, rather than leaving the decision to the judge.

I opposed the bill primarily because of its "loser pays" provisions. A key principle of the American system is accessible justice and I do not want to pass laws which prohibit or deter an individual from a meritorious vet risky lawsuit for fear that the penalty would be financial ruin. Everybody wants to curb frivolous lawsuits—and I supported an amendment that would give a defendant the opportunity to seek dismissal of a frivolous suit.

The bill, in contrast, would place average Americans at a disadvantage in disputes with large corporations, for whom the risk of paying opposing attorneys is simply the cost of doing business. A middle-income plaintiff could be forced to accept a small settlement unless he or she is willing to assume the risk of being financially ruined by the payment of the fees of the other side's attorneys, who may be expensive corporate lawyers.

CONCLUSION

In general, I think the entire legal reform package deserves a searching examination in the Senate. I have been impressed throughout the debate that the House has focused on a tide of anecdotes purporting to show the American legal system as out of control, swamped with frivolous product liability and personal damage suits. I am less sure that the evidence supports the lesson of those anecdotes.

The balance that must be struck is to protect the people's right to sue while at the same time reducing frivolous and expensive

lawsuits. That is not an easy balance to strike and the details reaching that balance become very complicated. My hope is that the Senate will improve upon the House-passed bills. I am inclined to think that they are simply too raw to be enacted in their present form.

IN HONOR OF THE GIRL FRIENDS, INC.

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. CLYBURN. Mr. Speaker, I would like to take this opportunity to bring to the attention of my distinguished colleagues the fine record of one of the oldest civic/social organizations of African-American women in these United States—The Girl Friends, Inc. Founded in 1927, its primary focus was to promote friendship and to foster goodwill. Under the legal guidance of the Honorable Thurgood Marshall, the organization was incorporated in 1938.

The Girl Friends, Inc. is a national organization comprised of 1,250 socially and professionally prominent women, including national political figures, Federal judges, medical doctors, college presidents, accountants, lawyers, and teachers.

Presently, there are 40 chapters located in major American cities, representing leaders and spheres of influence with an ongoing commitment to contribute to civic activities that enhance the quality of community life.

The organization has given major financial assistance to community organizations, including the United Negro College Fund, the NAACP Legal Defense Fund, the Children's Defense Fund, and the NAACP.

Through its local chapters, it gives annually to local groups such as the Heart Fund, the Sickle Cell Fund, the Cancer Research Foundation, the Boys and Girls Club of America, and local theatre groups for children.

I would like to congratulate the national president of The Girl Friends, Inc., Mrs. Virginia Scott Speller of Houston, TX, for giving leadership during these days of extending a helping hand to those in our communities who are in need, especially students who want to complete a college education and senior citizens who need care and attention.

I also salute the more than 1,200 members who take time from their professional duties to give of themselves to help make our country a responsive and caring Nation.

Mr. Speaker, I commend the national officers and all of the 40 chapters of The Girl Friends, Inc. for their 68 years of service to these United States.

TRIBUTE TO THE MEMORY OF BOBBY CAPO

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. SERRANO. Mr. Speaker, tomorrow, March 16, the New York Office of the Puerto

Rico Federal Affairs Administration will unveil a pictorial stamp cancellation to honor a giant of romantic music and borinquen patriotism, Bobby Capó. I rise to pay tribute to the memory of this extraordinary and beloved individual.

Felix Manuel Rodríguez "Bobby" Capó was born in Coamo, Puerto Rico in 1922. Having moved to New York as a young man in the 1930s, Bobby Capó encountered for the first time a land of cold winters and often chilly race relations. He set about very early in life to overcome these features with the warmth of his music and personality.

In the course of his 68 years Bobby Capó composed over 2,000 songs and released more than 50 record albums. But these figures do not do justice to the influence of this superb artist. Possessing a lyrical tenor, perfect pitch and supreme grace, Bobby Capó was a dynamic showman whose tours and television appearances in New York, Puerto Rico and the rest of the United States and Latin America were vital to the popularization of the romantic style. His great ballads "Piel Canela," "Juguete" and "Sin Fe," sung by hundreds of artists around the world, are timeless classics that will forever convey the mystery of romantic love.

Mr. Speaker, as the first Puerto Rican to direct his own television shows and appear in Mexican films, Bobby Capó was a theatrical phenomenon as well. But he was much more than an entertainer. A man for all seasons, in his later years he became increasingly involved in public affairs. He served as Director of the New York Office of the Puerto Rico Federal Affairs Administration, he founded and was the first president of the Puerto Rico Guild of Artists, and in numerous capacities promoted a better understanding of Puerto Rican and Hispanic culture. Moreover, in many personal acts of advocacy and political action he proved himself a dedicated and energetic defender of the less fortunate in our society.

Mr. Speaker, I was extremely privileged to have known Bobby Capó, to have had him as an inspiration and a mentor. His romanticism, his devotion to the island of his birth, and his sheer love of life are elements of his spirit which have struck a deep chord with me and with many thousands of others. I remain a devoted fan of his enduring music and memory, both of which will live on forever in the hearts of his admirers. I ask my colleagues to join me in appreciation of the life and legacy of this wonderful man.

LED ASTRAY BY THE POVERTY "EXPERTS"

HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. CRANE. Mr. Speaker, Mr. Walter Williams, a professor of economics at George Mason University, has formulated a decorous and forthright theory which reveals the malignant problems caused by American dependence on the welfare state.

Since the 1960's, Federal welfare policies have only resulted in a debilitating reliance by

American citizens on a Federal Government not created to function in this area. Unfortunately, this institution—the welfare state—has become a permanent and detrimental fixture in our society.

I commend to the attention of my colleagues the following article written by Mr. Williams entitled, "Led astray by the poverty 'experts'." May we all learn from his insights and wisdom as the 104th Congress embarks on the reformation of the outdated welfare policies plaguing our Nation.

LED ASTRAY BY THE POVERTY 'EXPERTS'

(By Walter Williams)

Much of what's wrong in our country is the result of heeding the words of "experts" and "intellectuals," whose advice defies every notion of common sense.

Take skyrocketing black illegitimacy. But first, let's put it into perspective. In 1940, black illegitimacy was 19 percent. Today, it's 68 percent and estimated to be 75 percent by the year 2000. As early as the 1870s, up to 80 percent of black kids lived in two-parent families. Between 1905 and 1925, 85 percent of Harlem youngsters lived in two-parent families. Today, fewer than 40 percent of black kids live in two-parent families. The black family could survive slavery and Jim Crowism but not the welfare state.

During the '60s, now-Sen. Daniel Patrick Moynihan wrote a report concluding, "At the heart of the deterioration of the fabric of Negro family." At that time, black illegitimacy was 30 percent. Liberals attacked the report. Civil rights leader Bayard Rustin said, "What may be a disease to the white middle class may be a healthy adaptation of the Negro lower class." Floyd McKissick, director of COPE, echoed that sentiment, saying, "Just because Moynihan believes in middle-class values doesn't mean they are the best for everyone in America."

Those sentiments were supported by many, including supposed intellectuals. Andrew Cherlin, a Johns Hopkins professor and sociologist, argued it had yet to be shown that the "absence of a father was directly responsible for any of the supposed deficiencies of broken homes." Mr. cherlin concluded that the real issue "is not the lack of male presence but the lack of male income." In other words, fathers can be replaced by a monthly welfare check. That's a stupid idea, but we bought it.

When Mr. Moynihan completed his report, according to Rowland Evans and Robert Novak, attempts were made to repress its release. Professors Lee Rainwater and Williams Yancey suggested "it would have been well to reduce the discussion of illegitimacy because of the inflammatory nature of the issue with its inevitable overtones of immorality."

According to William Bennett, writing in the American Enterprise (January-February 1995), "More than 70 percent of black children will have been supported by Aid to Families with Dependent Children payments at one point or another during childhood." He adds, "The most serious problems afflicting our society today are manifestly moral, behavioral and spiritual, and therefore remarkably resistant to government cures." That recognition is thankfully slowly dawning upon us after years of listening to experts and their destructive nonsense.

But the experts are doing their level best to keep us befuddled. They continue to preach nonsense like the proposition that crime and other forms of antisocial behavior are caused by poverty. The truth of the mat-

ter is the causal direction may be the other way around: Poverty is caused by crime and antisocial behavior. After all, poverty is the likely result when a person does not respect the rights and property of others and ignores the values of hard work, sacrifice and deferment of gratification.

Congress has put welfare reform high on its agenda. In seeking advice on what to do, they should summarily disqualify all the experts whose advice we've listened to in the past that has resulted in today's calamity. If I had it my way, there'd be a blanket exclusion of anyone from any government agency dealing with poverty and anyone who has received a government grant to do research on poverty.

DEMOLAY MONTH

HON. STEVE LARGENT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. LARGENT. Mr. Speaker, March is DeMolay Month, when the Order of DeMolay—an international Masonic-related, fraternal, civic service organization for young men 13 to 21—celebrates its 76th anniversary. DeMolay is a youth development organization based on seven virtues needed in today's society—filial love; reverence for sacred things, such as God; courtesy; comradeship; fidelity; moral and physical cleanliness; and patriotism. DeMolay promotes scholarship and provides a full package of leadership, athletic, social, and civic service activities to interest today's young men.

This year Delta Chapter, located in Jenks, OK and 1 of 4 DeMolay chapters in my congressional district, celebrates its 60th anniversary. For the first time in its history, Delta Chapter was recently named 1994 Oklahoma DeMolay Association Chapter of the Year. Last year, the chapter sponsored two recycling drives and a severe weather seminar for the Jenks community and held civic service and charitable projects for the Tulsa and Jenks Community Food Banks, Scottish Rite Childhood Language Clinics, Tulsa Area Book Bank, Big Brothers and Big Sisters of Green County, and the Oklahoma Masonic Home for the Aged.

Several prominent scientists, educators, business leaders, astronauts—and several former or current members of Congress—were active DeMolays in their youth. Distinguished political commentator and Tulsa-native Paul Harvey is a former member of Delta Chapter.

At a time when teenage drug use and gangs command the attention of the media, and teenage violence has reached near-epidemic levels, it is refreshing to recognize the leadership and good citizenship demonstrated by members of the Order of DeMolay.

THE ECONOMIC IMPACT OF COMMUNICATIONS DEREGULATION

HON. TOM DELAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. DELAY. Mr. Speaker, Government regulations impose a tremendous burden on our

Nation's economy. Excessive regulations result in higher prices for American consumers and fewer jobs for American workers. One of the primary goals of the Contract With America is to reduce onerous Government regulations and break down unnecessary barriers to competition. In that regard, I was especially interested to learn of a new study released by the independent Wharton Econometrics Forecasting Associates [WEFA] Group. Their study documents the positive impact that would result from greater competition in the U.S. communications industry. They conclude that full, immediate, and simultaneous competition in all communications markets would result in more jobs, lower prices, and a stronger economy. I urge my colleagues to carefully consider the results of the WEFA study as we continue to move forward with our efforts to deregulate our Nation's economy.

ECONOMIC IMPACT OF DEREGULATING THE U.S. COMMUNICATIONS INDUSTRIES—HIGHLIGHTS OF FINDINGS

OVERVIEW

The 104th Congress is in the process of reforming the nation's outdated communications laws. A fundamental concern in this process involves when and to what extent cable TV, long distance and local telecommunications markets should be opened to competition. Opinions range from opening all markets immediately to creating lengthy approval processes for competitive entry.

A study released by renowned independent economic forecasting firm, The WEFA Group, quantifies the impact that various policy options will have on diverse economic indicators, including job-creation, economic growth, technological innovation, consumer savings and the balance of trade. Specifically, the WEFA study compares three approaches:

Immediate, full competition—removal of legal and regulatory barriers to market entry; change from traditional rate-of-return regulation to price-cap regulation for any noncompetitive service; complete deregulation of competitive services; and, all markets open simultaneously on January 1, 1996.

Competition phased in over two to three years—local competition occurs a year ahead of long distance competition, with full competition by 1998.

Competition phased in over four to five years—local competition occurs a year ahead of long distance competition, with full competition by 2000.

