

EXTENSIONS OF REMARKS

INTRODUCTION OF LEGISLATION TO PROVIDE TAX-ADVANTAGED STOCK OPTIONS TO NON-HIGHLY COMPENSATED EMPLOYEES

HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. HOUGHTON. Mr. Speaker, today I am introducing the Employee Stock Option Act of 1997, a bill designed to provide tax-advantaged stock options for more moderately paid employees. The legislation will enable these employees to participate meaningfully in their company's success.

BACKGROUND

There is a growing concern about the wage gap. The perception is that there is a widening in the gap between the compensation of executives who are given stock options and regular employees. Much of executive compensation is made in the form of stock options. They have been profitable because of a rising stock market. Furthermore, many executives have earned substantial awards during a period of poor performance or and at times when others were being laid off.

How can we address this wage gap issue without imposing Government mandates, etc. at the upper end? There is presently a \$1 million limit on the tax deductibility of nonperformance based executive compensation for a publicly-traded corporation. The limit can be exceeded if compensation is based on performance goals or stock options tied to the market, therefore this limit has not slowed the increase in total compensation of executives during the past few years.

This Employee Stock Option Act of 1997 takes a different approach. Rather than putting a lid on the top, it gives a lift to the bottom. This legislation will benefit employees, whose hard work has enhanced the companies overall performance. In other words, employees through a broad-based stock option program ought to be able to build their wealth beyond what they would ordinarily receive from a salary. Furthermore, this act would give employees with limited disposable income the luxury of cashing in the option to pay education cost, putting a down payment on a home, or maintaining savings for the future.

PROPOSAL

Provides a special stock option provision for employee stock options [ESO's], if companies offered at least 50 percent of the total options under the special stock option provision in a given year to non-highly compensated employees [NHCE's].

The idea is to provide a simple stock option approach for all employees. Such an option could be easily converted into cash, with minimum taxes, and would therefore put funds immediately in the employees' pockets. Of

course, it is recognized that some holding period of the option or stock is appropriate for consistent tax policy.

This proposal would encourage employee participation in the growth of the enterprise and provide a tangible benefit through an increase in the stock price.

DETAILS

A new subsection (e) would be added to Internal Revenue Code section 422. The new subsection would provide that highly compensated employees could be awarded stock options, up to a new dollar limitation of \$200,000, if half or more of the options granted in a particular year go to non-highly compensated employees, [NHCE's]. Under current law, section 422(d) mandates a dollar limitation of \$100,000. It is believed that raising the cap for these special options will encourage corporations to grant more options to lower level employees as further explained below.

NHCE's comprise those employees who are not defined in section 414(q) as a "highly compensated employee", the latter being an employee who generally earns \$80,000 or more, adjusted annually for cost-of-living changes. Amount increased under H.R. 3448.

If the employee either holds the subsection (e) option for 2 years or holds the stock for at least a 1-year period, then no income would be recognized by the employee upon grant or exercise of the option. Upon sale, any gain would be treated as a long-term capital gain and could be eligible for the new reduced capital gain rate of 20 percent if the employee holds the stock longer than 18 months, otherwise it would be subject to the current maximum rate of 28 percent or treated as ordinary income if that resulted in a lesser tax. The present law requires a holding period of at least 2 years from date of grant and 1 year for the stock, so it is necessary to add a provision to cover the subsection (e) options as the option could be exercised after 2 years and the stock immediately sold.

In addition, the excess of the fair market value at exercise of the subsection (e) option shares over the option price, would not be subject to the alternative minimum tax [AMT], as under current law. This exception would only apply to the new subsection (e) options. Although the current AMT on incentive stock options normally might not apply to individual NHCE's because of the annual exemption, this exception would eliminate the burden of complexity and recordkeeping requirements related to such calculations. This change would also encourage corporations to make greater use of the stock options for employees and executives.

If the employer offers subsection (e) options to employees who qualify as NHCE employees, and such options represent at least 50 percent of the total subsection (e) options granted to all employees in a given year, then highly compensated paid employees could receive the identical tax benefit as the NHCE's.

This test would be applied on a yearly basis. The combination of first, a shorter minimum holding period of 1 year, second, elimination of the AMT, and third, raising the annual cap, all applicable only to subsection (e) stock options, should be a powerful incentive for corporations to offer these options to regular employees in order to be able to offer them to executives.

It is anticipated that a cashless exercise system would be used for exercising such the NHCE options. This is not unlike the system widely used today.

The current rules regarding corporate deductibility and disqualifying dispositions would apply, except for changes in the holding period. For example, if the employee exercises the option, and disposes of the stock in 9 months from date of grant, then the employee has ordinary income as compensation, and the employer is entitled to a deduction for the same amount. However, in cases where the option is held for 2 years or more before exercise or holds the stock 1 year or longer after exercise, then the gain at exercise is not deductible by the employer.

Other provisions applicable to the current incentive stock option plans, and identical to those in section 422(b), would also apply to subsection (e) stock options. Generally the provisions are:

An option plan approved by the shareholders is required.

Option price no less than the fair market value at date of grant.

Option granted with 10 years from the date plan is adopted.

Option period no longer than the shorter of 10 years or 1 year after termination of employment.

Option not transferable except at death, etc.

Grantee does not own stock possessing more than 10 percent of the voting power.

In addition, non-employee directors, independent contractors, and consultants would be ineligible to receive subsection (e) stock options.

It is not the intention of this proposal to change the provisions relating to incentive stock options under section 422, other than adding a new special option under section 422 (e), or employee stock options under section 423.

The proposal is not limited to publicly-traded companies, although that is where the wage gap issue has been highlighted because of the compensation information available to the public. Private companies should be able to participate as well.

I urge my colleagues to join me in support of this legislation.

● 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.

A TRIBUTE TO HAROLD MALKMES—1997 CITIZEN OF THE YEAR

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. FORBES. Mr. Speaker, I rise today in this hallowed Chamber to join the Patchogue-Medford Youth & Community Services of Patchogue, Long Island as they honor Mr. Harold Malkmes, of Stony Brook, Long Island, as 1997 Citizen of the Year.