FINDINGS AND ANALYSIS

1. Immediate competition means new jobs, economic growth, consumer savings

Full, immediate and simultaneous competition in all communications markets will result in more jobs, lower prices and a stronger economy than any other option. The study finds that immediate and full competition in the telecommunications industry will achieve:

New jobs

3.4 million additional U.S. jobs would be created over the next ten years as a result of full, immediate competition in all communications markets. These jobs would be spread across all states and all major industry groups, including: 498,000 new jobs in manufacturing; 423,000 new construction jobs; 923,000 new jobs in wholesale and retail trade; 1.4 million new jobs in the service sector.

Economic growth

Once competition is brought fully and immediately to the communications industry,

the benefits of lower prices, enhanced services and newer technology will boost economic activity throughout the economy. Specifically, within ten years, America would experience: \$298 billion increase in annual Real Gross Domestic Product; \$162 billion increase in annual Real Personal Consumption; \$14 billion improvement in annual balance of trade; \$140 billion improvement in the annual national budget deficit; an average increase of \$850 in the per year disposable income of each U.S. household.

Consumer savings

American consumers would receive substantial benefits from immediate competition in all communications markets. The study concluded that competition, which will bring greater network efficiencies, including bandwidth expansion and increased use of digital services, will result in a 23% decrease in telecommunications prices over the next ten years. A large portion of this is due to a 35% decline in long-distance toll rates over the first five years of deregulation. Specifically, immediate competition would:

Save consumers nearly \$550 billion over the next ten years from lower telecommunications rates, including: \$333 billion in consumer savings from lower long distance rates; \$107 billion in consumer savings from lower cellular rates; \$78 billion in consumer savings from lower cable TV rates; \$32 billion in consumer savings from lower local rates.

II. Delayed competition means fewer jobs, slower economy, higher rates

In addition to the immediate competition model, the study forecasts the economic effect of two other models, assuming that it takes three and five years, respectively, to achieve full competition—including removal of entry barriers, change from rate-of-return regulation to price-cap regulation from rate-of-return regulation for noncompetitive services, and deregulation of competitive services.

A three-year delay in full competition would result in the creation of 1.5 million fewer jobs than would immediate deregulation over the next five years. A five-year delay would mean 1.9 million fewer jobs over the next five years.

A three-year delay in deregulation would result in \$137 billion less in real GDP, and a five year delay would mean \$171 billion less in real GDP over the next ten years.

III. The long-distance market is currently not competitive

Contrary to industry arguments, there is no real competition in the long distance industry today. The long distance companies have not lowered their rates, despite steep declines in local access charges, the most significant cost of providing service. In fact, the big three long distance companies have raised rates in an oligopolistic fashion six times in the past three years (see chart 1). In a truly competitive industry prices do not go up when costs go down.

This lack of real competition in the long distance industry may be the biggest barrier to entry facing competitors in the local market.

(1) State regulators fear that opening local and short-haul long distance would result in drastic losses in the access charge subsidies that help pay for universal service in residential and rural areas.

(2) Full and immediate competition, which includes lifting the long-distance restriction, would mitigate the losses of these access charges. As a result of full competition, local rates would decrease 1% per year over the next ten years.

IV. Regulatory reform is necessary

The study concludes that telecommunications companies must be free of pricing regulations that discourage investment in new network services if the full benefits of competition are to be realized. Specifically, the study finds:

Rate-of-return regulation, designed to constrain earnings under the "natural monopolies" of the past, only slows the rate of network investment and the introduction of new technologies in today's environment of competition and technological convergence.

Price regulation allows incumbent carriers to re-price existing services and to introduce new services in response to competition, while still holding prices below that which might occur in the absence of regulation. In competitive markets, competition and not artificial regulatory distinctions should determine pricing.

V. Delayed competition inhibits new services, creates "economic welfare loss"

A significant benefit of the Immediate Regulatory Relief model is that lower rates, better service and increased investment all would accelerate the affordable delivery of advanced services like health care, education, telecommuting and more.

On the other hand, the study finds that delaying competition in communications will also delay the deployment of new, advanced services. Each delay in the deployment of these new services, results in a significant cost to American's economy and society as a whole—a cost quantified as "economic welfare loss."

The economic welfare loss of new services delayed as a result of current barriers to competition amounts to more than \$110 billion per year of delay. This economic welfare loss includes, among other items: \$40 billion per year in residential medical and education services; \$20.4 billion per year in residential advanced information services; \$28.8 billion per year in residential and business video conferencing; \$10.3 billion per year in expanded residential entertainment programming.

Full competition in communications markets would result in a gain of between \$750 and \$1,000 in consumer welfare per year, per U.S. household, as a result of new services deployed.

Methodology

Through years of research, The WEFA Group has developed a set of forecasting models that provide the framework for developing consistent and accurate views of the impact of various market and policy developments on specific industries and the U.S. economy. In July 1993, the WEFA Group completed a study titled *The Economic Impact of Eliminating the Line-of-Business Restrictions on the Bell Companies*. That study showed that full competition would result in millions of new jobs, significant benefits for the American economy, accelerated innovation and infrastructure investment lower telecommunications rates and encourage the development of enhanced information services. The result would be substantial consumers savings and the creation of millions of new jobs.

This study uses an updated methodology to examine the costs already incurred by delaying regulatory reform and evaluate the costs of further delays in deregulation.

It takes a well-defined set of assumptions and adjustments gained from research and analysis of the telecommunications industry and imposes them on the WEFA models. It forecasts the effects not only on the tele-

communications industry but on the industries that buy from and supply to the telecommunications industry, and reviews how the supply and demand on both sides impacts industry prices.

Each study model assumes the eventual onset of full competition, including: (1) the removal of Federal and state regulatory barriers to competition; (2) the replacement of "cost plus" rate-of-return regulation with a streamlined form of price regulation for non-competitive services; and (3) complete deregulation of competitive service offerings.

The models differ in two significant respects: one, the timing of full competition; and, two, the sequencing—while the Immediate Regulatory Relief scenario represents simultaneous entry into all markets, the three and five year delay scenarios open the local market to competition before the long-distance market.

THE PRESSLER AMENDMENT

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. HAMILTON. Mr. Speaker, next month Pakistani Prime Minister Benazir Bhutto comes to Washington and will be conferring with Members in several meetings on the Hill.

Bilateral relations between the United States and Pakistan since 1990 have been dominated by the Pressler amendment, which stipulates that no United States assistance shall be furnished to Pakistan, and no military equipment or technology shall be sold or transferred to Pakistan, until the President on an annual basis certifies that Pakistan does not possess a nuclear explosive device.

In an effort to inform Members prior to Prime Minister Bhutto's visit to the Hill about this legislation and its impact on United States-Pakistani relations, I ask permission to include in the RECORD testimony I submitted a few days ago to the Senate Committee on Foreign Relations.

THE PRESSLER AMENDMENT STATEMENT BY REPRESENTATIVE LEE H. HAMILTON, SUBMITTED TO THE SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS, SENATE COMMITTEE ON FOREIGN RELATIONS

First of all, Mr. Chairman, I wish to congratulate you for calling this hearing on a most timely subject. Four weeks from today, Pakistani Prime Minister Benazir Bhutto will be visiting Capitol Hill. Holding this hearing today on what has become the defining element in the bilateral U.S.-Pakistani relationship serves an important purpose by forcing us to examine the current status of, and prospects for, that relationship.

Let me add that I deeply appreciate the courtesy you have afforded me by inviting me to submit testimony as part of the official record of this hearing.

I also wish to take a moment to pay tribute to the two American diplomats who were killed yesterday in Karachi. The tragic deaths of Mr. Durell and Ms. Vanlandingham, as well as the wounding of Mr. McCloy, should serve to remind us that courageous American men and women place their lives on the line daily on behalf of the United States. I am sure that you join me in saluting their dedication and sacrifice, and calling upon the Pakistani government to

spare no effort to bring their killers to justice.

Mr. Chairman, you have called this hearing to discuss our nonproliferation policies in South Asia. There are few issues of greater importance to U.S. security. The previous director of the Central Intelligence Agency identified the Indian Subcontinent as the most likely place in the world for the outbreak of a nuclear conflict—a catastrophe that would affect the United States as well as more than one billion people in South Asia.

Moreover, a failure to stop the spread of nuclear weapons in South Asia will also limit our ability to keep such weapons out of the hands of Iran, Iraq, North Korea, and other would-be nuclear powers. A world with fifteen or twenty nuclear weapons states is a world we don't wish to contemplate. So the importance of your hearing today—coming as it does only weeks before the international community is to convene in New York to determine the fate of the Nuclear Nonproliferation Treaty—cannot be overestimated.

Mr. Chairman, my argument today can be summarized in a few brief propositions: Pakistan is a country the United States cannot and should not ignore. The Pressler amendment has undermined our bilateral relations with Pakistan. As a nonproliferation tool, the Pressler amendment has outlived its usefulness, and is now counterproductive. It is time to modify this amendment, or even to lift it altogether.

Allow me to amplify each of these propositions in turn.

I. PAKISTAN IS A COUNTRY THE UNITED STATES CANNOT AND SHOULD NOT IGNORE

U.S. National Interests: Why is it in the national interest of the United States to maintain decent relations with Pakistan?

There is, first of all, the matter of sheer numbers. Pakistan is the 7th largest nation in the world. It is the world's second largest Moslem nation. Size alone compels the United States to pay attention to Pakistan.

Second, considerations of global and regional security make cooperation with Islamabad important for the United States. Pakistan occupies a strategic location on the map. It is situated near major countries—China, Russia, Iran, India—and neighbors the Middle East, the Persian Gulf, and central Asia. Its army is the world's eighth largest. Even in a post-cold war world, the United States should not ignore these geopolitical and geostrategic considerations.

In addition, the United States has an important interest in working to prevent the outbreak of a South Asian war that could spiral into a nuclear conflict. We can best promote regional peace and stability if we have good relations with Pakistan as well as India.

Third, Pakistan has been an active supporter of United Nations peacekeeping activities. Its 7,000 troops in Somalia comprised the largest international component in that difficult operation. Islamabad contributed more than one thousand troops to the U.N. operation in Cambodia. It currently has 3,000 soldiers in Bosnia. In fact, Pakistan has provided more troops for U.N. peacekeeping efforts around the world than any other country—including our own.

Fourth, this and previous administrations have identified missile and nuclear nonproliferation as a primary component of U.S. security. As one of the world's few nuclear weapons-capable states not a party to the Nuclear Nonproliferation Treaty [NPT], Pakistan is crucial to the success of our

global nonproliferation efforts. Similarly, it is in our national interest to prevent the deployment of the ballistic missiles both India and Pakistan are developing.

The fifth reason we should not ignore Pakistan relates to our desire to combat international terrorism and drug trafficking. Yesterday's tragic events in Karachi have once more brought home to us the grave threat posed by terrorism. The value of Pakistani cooperation in the fight against terrorism was vividly demonstrated last month when Prime Minister Bhutto, in the face of certain domestic opposition, moved swiftly to extradite to the United States the individual alleged to be the mastermind behind the 1993 bombing of the World Trade Center.

On the narcotics front, Pakistan is a conduit for opium and heroin grown in Afghanistan, the second largest opium producer in the world. If the deadly flow of Afghan drugs is to be stanching, we must have Pakistani cooperation. And while we have not been fully satisfied with the steps Pakistan has taken in the counter-narcotics area in recent years, just last week President Clinton stated that the government of Pakistan has laid the foundation for significant progress during the current year in the fight against illicit drugs.

Sixth, the United States has a clear-cut interest in encouraging democracy, pluralism, secularism, and a respect for human rights in Pakistan. Pakistan can be a model of a democratic, secular Islamic state, a partner in the effort to combat the spread of religious and ideological extremism. The administration believes that Pakistan has used its moderating influence with other Islamic countries. We should seek to buttress that influence.

Finally, economic and trade considerations call for friendly relations with Pakistan. Admittedly these U.S. interests are not as important in a statistical sense as in some other countries. Nonetheless, we have an interest in promoting continued economic reform, deregulation, and trade liberalization in Pakistan.

U.S.-Pakistani differences: Let me hasten to add, Mr. Chairman, that none of this suggests that we see eye to eye with Pakistan on all important issues. We don't. We would like to see Islamabad join the NPT, but it refuses to do so. We wish Pakistan would cease all military support for the Kashmiri insurgents. We want more vigorous law enforcement against the druglords. We are concerned about the uneven respect given human rights in Pakistan. We are sometimes dismayed by what passes for democratic politics in Pakistan.

But most fundamentally, we believe that Pakistan, by choosing to embark upon a nuclear weapons program, has broken its pledge to us in a way that directly challenges U.S. national interests.

The substantial levels of U.S. assistance provided to Pakistan throughout the 1980s were part of an explicit bargain: we would furnish Pakistan with financial and military aid, in return for which Islamabad would forgo the nuclear weapons option. Pakistan violated that bargain. The subsequent deterioration in our bilateral relations flows directly from that action. Until Pakistan redresses that breach of faith, ties between our two countries will never recapture the warmth and sense of common purpose they possessed a decade ago.

In the sense, it is neither prudent nor possible to "let bygones be bygones." But at the same time, insofar as it advances American purposes, we should try to build on the

shared interests I have set forth above in order to promote U.S. foreign policy and national security objectives.

II. THE PRESSLER AMENDMENT HAS UNDERMINED OUR BILATERAL RELATIONS WITH PAKISTAN

After a close and productive relationship throughout the 1980s, bilateral ties between Washington and Islamabad plummeted after President Bush proved unable in 1990 to certify, under the Pressler amendment, that Pakistan does not possess a nuclear explosive device.

In the four-and-a-half years since then, the Pressler amendment has been by far the most important element shaping the bilateral relationship. By banning aid and most military sales and transfers, the amendment has sharply limited the possibility of a U.S.-Pakistani collaborative relationship.

In some respects, it is surprising that U.S.-Pakistani relations have remained as good as they have since 1990. Islamabad continues to attach great importance to its relationship with Washington. There exists in Pakistan, especially at the official level, a deep reservoir of good will toward the United States.

Nonetheless, there is no denying that the Pressler amendment has had a corrosive impact on bilateral ties. Moreover, so long as Pressler remains the law of the land, relations are unlikely to improve. Secretary Perry's trip to Pakistan in January, for all the warm sentiments it evoked, did not break the fundamental impasse between Washington and Islamabad.

The F-16 Problem: During Prime Minister Bhutto's visit to Washington next month, the single most important item on her agenda will be the F-16s Pakistan bought, but which have not been directed because of Pressler amendment restrictions. If Ms. Bhutto fails to persuade the United States to release the F-16s, she will at a minimum ask for the return of the \$658 million Pakistan has paid for these warplanes.

I am worried about the creation of excessive expectations for the prime minister's visit. Pakistan is unlikely to get the F-16s. More than that, serious problems stand in the way of returning the full \$658 million. This money has already been paid to the manufacturer. The U.S. government does not have the ability to give the money back, even if it were so inclined.

We face the distinct possibility, therefore, that someone who has been a good friend to the United States, the head of government of an important country with longstanding ties to the United States, is about to come to Washington for what many of her countrymen may see as a diplomatic fiasco.

And all this, ironically, because of legislation that, when adopted in 1985, was designed as a Pakistan-friendly amendment. The members of this subcommittee will recall that when Sen. Pressler first offered his amendment, he envisioned it as a means of heading off far more punitive legislation.

III. THE PRESSLER AMENDMENT HAS OUTLIVED ITS USEFULNESS

Speaking to a New York audience recently, Secretary Perry called the Pressler amendment "a blunt instrument" that has undercut our influence in Pakistan and hindered our efforts to avert a nuclear arms race in South Asia.

I concur. It has reduced our voice in a large, militarily-significant, moderate Islamic country. It has led to an increase in Chinese, and possibly Iranian, influence in Pakistan. It has hampered our ability to achieve other important U.S. objectives in

the region, such as strengthening democracy and human rights, fighting illicit narcotics, and promoting economic development.

Even in the area of nonproliferation, the Pressler amendment has become counterproductive. It has given India no incentive to engage in meaningful negotiations on nonproliferation, since New Delhi prefers a status quo that punishes only Pakistan. It has, by reducing Pakistan's conventional strength, given arguments to those in Pakistan who wish to pursue the nuclear option more vigorously. It even threatens to drive Pakistan into an unholy nuclear partnership with Iran, Iraq, or other would-be proliferators—though to date, fortunately, there is no evidence that Pakistan has succumbed to this temptation.

Let me remind this subcommittee that the Pressler amendment was never intended to be triggered. Its proponents hoped that by drawing a clear line, they would give Pakistan an incentive to avoid crossing that line. Once those hopes were dashed and the amendment was invoked, it lost its usefulness. In the four-plus years since then, our once flourishing partnership with Pakistan has deteriorated, while nuclear tensions on the Subcontinent, and the possibility of a nuclear catastrophe, remain unabated.

IV. IT'S TIME TO MODIFY THE PRESSLER AMENDMENT

I suppose it is no surprise that my own preferences would be to repeal this legislation altogether. But, Mr. Chairman, I can count votes, and I understand that this does not appear to be the position held by a majority of my colleagues.

As the next best thing, then, I think your Committee should ask the administration to take another look at what the Pressler amendment requires—to see if there are opportunities for useful modification.

This is not a radical suggestion. Indeed, both this and the previous administration have already begun to do this. So has the Congress. For instance:

In each of the past three years, the foreign operations bill has contained a provision allowing the U.S. government to spend monies for assistance programs in Pakistan operated by non-governmental organizations. Last year, for the first time, USAID provided nearly \$10 million for child survival and female literacy programs in Pakistan.

Under the terms of the Pressler amendment, Pakistan is not permitted to receive International Military Education and Training [IMET]. But in January, Secretary Perry agreed in principle that Islamabad could purchase professional military education [PME] courses, so long as the transfer of technology was not involved.

What I am proposing now is that the administration, in close consultation with the Congress, push this process forward. Certain desirable steps will require legislative action, but there are also steps the administration, after consultation with Congress, should take on its own. For instance:

(1) Pakistan should be made eligible for Overseas Private Investment Corporation [OPIC] insurance programs. OPIC is not an aid donating agency. Its purpose is to promote U.S. business interests in overseas markets. By withholding OPIC eligibility, we only penalize our own business community. OPIC, moreover, has the added virtue of being self-financing.

(2) The Administration should waive the storage fees charged to Pakistan for holding its F-16s—fees that amount to \$50,000 per plane per year. We are refusing to release the airplanes, as the Pressler amendment re-

quires, and then we insist that Pakistan pay us for holding them. This doesn't pass the common sense test.

(3) The Administration should move forward with Secretary Perry's suggestion that Pakistan be allowed to purchase PME courses. In this way, we will strengthen military-to-military ties, at a time when the Pakistani military, which for much of the country's history had been a threat to democracy, may now be the ultimate guarantor of Pakistani democracy. (The army's role during the year-long political crisis of 1993, for instance, has been viewed by many observers as positive.)

(4) We should provide visa enforcement training for Pakistani customs employees. Here again, this is a common sense move. Slowing down illegal immigration to the United States is in our interest.

(5) We should be offering flight safety training to Pakistani air controllers. Since this would be of direct value to U.S. travelers, it is difficult to see why anyone should object.

(6) I would like to see the provisions contained in recent foreign operations bills maintained or even expanded, in order to permit limited economic assistance for social programs—population planning, for instance, or primary education, or rural clinics. While any assistance made available in this fashion would be modest in amount, it would send the message that the United States has not turned its back on a friend.

(7) Finally, I believe that fairness and good policy require that we return some of the military items that the Pakistani military sent here for repair or other work prior to the invocation of the Pressler amendment, and which we have kept because of the Pressler legislation.

Conclusion: None of these steps in and of themselves will turn the U.S.-Pakistani relationship around. But they would have a symbolic importance out of all proportion to their actual significance. They would say to the Pakistanis that we still value their friendship, that we care about this relationship. And they would help contribute to the success of Prime Minister Bhutto's visit.

I would urge the Administration to consult closely with the Congress before taking any of these steps. I am pleased to note that considerable consultation already has taken place. I would now encourage the Executive to come forward with specific recommendations, and I would encourage my colleagues in the Legislative branch to give such recommendations serious consideration.

From the standpoint of advancing U.S. policy objectives in South Asia, as well as promoting our global nonproliferation goals, we should accept the fact that the Pressler amendment, however well intended, has outlived its usefulness. The administration and the Congress should acknowledge this reality, and move to place our South Asia policy on a sounder footing.

The first step should be to lift some of the restrictions imposed by the Pressler amendment. I urge the members of this distinguished subcommittee to take the lead in this enterprise.

BLACK PRESS WEEK

HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mrs. KENNELLY. Mr. Speaker, I rise to recognize the invaluable contributions of the Afri-

can-American press. From the founding of the Freedom's Journal, to the pioneering work of Ebony founder John Johnson, to the contributions of the National Newspaper Publishers Association [NNPA], the African-American press has been in the forefront of news coverage and a force for social change. It is fitting that we honor these and other leaders during National Black Press Week.

This year, Ebony magazine is celebrating its 50th anniversary. Its founder and publisher, Mr. John Johnson, was recently awarded the prestigious Communication Award from the Center for Communication for this pioneering efforts on behalf of African-Americans. His work and values are embodied in Ebony, a premier American magazine known for its excellence.

Mr. Johnson's work has helped pave the way for many African Americans in journalism. Within my own congressional district, there are newspapermen of great distinction: Mr. William Hales, editor and publisher of the Hartford Inquirer; Mr. Edgar Johnson, editor of the West Indian American; and Mr. John Allen, editor-in-chief of the North End Agent. Each one has distinguished himself and his paper by informing the community about relevant issues and pressing for social change. They have increased public awareness on issues of importance to the African-American and West Indian-American community.

My district is richer for the contributions of these men and their papers. Today, their work is made possible in part by the legacy of the Nation's first African-American newspaper, the Freedom's Journal. Mr. John Brown Russwurm and Mr. Samuel E. Cornish founded this paper to honor the ideals of the rights and liberties guaranteed in the Constitution, and out of their appreciation for the rich diversity of African-American culture. Their first steps helped pave the way for the many men and women who followed in their footsteps. And they enriched the lives of all of us.

Mr. Speaker, I would like to congratulate the NNPA on its 168th anniversary and also to thank all the journalists who carry on the traditions that make Black Press Week a distinguished celebration.

IN MEMORIAM: CADET MARK C. DOSTAL

HON. RONALD V. DELLUMS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. DELLUMS. Mr. Speaker, it brings me great sadness to pay final tribute to Cadet 2nd Class Mark C. Dostal who was killed on Wednesday, February 22, 1995, near Ramah, CO while on a flight training mission. The young Cadet, who I was honored to nominate in 1992 for the U.S. Air Force Academy in Colorado Springs, was in his junior year and had recently begun the flight screening program.

Mr. Dostal graduated from Miramonte High School in Orinda, CA in 1992, and in June of that year started pursuing his love of flying when he began at the Academy. His mother, Mrs. Shirley Dostal, confirms that from an early age his dream was to fly.

At the Academy, Cadet Dostal majored in behavioral sciences and was honored twice on the Superintendent's, Dean's and athletics lists. He was expected to graduate in May 1996.

Mr. Speaker, in honor of his memory, I invite my colleagues to join me as I offer condolences to his loving parents, Shirley and Don Dostal, his sister, Kristin Dostal, and to his countless friends and relatives. Though he will be greatly missed, his memory will live on as a source of great inspiration for generations to come.

A "ROAST" IN HONOR OF ROY
EPPS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. PALLONE. Mr. Speaker, on Friday, March 17, 1995, Mr. C. Roy Epps of New Brunswick, NJ, will be honored for his 25 years of community service. The occasion will be a "roast" in honor of Mr. Epps at the Hyatt Regency. The idea of having a celebrity roast is obviously intended to avoid too much sentimentality about the honoree. But behind the jokes and the kidding, there is a deep reservoir of affection, appreciation, and gratitude for Mr. Epps for all the exceptional work he has done for the people of New Brunswick, the State of New Jersey, and the United States.

Mr. Speaker, first, a few basic facts about the life and career of Roy Epps. He was born in 1941 and attended public schools in New York City. He received a B.A. from Wilberforce University in Ohio in 1963, majoring in biology. After pursuing a career in research with Johnson & Johnson, the U.S. Army, and Colgate-Palmolive, Mr. Epps concluded that his real interest was social planning and the fulfillment of social needs. He acquired an M.S. degree in urban and regional planning in 1970 from Rutgers University, and later completed a fellowship in urban and regional planning from the Massachusetts Institute of Technology. In the spring of 1994, he was awarded an honorary Doctor of Law degree from Upsala College in East Orange, NJ.