A native of Port Jefferson, on Suffolk County's north shore, Harold Malkmes has served the residents of Brookhaven for the past 31 years as the town's superintendent of highways. During his tenure, Mr. Malkmes has dedicated himself to maintaining the safest possible system of roads, instituting many innovative programs, including ones that successfully alleviated severe drainage problems throughout the town.

Perhaps the most significant of Mr. Malkmes innovations is the development of the Brookhaven Town composting program and ecology education site, located in the town's Holtsville community. Nationally recognized for its cooperative work with the Boy and Girl Scouts, 4H Clubs and senior citizens, this ground-breaking program uses hands-on exhibits and demonstrations that teach the importance of recycling, reusing, and preserving our precious natural resources.

A graduate of the State University of New York at Farmingdale with a degree in horticulture, Mr. Malkmes was imbued with his love for Long Island's natural environment as a youth working in his family's florist business. Today, Mr. Malkmes sponsors the Holtsville Explorer Post that works with youth who are interested in the field of ecology and developed the "Help Save the Wildlife" program that allows residents, students, church groups, and schools to sponsor the care and keeping of an animal at the Holtsville Zoo. Mr. Malkmes also developed the Ecology Site Outreach Showmobile, allowing the ecological education program to travel to local schools and visit kindergarten and third grade classes that are unable to visit the zoo.

These are just a few of the reasons, Mr. Speaker, that I ask my colleagues in the U.S. House of Representatives to join me honoring Harold Malkmes, a dedicated public servant who has done so much more than fulfill his duties of office. His dedication and tireless efforts for the residents of Brookhaven Town, Long Island—particularly its youth—should serve as an example to all of us who are called to public service. Congratulations, Harold.

TRIBUTE TO EUGENE COPPOLA

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention Mr. Eugene Coppola as

he is honored by the Fidelity as their 1997 Man of the Year on Saturday, November 1, 1997. He has earned this prestigious honor by becoming a driving force behind the Fidelity's magnanimous and numerous charitable efforts.

The Fidelity were founded in 1939 as an organization to help inner city youth. It has grown in the ensuing decades and can now claim over 100 members. As an organization, the Fidelity own a 3½ acre camp in North Haledon. Each summer, they administer a summer camp for children with Down's syndrome. In addition, they assist other camps that utilize their facilities, including a camp from Paterson that supports children with cerebral palsy.

For early two decades, Eugene has played a vital and integral role in directing the charitable deeds of the Fidelity. He has been a member for over 17 years. Eugene has also demonstrated a unique capacity to lead, serving as president of the Fidelity and sitting on the board of trustees for several years.

Eugene has been born and raised in Paterson, attending Public School No. 18 and Eastside High School. He went on to earn a bachelor's degree in business administration from Seton Hall University. A resident of Franklin Lakes, Eugene and his wife, Stephanie, are the proud parents of two children, Victoria and Michael.

However, the story of Eugene's success neither begins nor ends with his involvement with the Fidelity. Eugene also serves the community in a multitude of other capacities. As a member of the Most Blessed Sacrament Church in Franklin Lakes, he is the treasurer and a board member of the Catholic Charities of Passaic and Sussex Counties. Eugene is a trustee for the IBEW 1158 Pension and Welfare Fund, a position he has held for the past decade. He has been the president of the Mount Joseph's Children's Center in Totowa. In addition to his charity work with the Fidelity, Eugene supports the Deborah Heart Center, the Sloan Kettering Cancer Center, and the National Kidney Foundation.

Mr. Speaker, I ask that you join me, our colleague, Mr. Coppola's family, and the Fidelity in recognizing Mr. Eugene Coppola as the Fidelity's Man of the Year for 1997.

IN HONOR OF THE 40TH ANNIVERSARY OF EAST COAST WAREHOUSE AND 43D ANNIVERSARY OF SAFEWAY TRUCKING

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. MENENDEZ. Mr. Speaker, I rise today to pay tribute to two outstanding corporations, East Coast Warehouse & Distribution and Safeway Trucking Corp. On November 2, 1997, Mr. Roy A. Lebovitz will help celebrate these two milestones—the 40th anniversary of East Coast Warehouse and the 43d anniversary of Safeway Trucking—with an enjoyable evening of dinner and dancing at the Holiday Inn North's Grant Ballroom in Newark, NJ.

East Coast Warehouse & Distribution was incorporated nearly 40 years ago on Decem-

ber 11, 1957. East Coast Warehouse grew from its beginnings with 125 thousand square feet of warehouse space and 25 employees to have more than 1.4 million square feet of space and more than 200 employees.

Mr. Roy A. Lebovitz, who was born in Newark, NJ on December 14, 1932, became the corporation president, and vice president of the sister company, Safeway Trucking Corp. on March 10, 1962. He graduated with a bachelors degree in business administration from Upsala College in 1955. Mr. Lebovitz and his lovely wife Barbara were married on February 21, 1959. They have five children, Amy, Sheri, Jane, Beth, and Marc, and five grandchildren. Mr. Lebovitz served in the U.S. Army from 1955 to 1957 prior to beginning his work for Safeway Trucking and East Coast Warehouse. Mr. Lebovitz also founded successful warehousing operations in Texas and Canada, employing an additional 130 staffers along the way.

Over the years, these corporations have created partnerships with the residents of the community of Union County. The leadership and commitment of the administration, office staff and aides, warehouse staff, supervisors and managers, and all corporation drivers have contributed to this great American success story.

It is a great pleasure to honor and recognize the outstanding dedication and service of Mr. Roy A. Lebovitz; and East Coast Warehouse and Safeway Trucking, on their anniversaries.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF HON. WALTER H. CAPPS, REPRESENTATIVE FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 29, 1997

Ms. WOOLSEY. Mr. Speaker, on a truly sad day for this Chamber and for this country, I rise to honor our colleague, WALTER CAPPS, a leader, a role model, and a friend.

WALTER represented the people of Santa Barbara with energy, zeal, and honor. I admired WALTER for his principles and for the solid direction of his moral compass. WALTER was a member who didn't just talk about values and principles. He lived them. And for this, WALTER was a role model to us all.

Working with him as part of the California delegation taught me so much about the kind of leader and the kind of person that we all strive to be. He gave his heart and soul to the service of the people of his district, to the people of California, and to the people of our Nation. He was a great thinker, a great philosopher, and a great man. I will never forget WALTER's generous spirit and warm heart.

WALTER dedicated his life to solving problems and resolving conflicts. And even without his physical presence, his spirit lives on in the Halls of this Chamber.

**LESS FEDERAL BUREAUCRACY
AND MORE COMMUNITY PARTICI-
PATION**

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, as we debate the merits of various federal programs, I urge colleagues to keep in mind the benefits of less Federal bureaucracy and more community participation. We all recognize how much money is lost or wasted between the Federal level and the actual local people who we are trying to help. The best form of support we can give Americans is the power to do for themselves. This can be achieved by empowering communities closest to problems to have the most autonomy in deciding how to meet the challenges that face them. On this point, I want to share the thoughts of Krista Kafer of Colorado.

Studying physics taught me a thing or two about government. In an engine, large gears move slowly but with great force. Small gears move with greater speed but less force. Each cog interlocks with the others, doing its part to run the machine. Such laws apply to the mechanics of society. When friends of mine complain that government reform is too slow, I tell them that Washington is not unlike a large gear, powerful but slow. If you want to see immediate change, work at a local charity, run for City Council, join the PTA, put your shoulder to the nearest wheel.

American society runs by the motion of its different institutions. Families, businesses, charities, churches, community groups, local, state, and federal governments are interlocking gears that drive America. Burning labor, ingenuity, compassion and faith as fuel, the machine reaps the energies of its citizens to provide for the common good.

Since its inception, America has relied upon the efforts of all of its institutions to care for the needs of its citizens. However, during this century, the brunt of the work has fallen upon the large gear, the federal government, requiring it to provide services once entrusted to other institutions. Overburdened and overused, the federal system has overheated while community, church, business, and family remain under used, free spinning, not fully engaged.

The federal government is doing things it was never meant to do which is why it does not perform efficiently. It sputters and coughs, lacking the flexibility to adapt to local situations, different speeds, and different conditions. Like an ailing car engine it get poor mileage, burning tax dollars and returning only nickels. We are \$5 trillion in debt but not one step further from where we started. With soaring crime, illiteracy, poverty, and illegitimacy, it would seem that we have rolled backward. The war on poverty has failed because it did not engage the whole engine.

In 1994, Congress began the process of overhauling the engine. Together with innovators and mechanics from the private sector and local governments, it is attempting to spread the work of the large gear to the rest of the engine. For example, since the enactment of the Personal Responsibility and Work Opportunity Act (welfare reform), states and counties have joined with private agencies and charities to help record numbers of individuals escape welfare depend-

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ency. This is not a trial start. These small gears must prepare themselves to undertake the work of the big gear. Ultimately, we must assume that work because we, the people, turn those gears.

The prospect of greater freedom and lower taxes must not leave us idle. Freedom is not free. Statistics reveal that the spirit of volunteerism is growing. It must. In the final inspection, we find that it can no longer be the responsibility of someone else to help our neighbors, to teach our children, to run our communities, to conserve our resources, and to enforce ethics and decency in our enterprises. It is ours. The day has passed when we could mind our own business and just take care of our own. This country is our business. It is our own. We must man the crank and turn the gears.

Mr. Speaker, it is the resourcefulness of the American people that made our country so strong. Giving power back to the people is the best way to continue the tradition of excellence established so long ago in this great Nation.

**HONORING THE THOMAS J. LAHEY
ELEMENTARY SCHOOL**

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. ACKERMAN. Mr. Speaker, I rise today to honor the Thomas J. Lahey Elementary School, in Greenlawn, NY, which has recently received the prestigious Blue Ribbon School Award by the Department of Education. The school will be honored at a ceremony on November 6 with Education Secretary Richard Riley.

The Thomas J. Lahey Elementary has taken many innovative steps to involve the entire community in improving the quality of education for its 962 students. Volunteers throughout the community assist in a variety of tasks from reading to children to providing computer instruction in the classroom. The school also works in conjunction with local businesses to further the growth of both the community and the students. For example, for National Book Week, a local supermarket donated more than 800 grocery bags which students used to create a drawing and write a summary of their favorite books. These bags were distributed throughout the town of Greenlawn. This unique partnership between school and community should serve as a model for other schools who are trying to do more for their students in a time of declining budgets. The partnership also reminds us all of the role we in the community need to play in bettering our Nation's schools.

Much of the school's success can also be attributed to the work and dedication of its principal, Dr. Janet Perrin, who can often be found reading to children and participating in classroom instruction. Under her leadership, parents, students, and teachers have been challenged to give more of themselves to better both the school and the community.

The school has taken important steps in increasing the children's access to the Internet and the World Wide Web. At the same time, the school is working with the community to

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teach students the importance of the arts in our society. The Thomas J. Lahey Elementary School truly embodies the ideals of creativity and innovation. I ask all of my colleagues to join me in honoring this truly dynamic institution.

**TRIBUTE TO LIMA ESTATES AND
THE 25TH ANNIVERSARY OF
ACTS, INC.**

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay respectful tribute to the Adult Communities total Services, ACTS, Inc., on the 25th anniversary of the opening of the first of its 15 retirement communities in 1972. Lima Estates, since its subsequent construction in 1979, has upheld the highest standards that ACTS demands.

Six thousand individuals are residents of the 15 ACTS lifecare retirement communities in Pennsylvania, North Carolina, and Florida. Since its creation in 1971, ACTS has been the leader in lifecare, combining a wide range of services and amenities to meet changing health care needs at any level: from fully independent living, to home health care, to assisted living and skilled nursing care. The obvious advantage is that seniors can be assured of receiving the exact level of care they need in one setting, usually without having to be separated from a spouse, friends, or family. Throughout its 25-year history, ACTS has been the preeminent leader of lifecare.