Mr. Epps began to truly make his mark in community issues in 1967 as assistant executive director of the Urban League of Greater New Brunswick, becoming the league's executive director in 1970. He would go on to serve as president of the New Jersey Council of Urban Leagues, the league's Eastern Regional Council of Executive Directors, and the National Urban League's Executive Directors' Council. In 1983, his organization disaffiliated from the National Urban League and became the Civil League of Greater New Brunswick, with Mr. Epps as its president. Mr. Epps also serves as vice chairman of the Board of New Brunswick Tomorrow, the planning corporation for revitalization of the city, a member of the board of the New Brunswick Development Corporation, and was formerly a member and past president of the New Brunswick Board of Education. Among the many other boards and committees on which he serves are the Great-

er Raritan Private Industry Council, United Jersey Bank's Community Reinvestment Advisory Board, and the Eric B. Chandler Community Health Center.

Among its many services to the disadvantaged in the community, with a focus on the needs of black youth, the Civil League has directed much of its effort into the promotion of low-income housing. Mr. Epps helped to establish and became president of the league's nonprofit housing affiliate, the Community Investment Corporation—COINCO—in 1974. This organization had built, rehabilitated, and managed over 40 housing units in the neighborhood of the Civic League's facility.

Among the many projects that have benefited from Mr. Epps' leadership is the Civil League's Project 2000 Program, which has been operating for the past 4 years as a partnership between male volunteers from the corporate sector and the New Brunswick school system. Sixty-three men from diverse backgrounds serve as teacher-assistants a half-day per week in the primary grades at three elementary schools. The program, which reaches some 700 youngsters, represents an attempt to prevent the development of negative attitudes toward the school environment and academic achievement among inner-city boys, as well as girls, early in their school experience through interaction with positive adult role models. The New Brunswick Project 2000 is currently the only corporate model in the United States, but is being assessed for use in other small urban school districts.

Another excellent initiative under Mr. Epps' leadership is the Middle School Development Program, also a partnership between the corporate community and the public education system in New Brunswick. Selected volunteers—men and women—from area companies are placed in local schools to mentor in the fifth and sixth grade classrooms in a variety of areas which not always sufficiently addressed during the school day, but which are extremely important to the personal, intellectual, and professional growth of the students.

Mr. Speaker, it is a great honor to pay tribute to Roy Epps, a community leader who has made a real difference. His many friends and colleagues will have fun roasting Roy Epps on Friday evening, and I'm sure Roy will enjoy it as well. But we all recognize in a very serious and profound way the lasting contribution Mr. Epps has made and continues to make to the growth and development of the great human potential in our community.

HONORING LITTLE UNION BAPTIST
CHURCH

HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. DAVIS. Mr. Speaker, it gives me great pleasure to rise today to honor the Little Union Baptist Church in Dumfries, VA, and its members. The Little Union Baptist Church is located in the 11th Congressional District in Prince William County, VA. In order to relate the development of the Little Union Baptist Church, one must delve into the history of the

surrounding community and the life of its outstanding citizens. Batestown Road derived its name from a remarkable African-American woman to whom many generations of in Prince William County trace their roots, Mary Bates.

Shortly before the Emancipation Proclamation, Mary Bates, who was born a slave in Northern Virginia, was permitted to marry a young slave from an adjoining plantation, John (Jack) Thomas. The Thomases became stalwart members of the community and operated a local general store. Mary was a letter writer for many illiterates of both races. She administered strange medications that proved remarkably effective; and as midwife, she delivered a major percentage of the babies born during this era, especially those whose parents could not afford the services of a doctor.

It was the vision of Mary and John Thomas that gave birth to the establishment of the Little Union Baptist Church. During the last quarter of the 19th century, two churches were erected in the area, one in the Neabsco District of Prince William County and one barely across the line in Stafford County. Because inhabitants of Cabin Branch—later referred to as Batestown—had to travel many miles primarily by foot or by horse and wagon, Mary convinced John that they should donate the needed land for a church in the area. Records on file at the courthouse in Manassas, Virginia show a deed dated September 9, 1901, from John Thomas and Mary Thomas, his wife, to Daniel Reid, Buck Griffin, and Tazwell Bates, trustees. Within the deed, the statement is made that the property was given for the exclusive use of the New School Baptist Church. When the building was completed in 1903, it was given its present name, Little Union Baptist Church.

Early pastors of the church were mostly missionaries who came frequently to deliver impassioned messages on the good life and the wages of sin. Membership in the church for many years embraced only two or three large families. These devout Christians supported the pastor and contributed their talents and limited funds toward the maintenance of the small sanctuary which was a source of pride and comfort to them. Pastors were called to the church in this order: Rev. Horace Crutcher, Rev. Henry Jackson, Rev. Anthony Lane, Rev. William Stokes, Rev. Carter, Rev. Booker, Rev. W. Ervin Green, and Rev. Leony Lacey. Records do not reflect the tenure of the first four pastors, however, Rev. Carter served from December 1937 until his death in February 1954. Rev. Booker succeeded Rev. Carter and served until May 1960, when he accepted the pastorship of the Beulah Baptist Church in Markham, VA. Reverend Green, who filled the resulting vacancy in December 1960 served until his death in January 1992. Reverend Lacy was elected to the pulpit of Little Union Baptist Church on February 1, 1993, as its eighth pastor.

The church has grown by leaps and bounds and is bursting at the seams. Reverend Lacy is a dynamic spiritual teacher and leader and under his direction the church has expanded its Bible study, teacher training, men's seminar, children's church and vacation Bible school. The congregation continues to contribute to the well being of the surrounding community.

Mr. Speaker, I know my colleagues join me in honoring this very historic church and its membership past, present and future for their many accomplishments and continued contributions.

REGULATORY REFORM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, March 8, 1995 into the CONGRESSIONAL RECORD:

The House approved five bills over the last 2 weeks that aim to remove regulatory burdens on businesses and lower the cost of regulation to the U.S. economy. Regulations have performed an important function in protecting public health and the environment, but the general consensus today is that regulation has run amok. My impression is that many regulations are difficult to justify on the basis of actual risk. For example, we spend hundreds of millions of dollars a year to eliminate minute concentrations of benzene in the outdoor air, but there is little if any evidence that benzene at those concentrations is a threat to anybody.

There is no magic bullet for what ails regulation, but we have to decide what is worth regulating and how to do it better. The bills considered in the House, by and large, seek to base future regulations on better science. They would require risk assessments and cost-benefit analyses supported by science before new regulations above certain cost thresholds can be issued. I think all of that is a good idea. I am concerned that some of the bills we are sending to the Senate overreach and are excessive. My hope is that the Senate will tone down the excesses and we will in the end produce good legislation.

The Paperwork Reduction Act of 1995, which I supported, is intended to minimize the paperwork burden for the public and private sectors in complying with Federal regulations. It sets an annual Government-wide goal of reducing Federal information collection by at least 10 percent. The measure will enable the Government to do its job more efficiently.

The Regulatory Transition Act, which I supported, would impose a moratorium on regulations that would take effect during the period November 20, 1994 through December 31, 1995. The purpose of the moratorium is to provide a breathing space while permanent reforms are enacted into law. The moratorium does exclude regulations necessary to address imminent threats to public health, safety and welfare. If an agency tries to put a regulation into effect not exempted from the moratorium, an affected party can challenge the action in court. I voted for an amendment that would exempt from the moratorium, regulations that permit food inspections and testing to ensure safe drinking water.

The Risk Assessment and Cost-Benefit Act, which I supported, would require Federal agencies to conduct risk assessment, based on scientific evidence, and cost-benefit analysis of Federal regulations affecting health, safety, and the environment that have an economic impact of \$25 million or more. It permits the review and invalidation of existing regulations, and makes it much easier to

challenge these Federal regulations in court. The bill specifies a single set of new principles that agencies will use for writing regulations. Agencies must also establish "peer review panels" consisting of experts who would render independent advice on data and methods used for assessments and decision-making.

The Regulatory Reform and Relief Act, which I supported, would permit small businesses to sue Federal agencies to force them to assess the effect of a proposed rule on small business for any regulation with an economic impact of \$50 million or more, and to consider less costly alternatives. Parties can challenge regulations in court within one year of their effective date. The bill also requires the Small Business Administration to review the impact of regulations on small business, recommended changes to ease burdens on small business, and appear in court when small businesses challenge the regulations.

The Private Property Protection Act would require the Federal Government to compensate owners of private property when a Federal agency action limits the use of their property so as to reduce its value by 20 percent or more. This bill expands the definition of "regulatory taking" of property, that is a taking through restrictions on use, rather than a taking of actual title to the property. Compensation claims would be limited primarily to cases arising from regulations under the Clean Water Act wetlands program, the Endangered Species Act and resource conservation programs of the 1985 Farm Act. A property owner could seek compensation either by submitting a request with the appropriate Federal agency, or by filing a lawsuit in federal court.

I supported this bill despite concerns about it reach. It marks a significant departure from long-settled judicial doctrines on takings, and creates a statutory interpretation of the fifth amendment of the Constitution, which prohibits the seizing of property without compensation. It could impose substantial and incalculable costs on the federal government to pay for compensation claims. I supported a substitute amendment, which failed, that would require federal agencies to assess the impact of a federal action on private property rights, and make its analysis available to the public.

Conclusion: We need a regulatory system that works for the American people, not against them. The system should protect their health, safety, and well-being and improve the performance of the economy without imposing unacceptable or unreasonable costs on them. Regulations should recognize that the private sector is the best engine for economic growth, respect the role of State and local governments, and be effective, sensible and understandable.

Federal agencies have focused too much on threats that pose only tiny risks to the public, such as alar, the chemical used to preserve apples. We would benefit tremendously from clear thinking about costs and risks. It is true that the science of risk assessment and cost-benefit analysis focuses on the costs, rather than the benefits of regulation—and it is easier to quantify how a regulation will hurt a business than to measure its benefit to public health and safety. Even so, risk assessment and cost-benefit analysis have powerful appeal in a time of regulatory excesses.

These bills, overall, move us in the right direction, but my concern is that, as drafted, they overreach. My hope is that they can be improved during the legislative process.

TRIBUTE TO L. KEITH BULEN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. BURTON of Indiana. Mr. Speaker, one of the great political leaders in the history of the City of Indianapolis and the State of Indiana is a gentleman named L. Keith Bulen. Keith was my mentor, and in addition to having a tremendous impact on my life, was in a large part responsible for me making it to the Congress of the United States.

On January 27 of this year, there was a dinner in Indianapolis honoring Keith for his many contributions to the State of Indiana and the Nation. Unfortunately, due to our schedule here in Washington, I was unable to attend; however, I was able to read some of the remarks made by my friend and mentor, L. Keith Bulen, which I found very enlightening and thought-provoking. Following are a few of the comments Keith made which I feel my Republican colleagues would be well advised to read:

At this point in life, reminiscing our past political activities over our many years together brings me great enjoyment. And I'm genuinely appreciative for the opportunity of so doing. However, the greatest joy is when I contemplate the opportunities and potential that the immediate future affords our party to contribute to making our community, State, Nation and world a better place for our children and their children.

This contemporary popular political phenomenon we are experiencing as a result of November 8, and the apparent rediscovery of the tenth amendment of our Bill of Rights, is indeed promising. However, the implementation of reclaiming all reserved powers for the States and the people is going to be one enormous challenge, after 60 years in the opposite direction.

The accumulated vested special interests created, enlarged and entrenched during three score years are awesome! Accomplishing such a feat is only possible by retention of the inordinate cooperation and oneness of purpose shared by republicans in the last election.

Our failure to seize upon and well perform during this brief unique opportunity will only serve to further diminish the confidence in the two party system that so fragilely underpins this great Nation and its perceived destiny. Elections are only vital as pre-requisites to providing good government.

In closing I would like to say that I believe the city of Indianapolis, the State of Indiana and our Nation owe L. Keith Bulen a debt of gratitude for this years of unselfish service. The country would do well to have a thousand people like Keith Bulen active in the political process.