Since day one, Lima Estates has remained a haven for seniors and a great provider of lifecare. Beautiful woodlands, rolling hills, and graceful colonial style architecture welcome you to this 54-acre site. They hired only the best, highly trained employees available and have remained alert to advances in health care and to the challenging needs and expectations of its residents. Lima Estates is proud of its affiliation with ACTS and hopes that their continued partnership to provide the premier lifecare in the Nation will continue well into the future.

Mr. Speaker, I ask that my colleagues rise with me in this tribute to Lima Estates and ACTS as it celebrates its 25th anniversary. Their formidable record of providing the best quality lifecare available has improved and invigorated the lives of so many. I am proud to have such an important and respected organization in my district.

**HONORING ARTHUR J.
GLATFELTER'S 50 YEARS OF
SERVICE IN THE INSURANCE IN-
DUSTRY**

HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. GOODLING. Mr. Speaker, I rise to honor Mr. Arthur J. Glatfelter. On November 7,

1997, Mr. Glatfelter will be recognized for 50 years of service in the insurance industry.

Mr. Glatfelter entered the insurance business in 1947 as a solicitor; 4 short years later he opened his own insurance agency. Today the Glatfelter Insurance Group has more than 370 associates throughout 8 satellite offices in the United States and Canada. This agency has grown to become one of the 10 largest privately owned agencies in the country.

Over the years, as his agency has grown, so have his commitments to our community. Community service and an eagerness to help others are values which have guided Mr. Glatfelter in his personal and professional life. Through his generosity and his desire to give back, he has made a difference in the lives of countless York County residents.

Art Glatfelter is a shining example of our American way of life; his devotion and tireless work on behalf of those in need have and will continue to meet the growing needs in our great Commonwealth and the York community. Mr. Glatfelter is one of the good people who makes a difference in our society.

I recall a phrase from an anonymous author: "Those who can give even a little have the sense of full participation in a great neighborly understanding." Mr. Glatfelter has given much more than "a little" and has clearly established himself as a great friend of compassion, warmth and understanding.

Mr. Speaker, I wholeheartedly congratulate Mr. Glatfelter on 50 years of commendable service in the insurance industry, the Commonwealth of Pennsylvania and the neighborhoods of York County.

A TRIBUTE TO THE FIRST BAPTIST CHURCH OF CUTCHOGUE

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. FORBES. Mr. Speaker, I rise today to recognize and honor the historical development of the First Baptist Church of Cutchogue. In 1924, a small dedicated group of members met in a little school house on Oregon Road in Cutchogue Long Island, under the leadership of Reverend E.A. Green. There, a foundation of faith was laid and dreams of things bigger and better began.

In no time at all the church began to flourish. The members established a board of deacons, trustee board, missionary society, and a senior choir. The little school house was no longer able to hold all of God's people. The trustees believed in the Baptists and were willing to do something to help. On December 15, 1925 they purchased a quarter of an acre of land on Middle Road from Frank and Anna McBride for the amount of \$866.00. The deed was signed by trustees William Brown, Gilbert Davis, Kelsy Cosby, Anderson Cook, and John Jacobs. The little church wasn't little anymore.

Thanks to the trustees and the dedicated members, the beliefs of the Baptists were kept alive and the followers were strong and numerous. This success can in part be attributed to the dedicated pastors who provided guid-

ance, patience, and support to their congregation and the community.

Present pastor, Rev. Cornelius Fulford blessed the followers with his wisdom, grace, and mercy when he took over the responsibility of the church in 1989. Pastor Fulford realizes how important children are to the church and he focuses on programs like Bible study, C.C.C. Choir, and the junior usher board. His preaching, teaching, and reaching out strengthened the bonds between the followers and provided them with the leadership they need to continue to grow as a congregation and as a society.

Mr. Speaker, it is an honor to have the First Baptist Church of Cutchogue and its members as one of our Eastern Long Island neighbors. This blessed church and its members learned that with hard work and perseverance, anything is possible in the Name of the Lord. The dedication of the clergy and congregation deserve our acknowledgement. I thank you for joining with me in their praise and recognition.

A TRIBUTE TO JERRY GAMBLE

HON. BILL PASCARELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. PASCARELL. Mr. Speaker, I would like to call to your attention Mr. Jerry Gamble. Jerry will be honored by the Joseph M. Pizza Association of Northern New Jersey for his long and distinguished service as a dedicated law enforcement officer on Sunday, November 2, 1997.

Jerry was born in Paterson, the son of James and June Gamble. He received his education in the Haledon School System and is a graduate of the Technical and Vocational High School. Later, he attended William Paterson College. Quickly becoming a success in the law enforcement field, Jerry went back to school to further his occupational knowledge by attending management programs at Rutgers University.

Jerry's career has been one of consistent success and a prestigious line of promotions. Jerry joined the Borough of Haledon's police force in 1966 as a special police officer. Promoted to the rank of full police officer in 1970, Jerry made sergeant 7 years later. In 1982, he was promoted to captain. Five years later, in March of 1987, Jerry was named Haledon's chief of police.

Success in his professional life has also been accompanied by personal triumphs. Jerry and his wife, the former Geri Castello, are the proud parents of daughter Lindsey Marie Gamble. Throughout the Borough of Haledon and the surrounding communities, Jerry is well known as a giving man with an extensive love of family, people, and children.

Keeping pace with his outstanding career, Jerry has also been active in a number of charitable and service-oriented organizations. He has demonstrated a unique capacity for leadership, serving as the president of the Passaic County Police Chiefs Association and as the first vice-president of the Passaic County 200 Club. Jerry is also a member of PBA-349, the New Jersey State Chief of Po-

lice Association, the National Association of Chiefs of Police, the Italian American Police Officers Association, the New Jersey/New York Honor Legion, and the Haledon Business and Economic Development Association.

Mr. Speaker, in recognition of Police Chief Jerry Gamble's significant and outstanding services to Haledon and the greater Passaic County community, would you join me, our colleagues, Chief Gamble's family, and the law enforcement community of Passaic County in congratulating him on this impressive honor.