STORMWATER MANAGEMENT IMPROVEMENT ACT OF 1995

HON. BLANCHE LAMBERT LINCOLN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mrs. LINCOLN. Mr. Speaker, I rise today to introduce the Stormwater Management Improvement Act of 1995, legislation to assist

small cities and small businesses in their compliance requirements under the Clean Water Act.

Under the Clean Water Act, cities and industries must obtain permits for stormwater discharges. This act has required cities serving a population of 100,000 individuals or more to comply with the permit requirement. However, as of October 1994, smaller cities are also technically required to comply with this section of the law even though the Environmental Protection Agency (EPA) has not issued regulations for the cities with populations less than 100,000.

While the smaller cities have received assurances from the EPA that it will not enforce the stormwater requirements, many cities fear that citizens will file suits against them for not complying with the act.

The objective of the Stormwater Management Program is to ensure that runoff from city streets and parking lots into stormwater drainage pipes and ditches meets the water quality standards set out in the act. Under a stormwater discharge permit, cities must adopt programs to reduce the amount of pollution entering our waterways. These programs include street cleaning, household hazardous waste pickup, leaf pickup, cracking down on illicit discharges of raw sewage and other pollutants and public education. These management plans are worthwhile, but very expensive to implement.

According to the National League of Cities, the average cost of obtaining a permit is \$625,000. In Little Rock, AR, it cost \$525,000 over three years to get the permit and it is estimated to cost an additional \$125,000 per year to run the program. These costs for a small community would be disastrous. In a rural area, where financial resources are scarce because of the limited tax base, these requirements would detract from other essential programs, such as sewage treatment and safe drinking water requirements. With scarce resources, these small communities need to focus on the bare necessities to preserve the health and safety of their residents.

The Stormwater Management Improvement Act of 1995 would provide the needed relief from this permit requirement for cities with population less than 50,000 individuals by exempting them from the permit requirements. The bill would also delay permit requirements for cities with population between 50,000 and 100,000 until October 1, 2001, and instruct the EPA to promulgate regulations for these cities. Nonurbanized areas are completely exempt from the permit requirements.

In addition, industries must also comply with the stormwater permit requirements. However, we run into the same situation where the requirements apply equally to both the large industrial polluters and the small businessmen. Again, one size does not fit all. In my own congressional district, a small businessman who runs a portable sawmill was required to obtain a stormwater permit. He travels from tree stand to tree stand to harvest the timber. In the process, he leaves some sawdust behind. This man is not a point source nor do his activities contribute to the degradation of the quality of the surrounding waterways. However, he is forced to obtain an expensive permit that results in very little water quality con-

trol and is treated in the same way as the large lumber mills.

My bill would exempt the small business or industry that employs no more than 25 people from the permit requirements unless the EPA or delegated state agency determines that the facility contributes to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States.

I am not an advocate of promoting dirty industry over the health of our environment, nor do I want to see polluted waterways. However, I do want to ensure that we get the biggest bang for our buck by focusing on the big problems. I urge my colleagues to support this bill to ease the Federal mandates imposed on our smaller cities and businesses.

FEDERAL DIRECT STUDENT LOAN PROGRAM

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. WILLIAMS. Mr. Speaker, there's been an awful lot of talk recently about the new Federal Direct Student Loan Program. As you recall, we enacted this program last Congress. It's currently being phased-in, and we're beginning to get some results from this phase-in. This school year 104 colleges and universities are direct lenders. Their students are able to get all of their student aid needs addressed at one location, the college financial aid office. From what people in my home State of Montana tell me, the program is good for students and parents, and it's bringing some simplicity to a student aid system that is often too complex. The only complaint I hear in Montana is that not enough schools are direct lenders. Starting this coming July, another 1,400 schools will become direct lenders. This is a big jump in participation rates, but from the preliminary reports we're getting I don't think it's an impossible hurdle to overcome. Recently the Association of Community College Trustees surveyed community colleges who already are direct lenders. The results from this survey are impressive: Direct loans appear to serve students better; schools benefit more from this program; and the Department of Education appears to be running the program quite well. I'm enclosing a copy of this report for my colleagues review. I urge you all to read it.

COMMUNITY COLLEGES AND DIRECT LENDING

(By Melanie Jackson, Director of Federal Regulations, Association of Community College Trustees, February 1995)

BACKGROUND—HISTORY

Community colleges have supported the concept of a direct loan program as an additional choice or option (with institutional participation voluntary) for the distribution of federal guaranteed student loan funds since the proposal for a small, pilot program was launched by the Bush Administration in 1991. The 1992 Amendments to the Higher Education Act, signed on July 23, 1992, included the Bush proposal for a pilot program. However, before it could be implemented, the new Clinton Administration took office and pushed for legislation to change to a full-

blown system of direct lending, with the federal government making loans to students through their colleges. The Clinton proposal eliminated banks, secondary markets, and guaranty agencies, and claimed the federal government would save billions in costs by this move. Although the 103rd Congress was eager to apply the billions in savings toward deficit reduction, concerns were raised about possible disruption in the financial markets and the ability of the U.S. Department of Education to effectively and efficiently manage a full-blown program.

Congress and the Administration compromised, and the 1993 Budget Reconciliation bill yielded a dual program. The current bank-based system was continued, but federal subsidies to lenders and guaranty agencies were reduced. Expanded authority was given to the Department of Education to implement a direct government loan program for students, but a five-year phase-in was required and caps were set on the amount of loan volume allowed to be handled by the government for each year. The program was to start small in the 1994-1995 academic year, with a first-year cap at 5 percent of the loan volume, rising to 40 percent the second year (plus institutional demand), and a fifth-year cap set at 60 percent (plus institutional demand). One hundred and four schools, nine of which are community colleges, were selected by the Department of Education to participate in the program's initial year.

THE CURRENT POLICY CLIMATE—CONFLICTING PROPOSALS

Just as the second semester of the first year of direct lending got underway (January 1995), winds of change for the program appeared to be blowing again from Washington. The Administration is pushing for a complete switch to direct lending. Included in the President's Fiscal Year 1996 budget is a proposal calling for participation in the direct loan program to be expanded to include 80 percent of loan volume in academic year 1996-97, with full implementation of the program (100 percent) in academic year 1997-98. The budget projects that a move to full implementation of direct lending (and the elimination of the bank-based program) would save the government an additional \$6.8 billion (on top of previous savings already achieved—more than \$4 billion) by the year 2000. However, the 104th Congress appears to be heading in a different direction. Some in the Republican-controlled Congress are suggesting that the federal government's involvement in this program is inappropriate and therefore the program should be ended altogether. Others in Congress want to insure that the dual program continues; they are proposing to lower the maximum participation cap to a ceiling of 40 percent of loan volume (the authorized level for the 1995-96 academic year).

Meanwhile, as these conflicting proposals are being tossed about in Washington, more than 125 community colleges that volunteered (and were approved by the Department) to become participants in the program for the 1995-96 academic year are planning, training, and gearing up to become loan originators.

THE ACCT COMMUNITY COLLEGE DIRECT LENDING SURVEY

To enable trustees (and ACCT staff) to respond effectively to Congressional office and press inquires about how community colleges view the direct lending program, and how community college students might be affected if the program were reduced or eliminated, the Association of Community

College Trustees conducted a survey of the nine schools currently participating in the program: Cloud County Community College, KS; Cuyahoga Community College, OH; Delaware Technical and Community College, DE; Gaston College, NC; Hudson Valley Community College, NY; Lehigh Carbon Community College, PA; New Mexico Junior College, NM; Red River Technical College, AR; and Tarrant County Junior College, TX.

The ACCT Direct Lending Survey instrument consisted of six simple questions: how many loans were originated (and corresponding enrollment numbers compared to the prior year), how the direct lending program better serves students (if it does), how direct lending benefits institutions, the perception of the quality of service rendered by the Department of Education (and its ability to manage the program), advice that could be offered to institutions who are considering participation in direct lending in future years, and finally, what message the participating institution would send to the 104th Congress that evaluates or describes their experience with the program.

The ACCT survey questionnaire was distributed by fax to the financial aid administrators at the nine colleges, after they had been notified by telephone of its purpose. Eight to the nine community colleges completed the survey (Delaware Technical and Community College was the only non-respondent).

THE COMMUNITY COLLEGE SURVEY RESULTS

Overall, the survey responses demonstrated that community college aid administrators like the new direct loan program. All responses to the questions asked about the program's benefits to students and institutions were favorable. Similarly, all responses were positive to the question about the Department's management of the program and quality of service rendered. The general advice that was repeatedly offered by survey respondents for colleges that might be considering participation in direct lending in the future: plan early, get top-of-the-line computer hardware and software, and attend all training sessions offered! The message current program participants would send to the 104th Congress: the program works, it is simple, we like it, and the students like it.

The following is a compilation of the survey questions and responses ACCT received. The comments listed (to all but the first question regarding number of loans and enrollment) are direct quotes from community college aid administrators. Their responses are presented in random order for each question, to retain anonymity.

NUMBERS OF LOANS AND INSTITUTION SIZE—A CAUTIONARY NOTE

The community colleges participating in this first year of direct lending range in size from very small (less than 1,000 headcount enrollment) to very large (over 26,000 headcount enrollment), but four (half of the respondents), fell in the 3,000-4,000 enrollment range. The number of direct loans originated by each institution did not correlate to the size of enrollment at the institution. (For example, the number of loans originated at the smallest institution was more than 200, while the smallest total number of direct loans originated by a community college this first year was 60, from a college with 4,000 headcount enrollment.) The total number of direct loans originated by the eight respondent colleges was just over 8,500. The colleges reported a previous year's total of students with loans (from the bank-

based program) of approximately 6,400. This represents a 25 percent, one-year increase in the number of community college student borrowers (from these eight institutions). Although this percentage increase is based on a small sample, it does seem to illustrate a continuing trend of upward growth in borrowing by community college students to meet their educational expenses. (In 1993-94 the number of community college borrowers increased by 31 percent over the 1992-93 academic year.)

SURVEY RESPONSES ABOUT HOW DIRECT LENDING SERVES STUDENTS

"Students (and the parents of dependent students) are very pleasantly surprised by the ease and efficiency associated with the Direct Loan Program. There are times when a student can walk in to the Financial Aid Office and walk out with a Direct Loan. Borrowers know when disbursement will occur, since the school is drawing down the funds versus waiting for a lender to disburse a check or wire-transfer funds. It is simple, quick, and less confusing."

The application process is simplified. The repayment options are greater than those in the Stafford Loan Program. The loan is held by the Department of Education and will not be sold to a secondary market. We have been able to spend more time with students exploring other financial aid options and debt management issues since we have implemented the Direct Loan Program.

Faster delivery of loan dollars to students. Direct lending currently offers the income contingent repayment option not available under Stafford. Also, direct loans eliminate the need for a student to deal with a middleman, the bank. Everything is handled through the school. They deal with one service.

One lender is very beneficial. Students are able to keep track of their loan responsibilities. In the past, valuable time was spent locating information. Consolidation is very available to students. Repayment options are extended.

One stop for all student financial aid. Less time required from time student comes in until he/she receives loan.

We are our students' personal contact from the initial loan application until disbursement. Our disbursements to our students are much sooner. Adjustments are completed and processed in a more timely manner.

The process is simpler and more direct for the student. We can control the disbursement process so we can be sure that the students receive their funds on a timely basis.

SURVEY RESPONSES ABOUT DIRECT LENDING'S BENEFITS TO INSTITUTIONS

Direct Loan has enabled us to offer aid to more students more quickly than processing FFELP loans, therefore allowing more needy students to enroll. Despite a decline in enrollment at the college, financial aid has awarded more money to more students. Direct loan has also improved cash flow to the college and the student. Is it easier to administer? No! It's different, but no easier this first year—maybe next year. We need to tie our business office into our computer network to facilitate cash flow and reconciliation.

Saves time. Does NOT necessarily save on institutional costs.

Electronic transfers, crediting student accounts in a timely fashion, provides good tracking and records for auditing purposes. It saves time. Disbursement rosters allow the Business Office to date loan checks on a schedule. Students appreciate the personal

service and exact date concerning disbursements. The students are informed of disbursement dates and come that day to get their loan checks rather than call and come by numerous times checking to see if checks are in.

Again, it eliminates the middleman; less room for error, fewer contact persons. Currently it does not save time operationally because I have no interface from PC to VAX. Cost factor minimal.

We have more control over the program. Administering the program is more efficient. Our cost is less and we have satisfied students.

Easier to deliver. More efficient. Can do more loans with less human resources.

We have found that direct lending saves costs. However, it does not take additional staff or resources to implement the program. We have been able to shift staff time to other areas such as debt management. Students receive the greatest benefit in the direct lending program. That is, the application, disbursement, and repayment process is greatly simplified.

The software provided by the Department enables us to do electronically what would be time consuming and expensive manually. Simple tasks that needed three copies sent various places now just demand one notification.

COMMENTS FROM AID ADMINISTRATORS ABOUT PROGRAM MANAGEMENT AND INSTITUTIONAL SERVICE RENDERED BY THE U.S. DEPARTMENT OF EDUCATION

Nothing short of excellent.

With direct lending the U.S. Department of Education has shifted their emphasis from prescriptive methods to regulating outcomes. Our experience has been that the Department can provide the necessary service to this program. We have received the training and support needed to implement this program from the Department of Education.

Our school relations group has provided excellent service to us. Our calls were returned and personnel were very patient, courteous, helpful and supportive.

Seems to be running relatively smoothly. Of course being a year-one school has meant our share of bugs to work out.

It appears to have gone well in the first year. Both the Department and the services have been very supportive.

The Department service has been good and timely. Our services have been very supportive, helpful, and extremely courteous and polite.

"Department has been very responsive. They have listened to our suggestions and modified the software when needed. The draw down of cash has been simple."

"Very good service! Everyone has been helpful and responds quickly. We have been very pleased. This was one area I had a concern about, but Direct Loan Task Force, NCS, and the Direct Loan Servicer have been responsive and very professional."

TIPS OFFERED FOR COLLEGES PLANNING TO BECOME FUTURE PARTICIPANTS IN DIRECT LENDING

"Plan ahead! Test your plan! Take advantage of training opportunities. Make sure you involve the financial aid office, business officers, and computer technology staff from the beginning!"

"Take the time to plan. Call those of us involved now. Get top-of-the-line computer for software."

"We honestly feel this program is successful and should be continued in 100% participation. This program provides students with

funds for education in an efficient, responsible, and cost-efficient system."

"Start early planning. Buy the biggest/fastest hardware you can afford."

"Attend all training sessions. Conduct on-site visits to first-year schools comparable to yours."

"The process is more efficient and timely. Our students receive disbursement in a more timely manner. Out staff enjoy working with the program because it is computerized."

"Yes, we recommend this program. Our advice is to plan for several months prior to implementation. That is, set up institutional task force (financial aid, business office, computer support, etc.) and review current operating procedures. How will these change? How will the tasks be split among the various offices? Contact like institutions already in the program."

THE MESSAGE COMMUNITY COLLEGE AID ADMINISTRATORS WOULD SEND TO CONGRESS

"Do not cap this program. Interest groups are lobbying for a cap on the direct lending program. Who would benefit from a limit on this program? Ask current participants to evaluate the program. Let the FFELP and William D. Ford Direct Loan program exist together and schools will choose the program that best meets the needs of their students."

"Direct lending should be encouraged at the legislative level. It is refreshing to think that a program like this is more efficient, cost effective, and a valuable service to the student. Many programs never reach the students as rapidly as this has. Be bipartisan and keep the best interest of the students up front."

"This is the first time in my experience that a program was started where institutions could select how they participated and really had institutional flexibility and control. This program works and works well for students. It does not depend upon outside agencies as to whether institutions participate, drop from the program, merge with others, farm out originations, or sell to various other agencies. It is easy for the student to grasp the concept that they owe the federal government. I truly believe that this simplification will go a long way toward helping with 'paper' defaults."

"This has been the freshest breath of air in a long time. Finally, a program that the financial aid office controls. We like that and the students like it."

"I have been very pleased with the program. I enjoy the fact that there is no third party."

"Finally, financial aid offices have a program that works with us and not against us. Also, this loan program is student friendly."

"My school's experience with Direct Loan has been a positive one. We are pleased with the benefits this program offers the students and the school. We experience far fewer difficulties than we did with FFELP, i.e., many problems with lenders, slow or a lack of response from guarantors, big problems with servicers that provide students with little or no service, and enormous paperwork."

TRIBUTE TO LEON DAY

HON. KWEISI MFUME

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. MFUME. Mr. Speaker, it is rare that you find an individual with talent, ambition and humility. But those are just some of the defining

and wonderful qualities of Leon Day, one of Baltimore's true heroes.

Baseball legend Leon Day died this week, he was 78. It was only five days earlier that Leon had his day and was elected into the Baseball Hall of Fame. His sister said it was "what he was waiting for." He was the 12th Negro league star elected to the Baseball Hall of Fame and the first since 1987. His election into the Hall of Fame was a fitting end to a life of quiet achievement, pride and skillful performance.

For persons such as myself, who grew up in the little leagues and went on to coach inner city youngsters, Mr. Day was the personification of athletic excellence and someone who made us especially proud.

Leon Day moved to Baltimore in 1917 when he was 6 months old. His father worked in the segregated community of Westport and the family lived in Mount Winanas, a poor neighborhood in Southwest Baltimore. Although his house on Pierpont Street had no electricity or running water it was overflowing with both pride and purpose.

When Day was 12 or 13 he began playing baseball at a local athletic club. After two years at Frederick Douglass High School he left to play semi-pro ball with the Silver Moons. At 17 he joined the Baltimore Black Sox and was promised \$60 a month (in reality he was lucky to get paid \$2 or \$3 a week). The team soon disbanded and young Leon was off to play for the Brooklyn Eagles.

In 1963, the eagles moved to Newark and Mr. Day began getting paid regularly and was able to help his family financially. When he returned home to play against the Baltimore Elite Giants he was nothing short of a hero. He struck out 18 batters in one game and set the Negro National League record. The hometown fans went wild.

He defeated the legendary pitcher Satchel Paige in three of their four recorded meetings. And, he put his heart into every game. He was a players' player. Although Leon Day was known for his blazing fastball he was said to have a curve ball that dropped off the table. He had a unique talent of pitching the ball without winding up, which often made batters look bad, fooled and intimidated.

After the 1943 season, Mr. Day went to Europe to fight in World War II. After participating in the Normandy invasion, Mr. Day played in an integrated game at Nuremberg Stadium against white major leagues. He pitched a four-hitter and bet the major leagues 2-1.

After the war, Day returned to the United States and the Eagles. Although the war had taken its toll on his strength, he was able to pitch a no-hitter on opening day against the Philadelphia Stars. After his victory, his teammates carried him off the field on the shoulders in triumphant recognition of an achievement few have ever realized.

In an era of social segregation he was a part of the athletic avant guard, who had rejected the mediocrity of second class citizenship. In doing so, he helped re-define the American past time as we know it, proving once and for all that only the ball was white.

When Mr. Day received word of his election into the Hall of Fame, tears of joy rolled his cheeks. To say he was elated, would be to overstate the obvious. "I never thought it

would come," he said. "This has been in the back of my mind for a long time."

It did come and not a moment too soon. Mr. Day is and always will be one of baseball's quiet heroes. A man who strived to be his best, despite his humble beginnings. A man who showed excellence on the baseball field and unmatched modesty when off it. Mr. Day is a man all of Baltimore can be proud of.

On July 30th of this year in Cooperstown, NY, Leon Day will be officially inducted into the Baseball Hall of Fame. Although he will not be among the throngs of well wishers who will travel from across the nation to be there, let us resist the urge to mourn him.

Instead, on that hot July day, know that not far away still sits a field of dreams. A place where the men of winter become the boys of summer. Where for nine innings, the problems of the world go away. And, where Ruth, Cobb, Paige and Gehrig all rush to the mound to welcome their newest team-mate, Leon Day, the gentle giant from Baltimore.

THEATRICAL MOTION PICTURE AUTHORSHIP ACT OF 1995

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. BRYANT of Texas. Mr. Speaker, today I am pleased to introduce legislation, Theatrical Motion Picture Authorship Act of 1995, to amend the Copyright Act to add to the definition of author of motion pictures the director, screenwriter, and cinematographer—for non-economic purposes.

I am introducing this bill to stimulate discussion on an issue that remains contentious between film artists and film financiers; also between the United States and our advanced trading partners.

This is one of those hot button issues that invariably emerges at international copyright meetings as we try to achieve a higher degree of copyright harmony internationally.

This is also an issue which must be addressed as we move into the digital age of the information superhighway.

I am introducing this proposal because it is the right thing to do. Because of the work-for-hire doctrine under which our creative artists work, U.S. law regards corporations as the legal author of a film.

We then end up with situations which are absurd. Is the Sony Corporation the author of "The Bridge on the River Kwai"? Is the Turner Corporation the author of "Citizen Kane"? Is Universal Studios the author of "E.T."?

My legislation does not overturn the work-for-hire doctrine or in any way disturb the economics of moviemaking or the export of any film product.

The measure does seek to give directors, screenwriters, and cinematographers the legal tools necessary to defend the integrity of their work, if there is an egregious effort to alter it for other distribution purposes after its theatrical release.

I regard filmmaking as an art form—and filmmakers are artists. Those who finance films rhetorically agree with this statement, but

their real interest is in making as much money from a film product as possible.

If this desire to maximize profits requires a radical alteration in the film, the financial owner may make that alteration with no consideration of the resulting creative mayhem.

I understand that there will be substantial opposition to this measure from the financial interests, but the discussion and debate that its introduction will inspire will be healthy and valuable.

I trust this legislation will lead to a negotiated resolution of the legal role of the creative artists in the film industry. However, we ought to at least examine the issue of giving non-economic rights to filmmakers. These are the men and women who care most passionately about their work as a part of our country's culture.

Let the artists be the guardians of their art. I will ask Chairman MOORHEAD for a hearing on this issue in the near future so that all parties may fully address the rights of creative artists. I hope Senator HATCH will do the same in the Senate.

I invite my colleagues to join me in supporting this bill and thereby preserve the integrity of our creative artists in our wonderful film industry.

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 "Theatrical Motion Picture Authorship Act of 1995".

SEC. 2. THEATRICAL MOTION PICTURE DEFINED.

Section 101 of title 17, United States Code, is amended by inserting after the paragraph defining "State" the following:

"A 'theatrical motion picture' is a motion picture of 60 minutes duration or greater intended for public exhibition, public performance, public sale, or lease, and includes made for television motion pictures, but does not include episodic television programs of less than 60 minutes duration (exclusive of commercials), motion pictures prepared for private commercial or industrial purposes, or program-length commercials."

SEC. 3. NONECONOMIC INTERESTS OF THEATRICAL MOTION PICTURE ARTISTS.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by inserting after section 106A the following:

§ 106B. Noneconomic interests of certain theatrical motion picture artists

"(a) NONECONOMIC INTERESTS.—Subject to section 107 and independent of the exclusive rights provided in section 106, the principal director, screenwriter, and cinematographer of a theatrical motion picture have the noneconomic interests in that motion picture. The non-economic interests in a theatrical motion picture that are referred to in the preceding sentence are of the principal director, screenwriter, or cinematographer—

"(1) the right of the principal director, screenwriter, or cinematographer (as the case may be) of that motion picture to claim that he or she was the principal director, screenwriter, or cinematographer (as the case may be) of that motion picture;

"(2) the right of the principal director, screenwriter, or cinematographer (as the case may be) of that motion picture to prevent the use of his or her name as the principal director, screenwriter, or cinematographer (as the case may be) of a theatrical

motion picture of which he or she was not the principal director, screenwriter, or cinematographer (as the case may be); and

"(3) the right of the principal director, screenwriter, or cinematographer (as the case may be) of that motion picture to prevent any intentional distortion, mutilation, or other modification of that motion picture which would be prejudicial to his or her honor or reputation.

"(b) SCOPE AND EXERCISE OF RIGHTS.—Only a physical person may exercise the rights conferred by subsection (a) in a theatrical motion picture, but such rights may be exercised whether or not that person is the copyright owner.

"(c) DURATION OF RIGHTS.—The duration of the noneconomic interests in a theatrical motion picture shall be coextensive with, and shall expire at the same time as, the rights conferred by section 106 in that motion picture.