TRIBUTE TO AMBASSADOR SHYAMALA B. COWSIK

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. MENENDEZ. Mr. Speaker, I rise to pay special tribute to Ambassador Shyamala B. Cowsik, the Deputy Chief of Mission at the Indian Embassy in Washington. During Ambassador Cowsik's tenure in Washington, economic, political, and social relations between the United States and India continued to grow.

She has played an important role in improving relations between the United States and India. Ambassador Cowsik represented the interests of India not only in Washington but also throughout the United States. As a member of the Congressional Caucus on Indian and Indian-Americans, I had an opportunity to work with her closely on several occasions. Her good work contributed to more Members of this body becoming aware of the importance of a strong U.S.-Indo relationship. Members of the Indian-American community in my district and in New Jersey spoke highly of their dealings with the Ambassador and the service they received from the Mission.

Ambassador Cowsik has had a long and distinguished career in India's Foreign Service, and she is one of its highest serving women. Previously, she served in the Philippines, Thailand, and the former Yugoslavia. I hope my colleagues will join me in congratulating her for her service to India and Indian-Americans, and in wishing her success in her new position as Ambassador to Cyprus.

STATEMENT ON THE PASSING OF JOHN N. STURDIVANT, NATIONAL PRESIDENT, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES (AFGE)

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. CUMMINGS. Mr. Speaker, it is with great sorrow that I rise today to pay tribute to the memory of a great labor leader, a great citizen, and a great man, John N. Sturdivant. John Sturdivant was president of the American Federation of Government Employees (AFGE), one of the largest Federal unions, which has about 178,000 active members in

1,100 locals and represents about 600,000 workers in 68 Federal agencies. Through all the Congressional debate about the role and responsibilities of the Federal Government, one person was always there ensuring that U.S. tax dollars were not wasted and that vital public services were not lost. He was a watchdog against inefficiency and a champion of worker and human rights.

Mr. Sturdivant, a full partner in President Clinton's efforts to reinvent government, knew Americans wanted a more effective government. His efforts have made AFGE a leader in overcoming the Federal bureaucracy and achieving results. He combated the notion that workers are part of the problem when it comes to increasing government efficiency. Thanks to leaders like John Sturdivant, front-line workers are perceived as the solution and AFGE members are bringing about important changes in the way the Federal Government operates.

During the 1995 and 1996 Government shutdowns, intensive work by Mr. Sturdivant and AFGE secured important public support for the hundreds of thousands of Government employees who were locked out of their jobs or forced to work without pay. As a result of AFGE's comprehensive campaign, strong public pressure was brought to bear on an intractable Congress, ending the shutdowns and returning Federal employees to work with the guarantee of back pay.

As a key member of the National Partnership Council led by Vice President Al Gore, Mr. Sturdivant has helped agencies like Veterans Affairs and Social Security, once plagued with adversarial labor relations, improve customer service and save taxpayers' money.

The changes his leadership brought to the Federal workplace have not only given workers a greater voice on the job, but also removed the roadblocks which prevented them from taking part in the political process. A familiar face on Capitol Hill, Mr. Sturdivant helped AFGE achieve its 20-year legislative initiative with the passage of Hatch Act Reform, legislation that allows Federal employees to become politically active without undue restrictions.

Mr. Sturdivant not only amplified the chorus of Federal workers and their issues, he was also a new voice for America's minorities. One of Ebony Magazine's 100 Most Influential Blacks in America, he was the first African-American to head AFGE and first to serve as president of a major AFL-CIO union. Elected in 1988, Mr. Sturdivant also served as a vice president of the AFL-CIO. In 1989, he was elected vice president on the AFL-CIO Executive Council.

John Sturdivant was a trailblazer whose commitment and contributions on behalf of the labor movement, government workers and our way of life will be sorely missed. His passion and sacrifice have made a lasting impression on my colleagues and myself, and the people on behalf of whom he toiled will continue to benefit from the fruit of his efforts and cherish his memory for a long time to come.

EXTENSIONS OF REMARKS

CONGRATULATIONS TO AMBASSADOR COWSIK

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. ACKERMAN. Mr. Speaker, later this month Shyamala B. Cowsik, the Deputy Chief Minister at the Embassy of India, will conclude a 2-year tour of duty in the United States. During this 2-year period, Ambassador Cowsik has been a central figure in the growing diplomatic relationship between the United States and India. She has worked tirelessly to build new bridges between the world's oldest democracy and the world's largest democracy and to destroy many misconceptions which kept our countries apart for many years.

As a member of the Congressional Caucus on India and Indian-Americans, I have been privileged to know Ambassador Cowsik and to interact with her on several occasions. She has been an outstanding representative of her country's interests in Washington and in other cities across the United States. My own district in New York City and Long Island has a large, growing and prosperous Indian-American community which has been a source of inspiration and pride for me in my capacity as a Member of Congress. I am certain my constituents will miss Ambassador Cowsik as she departs to become India's Ambassador to Cyprus.

Mr. Speaker, I ask my colleagues to join me in taking this opportunity to congratulate Shyamala Cowsik on a job well done and to wish her every success in the future. I applaud her for her excellent service in Washington.

TRIBUTE TO GRANITE FARMS ESTATES AND THE 25TH ANNIVERSARY OF ACTS, INC.

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to pay respectful tribute to the Adult Communities Total Services, ACTS, Inc., on the 25th anniversary of the opening of the first of its 15 lifecare retirement communities. Granite Farms Estates was the 11th such community and, since its creation, it has upheld the highest standards that ACTS demands.

Six thousand individuals are residents of the 15 ACTS lifecare retirement communities in Pennsylvania, North Carolina, and Florida. Since its creation in 1971, ACTS has been the leader in lifecare, combining a wide range of services and amenities to meet changing health care needs at any level; from fully independent living, to home health care, to assisted living and skilled nursing care. The obvious advantage is that seniors can be assured of receiving the exact level of care they need in one setting, usually without having to be separated from a spouse, friends, or family. Throughout its 25-year history, ACTS has been the preeminent leader of lifecare.

Although ACTS, Inc. inaugurated the first of its communities in 1972, it was not until 1986

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that Granite Farms Estates was opened. Situated atop a beautiful rise on the former Wawa Dairies' pasture on 25 acres, the Granite Farms Estates has remained a haven for seniors and a great provider of lifecare. Its serene country setting and its close proximity to a nature preserve have contributed to its mission to secure a peaceful environment and state of mind. Home to over 500 residents, Granite Farms has hired only the best, highly trained employees and has remained alert to advances in health care and to the challenging needs and expectations of its residents. Granite Farms Estates is proud of its affiliation with ACTS and hopes that their continued partnership to provide the premier lifecare in the Nation will continue well into the future.

Mr. Speaker, I ask that my colleagues rise with me in this tribute to Granite Farms Estates and ACTS as it celebrates its 25th anniversary. Their formidable record of providing the best quality lifecare has improved and invigorated the lives of so many. I am proud to have such an important and respected organization in my district.

20TH ANNIVERSARY OF THE FOUNDING OF THE CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Ms. CARSON. Mr. Speaker, I rise today to celebrate the 20th anniversary of the Congressional Caucus for Women's Issues. The caucus was formed to focus attention on issues of special concern to women—such as preventive health services for women, domestic violence, discrimination in education and the workplace. One of my first acts in Congress was to join the caucus, and I am proud to be a member of it.

Among our accomplishments in the 20 years since the Women's Caucus was formed, we have shepherded to passage legislation protecting pregnant women from employment discrimination, improving enforcement of child-support orders, providing a 3-year extension of health insurance coverage for wives and divorced spouses, ensuring that the National Institutes of Health do not ignore research on the health problems of women, and the Family and Medical Leave Act.

Our work is not finished, however. American women still face discrimination in employment and pay. We need more protections in child support enforcement and domestic violence. We need the caucus now more than ever.

EXPRESSING SORROW OF THE CLEMENT HOUSE AT THE DEATH OF HON. WALTER H. CAPPS, REPRESENTATIVE FROM THE STATE OF CALIFORNIA

SPEECH OF

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 29, 1997

Mr. CLEMENT. Mr. Speaker, WALTER CAPPS was a rare gift to those who work on Capitol Hill. Others have eulogized him and found that in such instances, words are inadequate. But it remains important to struggle for such words. And it is the only fitting tribute for a man who left everyone with nothing but smiles.

No one will say they knew him well enough or long enough—his passing came too soon—but all will say they were happy to have known him. His personality was such that you felt close to him and wished to claim that you were. It was an honor to be able to consider yourself a friend of WALTER CAPPS. He was a watermark for good and a genuine, kind man worthy of emulation.

I worked with Mr. CAPPS on the International Relations Committee and was always touched by his gregarious and personable presence. He was wise and thoughtful in ways uncommon and was passionate in his desire to help others. He loved his job and shared with others his good humor and a warm sense of responsibility and purpose. In no way was he political in the pejorative sense; he was an intellectual who understood his talent to bridge disciplines and cut through rhetoric in hopes of reconciling differences and pushing colleagues toward progress. His seat on the committee is empty and that emptiness will be felt long beyond this Congress.

But Mr. CAPPS was a man who touched others. He saw value and equality in his colleagues, legislative and building staff members, and his constituents. He admired them as much as they admired him, though I am sure he never fully understood how much they admired him. What we understood as his heart and his vision for humanity and religion, with honor, respect and admiration, will be carried forth in the ideas of those whom he so deeply touched.

Go well, Mr. CAPPS. We shall miss you, though we shall not forget you.

A TRIBUTE TO THE EAST END ARTS AND HUMANITIES COUNCIL OF LONG ISLAND

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. FORBES. Mr. Speaker, I rise today to pay tribute to the East End Arts and Humanities Council, of Riverhead, Long Island, as this grassroots, community arts program celebrates 25 years of providing invaluable support and encouragement to the artists, writers, and performers in the communities of Eastern Long Island.

Located in an historic Main Street building in a space donated by the town of Riverhead, the East End Arts and Humanities Council is dedicated to fostering a positive environment for the arts throughout the rural landscape it serves between Moriches and Montauk on the south, and on the north from Port Jefferson to Orient. Long Island artists are fortunate to make use of all that the Arts Council makes available, from exhibition galleries to the region's only community school of the arts, out-buildings that are used as artist-in-residence studios and a charming village green used for outdoor art events and performances.

With a long and proud reputation as a safe haven and supportive environment, the East End of Long Island is home to a world renowned number of accomplished and emerging artists. To sustain this creative environment and service to this thriving community, the East End Arts Council has helped develop a network of more than 200 arts organizations, each of whom is dedicated to sustaining and supporting a community that cherishes the arts.

There is no doubt, Mr. Speaker, that the arts are a vital force in society, enriching our lives with the beauty and impact of human expression and providing a source of entertainment and pleasure for all Americans. Just as importantly, the arts are an important tool in the education of our children. Several analyses of arts education show that children who study music demonstrate significantly improved ability to master mathematics, and students with four or more years of arts education consistently score higher on the SAT college entrance exam than students without an arts background. There is a clear and demonstrable connection between studying the arts and increased scholastic aptitude, a connection that as national leaders we are duty-bound to help foster and develop.

That is why, Mr. Speaker, I stand today before my colleagues in the U.S. House of Representatives and proudly offer my congratulations to the East End Arts and Humanities Council on this special 25th anniversary. May the Long Island community continue to be blessed by their work for many years to come.

TRIBUTE TO BRUCE BENSON

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, in 1994 I received the Republican nomination for Lieutenant Governor of Colorado, thus earning the privilege of running for office on the ticket of Mr. Bruce Benson of Denver. This experience allowed me the opportunity to build a friendship that is very important to me with a true Coloradan who embodies the genuine spirit of the West.

Mr. Benson and his wife Mary are the most generous people I know. Their devotion to the people of Colorado is legendary. In particular, Bruce's dedication to the State's higher education system has spanned official, voluntary, and professional capacity.