"(d) TRANSFER AND WAIVER.—The noneconomic interests in a theatrical motion picture may not be transferred, but they may be exercised by the heir of the principal director, screenwriter, or cinematographer, as the case may be. Those rights may be waived if the principal director, screenwriter, or cinematographer, as the case may be, expressly agrees to such waiver in a written instrument signed by such person, except that—

"(1) such written instrument may not be executed before the first public performance of the motion picture (after previews and trial runs); and

"(2) no consideration in excess of one dollar may be given for the grant of the waiver. Such instrument shall specifically identify the theatrical motion picture and the uses of that motion picture to which the waiver supplies, and the waiver shall apply only to the motion picture and uses so identified.

"(e) DEFINITION.—As used in this section, the term 'heir' means the person to whom the noneconomic interests conferred by this section are bequeathed by will or pass by the applicable laws of interstate succession."

(b) CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 1 of title 17, United States Code, is amended by inserting after the item relating to section 106A the following:

"106B. Noneconomic interests of certain theatrical motion picture artists".

SEC. 4. CLARIFICATION OF AUTHORSHIP.

Section 201(b) of title 17, United States Code, is amended—

(1) by striking "In the case of a work made for hire," and inserting "In the case of a work made for hire, except in the case of theatrical motion pictures with respect to the noneconomic interests in the work,"; and

(2) by adding at the end the following:

"(2) In the case of theatrical motion pictures with respect to ownership of noneconomic interests in the work, the author shall be the principal director, principal screenwriter, and principal cinematographer."

SEC. 5. INFRINGEMENT ACTIONS.

Section 501(a) of title 17, United States Code, is amended in the first sentence by inserting "or in section 106B(a)" after "of the author as provided in section 106A(a)".

SHOWCASE MORGAN HILL AWARDS

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Ms. LOFGREN. Mr. Speaker, I rise today in congratulating the eight winners of the Second Annual Morgan Hill Awards. These awards are presented by the Morgan Hill Chamber of Commerce.

The female volunteer of the year is Mrs. Elena Moreno, a longtime educator and resident of Morgan Hill, who has served the community for 60 years. She has been and is currently on numerous boards ranging from the American Association of University Women to Head Start to the California Retired Teacher's Association. Mrs. Moreno was instrumental in instituting the wildflower program in Morgan Hill area schools. She has also served as a docent for school groups at the Morgan Hill Historical Museum. As part of a dance troupe called the Fabulous Flappers, she performs tap, jazz, rock, and Latin dances for retirees functions, convalescent homes, benefits and many other events in the area.

The male volunteer of the year is Mr. Curtis Wright, another longtime resident of the Morgan Hill area. Mr. Wright is a past mayor of the city of Morgan Hill, former city councilman for Morgan Hill, past president of the Morgan Hill chapter of the American Heart Association and past president of the Pet Assisted Therapy. He has also been instrumental in encouraging businesses to relocate in Morgan Hill by forming the Economic Development Council. As president of an advertising agency in San Jose, he has used his promotional abilities and advertising expertise to help launch successful events in the Morgan Hill area.

Mr. James Yinger has been selected to receive the Educator of the Year Award. Mr. Yinger is currently the principal of the Nordstrom School, currently a regional nominee for the California School Recognition Program. This school, under Mr. Yinger's tenure, has been recognized for its outstanding integrated GATE, Gifted and Talented Education, program. As an education leader, he takes the initiative to make changes that will have a positive effect in the school system from organizing a safety patrol program to extending daycare for disadvantaged students.

The Bridge Counseling Center, which is a private non-profit community-based mental health agency, has been awarded the Non-Profit of the Year Award. This center has become one of the largest and most extensive mental health agencies in the South County region part of Santa Clara County. Recently, the United Way of Santa Clara County presented the distinguished VIDA award to this counseling center. This counseling center has a plethora of services including prevention programs, intervention and treatment. Recently, The Bridge Counseling Center has been involved in the formation of the Morgan Hill Family Center and bringing experts into the Gang Awareness Task Force.

The winner in the Civic Category is Mr. Al Alciati, city of Morgan Hill's chief building official. His expertise and knowledge in the building inspection field is recognized statewide.

He has served on the California building officials board of directors and was past president of the Peninsula Chapter for the International Council of Building Officials. Mr. Alciati has also given his time and talents to youth in the community by officiating at football and baseball games, and he has been a longtime member of the Live Oak Boosters Century Club.

The Guglielmo Winery has been selected as the Small Business of the Year. The winery will be celebrating its 70th year in business in Morgan Hill. The Guglielmo Winery has made many contributions to the Morgan Hill community through support of the American Heart Association, the American Red Cross, the local Girl and Boy Scouts, and many of the Chamber of Commerce's event through the year. It has been involved with the Santa Clara Valley Winegrowers by serving on the board of directors. The Guglielmo family members consistently donate their time and talents for many community functions and fundraisers.

The Partner in Education Award is presented to the Live Oak Foundation, founded in 1981. The sole purpose of this foundation is to raise funds for the district schools. These funds are used to provide scholarships to graduating students and contribute extra funds for academic programs to all the schools in the area. The foundation operates entirely through volunteers who organize fundraising projects and administer the grants to schools.

The Nob Hill Foods Co. is the recipient of the Chamber's Large Business Award. The Nob Hill Foods Co. was founded by and still run by the Bonfante family of Morgan Hill and Gilroy. The company has 25 stores serving more than 200,000 local customers a week, and employs over 2,200 employees. This company has built its solid reputation from the outstanding customer service they provide. The Bonfante family are recognized as very strong supporters of the schools and non-profit organizations in our community.

Mr. Speaker, I applaud and commend these people whose commitment and dedication to the community has greatly enriched the Morgan Hill area.

BRONX DISTRICT ATTORNEY ROBERT JOHNSON'S BRAVE STAND AGAINST THE DEATH PENALTY

HON. JOSE E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. SERRANO. Mr. Speaker, when New York State reinstated capital punishment on March 7 of this year, the highest ranking law enforcement official in my community, the Bronx, issued the following statement, which I commend to my colleagues' attention.

STATEMENT OF BRONX DISTRICT ATTORNEY

While the law enacted today reinstates the death penalty in New York, far more significant is its feature that permits a sentence of life without parole for the first time in our state's history. Since this law confers upon me the discretion to seek either sentence, I wish to make my policy clear regarding the exercise of that discretion.

I was raised by loving parents who instilled in me an intense respect for the value and

sanctity of human life. As a result, I have devoted my life to the criminal justice system. During more than 20 years in that system, I have seen the devastation inflicted by those guilty of horrible crimes. I have felt the rage and thirst for vengeance which all but consumed the victims and their families. I understand the desire of many of them to "throw the switch" themselves. But I have also personally witnessed the devastation of those wrongfully accused. As an assistant district attorney, I convicted a defendant of intentional murder. He was released after his brother later plead guilty to committing the crime. Would even a brother come forward to save an innocent man if the consequence was death? and if he didn't, who would have been able to "throw the switch" back?

Those familiar with the criminal justice system know that the surest deterrents to crime are the probability of conviction and the certainty of punishment. However, under our system of justice the death penalty neither can nor should be mandatory. Consequently, it is highly uncertain that the penalty actually will be imposed by a jury in a given case, that its application will be fair, that the sentence will be upheld on appeal, that the defendant will be executed and that others will be deterred. Moreover, the price of this uncertainty is enormous given the cost in time and resources of trials and appeals in death penalty cases. Clearly, this money could be better spent on providing more judges and courtrooms so that more defendants could be brought to trial more quickly. The money could also be better spent on valuable and broadly-based crime-fighting and crime prevention programs, including reducing the flow of illegal guns, incarcerating more violent criminals and providing more assistance for crime victims. While these programs may not provide the visceral gratification of the death penalty, they will do a lot more to improve the quality of our lives.

For all of these reasons, while I will exercise my discretion to aggressively pursue life without parole in every appropriate case, it is my present intention not to utilize the death penalty provisions of the statute.

TRIBUTE TO DR. ROBERT H. MCCABE: THE EDUCATOR WHO TOOK THE "JUNIOR" OUT OF "JUNIOR COLLEGE"

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mrs. MEEK of Florida. Mr. Speaker, on Tuesday Dr. Robert H. McCabe, an outstanding educator and administrator who led Miami-Dade Community College for the past 15 years, announced his retirement.

Throughout his 32 years at Miami-Dade Community College, Dr. McCabe built a tiny institution into the nation's largest and most respected two-year college. Recognized nationally as an innovator in the community college field, Dr. McCabe kept his focus squarely on the students who came to the Miami-Dade Community College to prepare for jobs and a brighter future.

Dr. McCabe believed in quality and results. He instituted changes that reward professors for success in the classroom instead of for research, higher academic degrees or publish-

ing. He tightened up curriculums and evaluation standards that made more demands on students and revolutionized what courses they took, when they took them and what happened if they didn't succeed. But succeed they did, in extraordinary numbers.

Robert McCabe built bridges to local employers and created business centers to insure that Miami-Dade students would get training in skills that employers need so that graduates could get good jobs. Under his guidance Miami-Dade, through its neighborhood and outreach programs, became the integral part of our community that it is today.

In recognition of the extraordinary impact he has had on education in this country, Dr. McCabe won one of the prestigious MacArthur Foundation "genius grants" that provided him with \$365,000 to spend however he wished. However, the true measure of his distinguished career can best be measured in the achievements and contributions of the tens of thousands of students whose lives he so profoundly touched.

For his tireless and dedicated efforts, I join with our entire community in extending to Dr. Robert McCabe our profound thanks.

Mr. Speaker, I wish to share with my colleagues an editorial on Dr. McCabe that appeared in the Miami Herald:

HE GAVE THOUSANDS A CHANCE

In serving Miami-Dade Community College for 32 years—15 as its president—Bob McCabe has left an enduring mark on the South Florida landscape. Now Dr. McCabe, 65, has announced that he'll retire on June 30 to go to work for a group promoting community college innovations nationwide.

The true measure of Dr. McCabe's leadership won't be found in bricks and mortar—although the expansion of this multicampus school's facilities has been phenomenal. Nor will it be found in Miami-Dade's unique endowment—although that, too, is a singular achievement.

Not even Miami-Dade's undisputed reputation as one of the nation's best community colleges captures the full impact of Dr. McCabe's leadership.

No, for that one must look at the thousands of success stories starring ordinary individuals whose extraordinary lives, like Dr. McCabe's, took a detour before they got serious about their education. Their lives and others' are more fulfilled today because MDCC gave them a chance—often when no other institution would—to expand their knowledge, develop their talents, and hone their skills. This community is infinitely richer for their contributions.

How do you top an act like that? You don't. Martin Fine, chairman of Miami-Dade's Board of Trustees, articulated the thoughts of many on Dr. McCabe's retirement and the board's new challenge: "I believe that you can never replace a great leader like Bob McCabe when he retires; you can only attempt to find a worthy successor."

SUSSMAN'S SUCCESS IN SCIENCE

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. PORTER. Mr. Speaker, I rise today to congratulate Ms. Beverly Sussman of Buffalo

Grove, IL, who has been selected to be a recipient of the Presidential Award for Excellence in Science and Mathematics teaching. I am pleased to have this opportunity to recognize her outstanding service to her community and the children whose lives she has touched.

This award represents the Nation's highest honor for teachers of mathematics and science in grades K-12. It was established by President Ronald Reagan and the Congress in 1983. Recipients are chosen on the basis of the excellence of their teaching performance. Only two teachers from each State are chosen each year.

Ms. Sussman has taught sixth grade science at Ivy Hall Middle School in Buffalo Grove for the last 17 years. It is her dedication to her students that first led to her nomination for this award. It is my understanding that it is this dedication that has made her the first sixth grade science teacher ever to receive this honor.

I need not remind my colleagues of the importance of educating our children. It is with them that the future of our country lies. We must constantly demand excellence from those charged with the responsibility of educating our children and honor those who have dedicated their lives to this cause. The Presidential Award for Excellence in Science and Mathematics honors those who do excel. Ms. Sussman is no exception.

Mr. Speaker, it is my distinct pleasure to recognize Beverly Sussman for receiving this prestigious award. Once again, I congratulate her and offer her my best wishes for continued success.

TRIBUTE TO LEON DAY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Mr. PAYNE of New Jersey. Mr. Speaker, I am deeply saddened today to inform my colleagues of the passing of Leon Day. Mr. Day, a veteran baseball player, died on Monday, March 13, at the age of 78.

Mr. Speaker, Leon Day was a man of great poise and dignity. Over the years he patiently waited for his election into the Baseball Hall of Fame. On March 7, 1995, he was elected to that place.

Leon Day played in the Negro Leagues in the 1930's and 1940's. I am proud to let my colleagues know that Mr. Day played for the Newark Eagles, a team from my hometown, for 9 years between 1936 and 1949. He was one of the most dedicated and versatile players known to the game of baseball. Considered one of the league's best pitchers, known for his no-windup delivery, he also played outfield and second base. During one game, he was starting pitcher, relieved the regular center fielder and replaced an injured in-fielder.

During his years with the Negro League he appeared in a record seven all-star games and once struck out 18 batters in a single game. In the 1950's, Mr. Day played in the Latin American Leagues and the Canadian Leagues.

Physically, he won't be with us in October during the 1995 Baseball Hall of Fame induc-

tion ceremonies but I am sure his spirit will be front and center. Leon Day's immense contribution to baseball history will live forever. His enthusiasm for the game and his appreciation of life have left an indelible mark on all of his fans.

Mr. Speaker, I am sure my colleagues will join me in celebrating the memory of this remarkable sportsman.

HONORING RAYMOND AND FRANCES ROJEK

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 15, 1995

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the longtime contributions the Rojek family has made in my district. Fran and Ray Rojek founded Rojek's Catering over 40 years ago in North Toledo. My family and I, along with many generations, have enjoyed Rojek's famous coffee cakes and other Polish specialties. It is a tradition that will be greatly missed as they close their doors.

When the Rojeks began their business in the mid 1950s, the catering business involved lugging heavy trays and dishes of food into homes and facilities that didn't have kitchens to accommodate serving large groups of guests. Currently, most catering businesses own their own halls, and serve to groups at these halls. The Rojeks' energy and spirit have been an inspiration to those who utilized their quality service for their special events. With a staff of 7 full-time employees and another 25 on-call employees, it was not uncommon to cater a complete wedding dinner for 500 guests.

I know my colleagues join me in saluting one of America's most industrious families, as they cater to themselves by taking time to enjoy their golden years. I am honored to have this opportunity to recognize the Rojek family's efforts as they move on to retirement.

SENATE COMMITTEE MEETINGS

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

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

Meetings scheduled for Thursday, March 16, 1995, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 17

9:30 a.m.

Environment and Public Works

To hold hearings on the Department of the Interior and the Department of Defense consultations concerning conservation of endangered species at Ft. Bragg, North Carolina.

SD-406

10:00 a.m.

Judiciary

To hold hearings on proposed legislation to reform the Federal regulatory process.

SD-226

MARCH 20

2:00 p.m.

Foreign Relations

Business meeting, to consider S. Con. Res. 6, to express the sense of the Senate concerning compliance by the Government of Mexico regarding certain loans, S. 384, to require a report on U.S. support for Mexico during its debt crisis, S. Con. Res. 3, relating to Taiwan and the United States, S. Con. Res. 4, expressing the sense of Congress with respect to the North-South Korea Agreed Framework, S. Con. Res. 9, expressing the sense of the Congress regarding a private visit by President Lee Teng-hui of the Republic of China on Taiwan to the U.S., Treaty Doc. 103-25, with respect to restrictions on the use of certain conventional weapons, and pending nominations.

SD-419

Indian Affairs

To hold oversight hearings on the impact in Indian Country of proposed rescissions of fiscal year 1995 Indian program funds and of proposals to consolidate or block grant Federal programs funds to the several states.

SR-485

MARCH 21

9:30 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings on the nomination of Daniel Robert Glickman, of Kansas, to be Secretary of Agriculture.

SD-G50

Commerce, Science, and Transportation

To hold hearings on telecommunications policy reform issues, focusing on cable rates, broadcast, and foreign ownership.

SR-253

Environment and Public Works

To hold hearings to examine the impact of regulatory reform proposals on environmental and other laws within the jurisdiction of the committee.

SD-406

Special on Aging

To hold hearings to examine the scope of health care fraud.

SH-216

10:00 a.m.

Energy and Natural Resources

Energy Production and Regulation Subcommittee

To hold hearings on S. 92, to provide for the reconstitution of outstanding repayment obligations of the Administrator of the Bonneville Power Administration for the appropriated capital

Investments in the Federal Columbia River Power System. SD-366

Foreign Relations
To hold hearings on S. 5, to clarify the war powers of Congress and the President in the post-Cold War period, and H.R. 7, to revitalize the national security of the United States. SD-419

Governmental Affairs
Business meeting, to mark up proposed legislation to reform the Federal regulatory process. SD-342

Labor and Human Resources
Aging Subcommittee
To hold oversight hearings on the implementation of the Older Americans Act, focusing on Title III. SD-430

2:00 p.m.
Foreign Relations
To continue hearings on S. 5, to clarify the war powers of Congress and the President in the post-Cold War period, and H.R. 7, to revitalize the national security of the United States. SD-419

MARCH 22

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the United States Fish and Wildlife Service, Department of the Interior. SD-192

Energy and Natural Resources
To hold oversight hearings to review a report prepared for the committee on the clean-up of Hanford Nuclear Reservation. SD-366

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Natural Resources Conservation Service, Department of Agriculture. SD-138

Judiciary
To hold hearings on an analysis of Federal assistance to State and local law enforcement agencies. SD-226

2:30 p.m.
Indian Affairs
To hold hearings on S. 441, to authorize funds for certain programs under the Indian Child Protection and Family Violence Prevention Act. SR-485

MARCH 23

9:00 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business. SR-253

9:30 a.m.
Labor and Human Resources
Education, Arts and Humanities Subcommittee
To hold oversight hearings on direct lending practices. SD-430

10:00 a.m.
Appropriations
Transportation Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Railroad Administration, Department of Transportation, and the National Passenger Railroad Corporation (Amtrak). SD-192

2:00 p.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Bureau of Alcohol, Tobacco and Firearms and the United States Customs Service, Department of the Treasury. SD-192

Armed Services
Personnel Subcommittee
To hold hearings on proposed legislation authorizing funds for fiscal year 1996 for the Department of Defense and the future years defense program, focusing on the Department of Defense medical program and related health care issues. SR-222

Environment and Public Works
Transportation and Infrastructure Subcommittee
To hold hearings on proposed legislation to approve the National Highway System and transportation issues related to clean air conformity requirements. SD-406

3:00 p.m.
Appropriations
Labor, Health and Human Services, and Education Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the National Institutes of Health, Department of Health and Human Services. SD-138

MARCH 24

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Housing and Urban Development. SD-138

MARCH 27

2:00 p.m.
Appropriations
Treasury, Postal Service, General Government Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Executive Office of the President, and the General Services Administration. SD-138

MARCH 28

9:30 a.m.
Appropriations
Defense Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1995 for the Department of Defense, focusing on Army programs. SD-138

Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Bu-

reau of Land Management, Department of the Interior. SD-116

Governmental Affairs
Oversight of Government Management and The District of Columbia Subcommittee
To hold oversight hearings to examine initiatives to reduce the cost of Pentagon travel processing. SD-342

10:00 a.m.
Appropriations
Foreign Operations Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for foreign assistance programs, focusing on African humanitarian and refugee issues. SD-192

MARCH 29

9:30 a.m.
Energy and Natural Resources
Business meeting, to consider pending calendar business. SD-366

Special on Aging
To hold hearings to examine ways that individuals and families can better plan and pay for their long term care needs. SD-628

10:00 a.m.
Appropriations
Agriculture, Rural Development, and Related Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Food Safety and Inspection Service, Animal and Plant Health Inspection Service, Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, all of the Department of Agriculture. SD-138

Appropriations
Commerce, Justice, State, and Judiciary Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Judiciary, Administrative Office of the Courts, and the Judicial Conference. S-146, Capitol

10:30 a.m.
Indian Affairs
Business meeting, to consider pending calendar business. SR-485

MARCH 30

9:30 a.m.
Energy and Natural Resources
Forests and Public Land Management Subcommittee
To hold hearings on S. 506, to reform Federal mining laws. SD-366

Rules and Administration
To hold hearings to examine the future of the Smithsonian Institution. SR-301

Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of AMVETS, American Ex-Prisoners of War, Vietnam Veterans of America, Blinded Veterans Association, and the Military Order of the Purple Heart. 345 Cannon Building

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Aviation Administration, Department of Transportation.

SD-192

Commerce, Science, and Transportation
Science, Technology, and Space Subcommittee

To hold oversight hearings on the implementation of the science programs of the National Science Foundation and activities of the Office of Science and Technology Policy (Executive Office of the President).

SR-253

Environment and Public Works

Transportation and Infrastructure Subcommittee

To resume hearings on proposed legislation to approve the National Highway System and other related transportation requirements.

SD-406

MARCH 31

9:30 a.m.

Agriculture, Nutrition, and Forestry

To resume hearings on proposed legislation to strengthen and improve United States agricultural programs, focusing on agricultural credit.

SR-332

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Veterans Affairs, the Court of Veteran's Appeals, and Veterans Affairs Service Organizations.

SD-138

APRIL 3

2:00 p.m.

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Internal Revenue Service, Department of the Treasury, and the Office of Personnel Management.

SD-138

APRIL 4

9:30 a.m.

Agriculture, Nutrition, and Forestry

To resume hearings on proposed legislation to strengthen and improve United States agricultural programs, focusing on market effects of Federal farm policy.

SR-332

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the National Park Service, Department of the Interior.

SD-138

APRIL 5

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Na-

tional Aeronautics and Space Administration.

SD-192

Energy and Natural Resources

Forests and Public Land Management Subcommittee

To hold oversight hearings on the U.S. Forest Service land management planning process.

SD-366

Rules and Administration

To resume hearings to examine the future of the Smithsonian Institution.

SR-301

10:00 a.m.

Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Agricultural Research Service, Cooperative State Research, Education, and Extension Service, Economic Research Service, and the National Agricultural Statistics Service, all of the Department of Agriculture.

SD-138

Appropriations

Commerce, Justice, State, and Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Immigration and Naturalization Service, and the Bureau of Prisons, both of the Department of Justice.

S-146, Capitol

2:30 p.m.

Indian Affairs

To hold oversight hearings on welfare reform in Indian Country.

SR-485

APRIL 6

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Emergency Management Agency.

SD-138

10:00 a.m.

Environment and Public Works

Transportation and Infrastructure Subcommittee

To hold hearings on proposed legislation to approve the National Highway System, issues related to the Woodrow Wilson Bridge, and the innovative financing of transportation facilities.

SD-406

2:00 p.m.

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of the Treasury and the Office of Management and Budget.

SD-116

APRIL 26

9:30 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for energy conservation.

SD-116

10:00 a.m.

Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Food and Consumer Service, Department of Agriculture.

SD-138

Appropriations

Commerce, Justice, State, and Judiciary Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Legal Services Corporation.

S-146, Capitol

11:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for fossil energy, clean coal technology, Strategic Petroleum Reserve, and the Naval Petroleum Reserve.

SD-116

APRIL 27

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Federal Transit Administration, Department of Transportation.

SD-192

MAY 2

9:30 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Forest Service of the Department of Agriculture.

SD-138

MAY 3

9:30 a.m.

Appropriations

VA, HUD, and Independent Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Environmental Protection Agency, the Council on Environmental Quality, and the Agency for Toxic Substances and Disease Registry.

SD-192

10:00 a.m.

Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of Agriculture.

SD-138

MAY 4

10:00 a.m.

Appropriations

Transportation Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1996 for the United States Coast Guard, Department of Transportation.

SD-192

MAY 5

9:30 a.m.
Appropriations
VA, HUD, and Independent Agencies Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for Environmental Protection Agency science programs.

SD-138

MAY 11

10:00 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Bureau of Indian Affairs, Department of the Interior.

SD-116

1:00 p.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the In-

dian Health Service, Department of Health and Human Services.

SD-116

MAY 17

9:30 a.m.
Appropriations
Interior Subcommittee
To hold hearings on proposed budget estimates for fiscal year 1996 for the Department of the Interior.

SD-192