Once chairman of the Colorado Republican party, Mr. Benson continues to express his

love for Colorado's picturesque vistas, wildlife, and environment through political activism and community leadership. His commitment to economic expression, job creation, public safety, and economic opportunity is seconded only by his interest in improving the quality of education for all Colorado children.

Mr. Speaker, I am blessed to know Bruce Benson as a friend, but more importantly, as a Coloradan. Clearly, his leadership in Colorado continues to inspire many and ensure greater hope and optimism for generations to come.

Mr. Speaker, the Denver Post, yesterday, published an editorial commentary praising the many contributions of Bruce Benson. I first commend the Post and further submit its comment for the RECORD.

[From the Denver Post, Oct. 30, 1997].

BENSON BUILDS LEGACY

With today's dedication of the Benson Earth Sciences Building at the University of Colorado in Boulder, former GOP gubernatorial candidate Bruce Benson translates his long history of service to CU into the most tangible of contributions: a building in which young people can learn.

The naming of the building commemorates Benson's leadership of the fund-raising drive that made the \$14.5 million building possible, as well as a substantial contribution from the Benson family. Nor will Benson rest on his laurels. He and his wife, Marcy, have also agreed to spearhead the campaign to raise more than \$271 million to support CU President John Buechner's ambitious Total Learning Environment initiative.

A 1964 graduate of CU, Benson received his degree in petroleum geology.

He is now the owner and president of Benson Mineral Group, but perhaps more importantly, he is also a consistent contributor—of time and energy, as well as money—to Colorado's civic well-being. His activities as both state chairman and candidate for the state Republican Party have won the headlines, but the range and depth of his activity are awesome. He's served not only in the public realm but in private philanthropy, as well. His chairmanship of the state commission on higher education from 1986-1989 underscores his sustaining interest in higher education. He is chairman of both the Denver Zoological Foundation and Boy Scouts of America in the area. Other beneficiaries of Benson's 16-hour-day energies include the Denver Botanic Gardens, Arthritis Foundation, Denver Museum of Natural History, Safe City Foundation and the University of Denver.

We congratulate both the University of Colorado, which is adding a vital new learning center and launching an important effort to further enhance its program, and Bruce Benson, who has added a crowning credit to a noteworthy career of service.

Again, Mr. Speaker, Mr. Benson is a great Coloradan and certainly worthy of being honored and considered by the House as an exemplary American.

IN HONOR OF MICHAEL
PARTRIDGE

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mrs. MALONEY of New York. Mr. Speaker, I rise today to pay tribute to Michael Partridge as he is honored by the Taminent Democratic Club at their 66th Annual Dinner Dance.

Mr. Partridge was born on the island of Cyprus on February 13, 1941. In 1947, he and his family moved to Astoria where Michael attended P.S. 4 and L.I.C. High School. From age seven through his early teens, Michael worked in his father's restaurant.

After high school, Michael studied philosophy and political science at Hunter College and later studied law at St. Johns Law and Boston Law. During his law school years, he met and married Mary and became the father of Harry. Michael also joined the National Guard during this time.

After practicing law for several years, Michael became disenchanted with the law and turned his attention toward other endeavors. Around this time, he met Ralph DeMarco who introduced him to the Taminent Democratic Club.

Michael's involvement with the Taminent included a rehabilitation program he founded with Peter Vallone to reverse the high recidivism rate at Rikers Island. During its first year, the Rikers' program placed all of its graduates in jobs or schools.

After launching his successful program on Rikers Island, Michael became involved in real estate. He rehabilitated apartment houses in Jamaica, Queens, and opened the Coliseum Mall, which helped to revitalize Jamaica Avenue.

Michael's interests also brought him into the political arena where he worked on Mario Cuomo's campaign for Governor of New York.

Mr. Speaker, I ask that my colleagues rise with me in this tribute to Mr. Michael Partridge, a man who has worked very hard to improve his community. I would also like to honor the Taminent Democratic Club on the occasion of their 66th Annual Dinner Dance.

RECOGNITION OF REV. BOB ROBERTSON'S 25 YEARS OF SERVICE TO THE EVERETT, PA. FIRST UNITED CHURCH OF CHRIST

HON. BUD SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. SHUSTER. Mr. Speaker, Rev. Bob Robertson of the Everett, PA, First United Church of Christ was recently honored for his 25 years of service to the church and to the community.

I rise to pay tribute to this outstanding man of the cloth. Bob Robertson not only has served his church with distinction, but has played an extraordinary, behind-the-scenes role in helping those most in need in the community. He is the Pastor to our church in our

little hometown which has a sign greeting you as you enter the borough: "Everett's Churches Welcome You", reflecting the value of religion and faith in our community.

Bob Robertson's guidance and sense of vision has been a rock on which the town has built itself as a great place to live and work. Bob is a selfless man who always puts the welfare of others in front of his own. His wife, Barbara, and their children have also played a key role in making our community a better place to live. I personally know of many of his good deeds to help people in need, deeds which have never been publicized but have touched the lives and hearts of many. He is an unsung hero who exemplifies the best there is in those who have dedicated their lives to their God, their church, and the people they serve.

TRIBUTE TO A.G. "BUD"
HARRISON

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. LANTOS. Mr. Speaker, it is my privilege and honor to pay tribute to the exceptional public service career of my dear friend and one of San Mateo County's most dedicated public servants, A.G. "Bud" Harrison, upon his retirement from the Burlingame City Council. His extraordinary devotion to serving his community, as well as his longtime commitment to educating young people about the importance of civic involvement, make him a genuine hero to all of us who care about the Bay Area.

Bud's strong belief in public service is rooted in his background and has been proven repeatedly throughout the course of his 67 years. Born in San Francisco, his future political intentions were foreshadowed at a young age when his classmates at Balboa High School elected Bud president of the senior class. After his graduation in 1948, he volunteered for a far more meaningful type of service in the U.S. Air Force. Bud spent 4 years in the military, aided his country during the Korean war, and was discharged in 1952 as a staff sergeant.

After his military career ended, Bud enrolled at the University of San Francisco, where he graduated in 1957 with a secondary teaching credential. It was then that he began his career which was destined to influence the lives of literally thousands of young men and women, as he became a political science teacher at Capachino High School.

Both of my daughters, Annette and Katrina, were privileged to be among those fortunate students in Bud's classes, and they recall his lessons with great fondness and appreciation. Remembered Annette: "In a time of great cynicism, he infused his pupils with a strong sense of civic activism and an appreciation for the remarkable role of politics in America." Katrina described Bud's "enthusiastic spirit which imbued his students with a love of public service."

In Bud's 33 years at Capachino High School, and in his 16 years as a political science instructor at the College of San

Mateo, he made a lasting contribution not only to lives of thousands of young people but also to the success and stability of our democratic system of government. For this, Mr. Speaker, we are all in his debt.

Bud's most significant lessons were those of his own example. He did not preach mere platitudes about public service to his students; rather, he was an inspiring example of the impact that a sole individual can have by becoming involved in his or her community. His 35-year career spanned a wide variety of local offices and an even broader array of well-represented and appreciative constituents. The citizens of Burlingame elected Bud to three terms as their mayor, as well as to 12 years of service as a city councilman. In addition, Bud worked tirelessly as a San Mateo County supervisor, as a Burlingame planning commissioner, civil service commissioner, and a member of the Library Board of Trustees, and as a longtime member of the board of directors of ReCare, formerly Easter Seals, and as the director of the San Mateo County Convention and Visitors Bureau, and in a host of other important civic positions.

Through all of these challenging posts, and all of Bud's dynamic efforts to make Burlingame and San Mateo County a better place to live and raise a family, he has been loyally and lovingly supported by his wife of 44 years, Doris, by his four children, Chuck, Mary, Terry, and Cheri, and by his six grandchildren.

Mr. Speaker, as Bud Harrison's distinguished career in public service comes to a conclusion with his retirement from the Burlingame City Council, I ask all of my colleagues to join me in paying tribute to this outstanding man, an example of the best that our communities have to offer, and a true role model to all those he has taught in his classes and in his life of community activism.

EDUCATION: A COMMUNITY
AFFAIR

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. KILDEE. Mr. Speaker, I rise today to commemorate the 16th Annual Community Education Day to be observed on Tuesday, November 18, 1997. In my hometown of Flint, MI the day will be celebrated at a breakfast meeting for more than 300 people. Hosted by the Genesee Area Community Education Association and the National Center for Community Education, the program will be keynoted by my very dear friend, Dorothy Reynolds, President of the Community Foundation of Greater Flint.

"Education: A Community Affair," is the theme of this year's celebration. Sponsored by the National Community Education Association (NCEA), this special day was established in 1982 to recognize and promote strong working partnerships between schools and communities.

Community Education Day in 1997 focuses on the importance of community members and institutions working together to not only support schools and enhance learning opportunities for students but to provide those opportunities for everyone. The learning community in

turn is empowered to build and maintain the support systems—social, economic, health—that make it a nurturing, caring vital place, a place where communities can prosper.

National Community Education Day is co-sponsored by over 35 national organizations, among them the American Association of School Administrators, the National Civil League, the Children's Aid Society, the U.S. Department of Education, and Youth Service America.

Mr. Speaker, I urge my colleagues in the House of Representatives to acknowledge the contributions that community education has made to millions of children and families. I am proud that the National Center for Community Education is located in my hometown of Flint. I applaud the efforts of Mr. Daniel Cady and the staff at the center for their commitment to education partnerships. We well know that when educators, families, and communities work together, schools get better. As a result, students get the high quality education they need to lead productive lives. Our children deserve nothing less.

TO THANK AMBASSADOR COWSIK
FOR AN EXCELLENT JOB

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. PALLONE. Mr. Speaker, the Washington diplomatic corps is about to lose one of its brightest lights with the departure of Shymala B. Cowsik, the Deputy Chief of Mission of the Embassy of India. Ms. Cowsik will soon conclude her distinguished 2-year tour of duty in the United States. In her all too brief tenure, Ambassador Cowsik has been a force in the steadily improving relations between the world's two largest democracies, India and the United States.

Mr. Speaker, Ambassador Cowsik has been no stranger to Capitol Hill during her tenure. She has worked tirelessly to educate Members of Congress and their staff about the ongoing economic liberalization process in India, and the possibilities for an ever closer relationship in the fields of trade and investment. Of course, international relations are not just based on economic factors, and Ambassador Cowsik has played a major role in helping to guide a complex and expanding bilateral relationship based on shared values of democracy and human rights, respect for the rule of law, and a growing appreciation for the cultures and traditions of each other's country.

Ambassador Cowsik has had an eminent career in India's Foreign Service. She has served as India's Ambassador to the Philippines, and has held major posts in Thailand and Yugoslavia. She now moves on to serve as India's Ambassador to Cyprus.

As the co-chairman of the Congressional Caucus on India and Indian-Americans, and as a Member of Congress representing one of the largest Indian-American communities in the United States, I consider ties between the United States and India to be of the utmost importance in our Nation's foreign policy. While we still have a ways to go to give Indo-

United States ties the priority they deserve, the momentum is clearly moving in the right direction. In the last 2 years, those efforts have made giant strides, and the excellent work of Ambassador Cowsik has played a major role. We will miss her, even as we wish her every success in continuing to represent and serve her nation with the highest distinction and dignity.

IN SUPPORT OF OXI DAY

SPEECH OF

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 29, 1997

Mr. KENNEDY of Massachusetts. Mr. Speaker, on October 28, 1940, the Greek prime minister was asked to surrender to the Italian Armed Forces. He refused to surrender Greece, replying simply, "Oxi"—the Greek word for "no".

Soon thereafter, Greece found herself battling Italian invading forces. What ensued went down in history as one of the most significant military victories of all time. Greek troops were outnumbered and under-equipped, but what they lacked in size and supplies they made up for in resourcefulness and determination. The world was amazed when Greece managed to repel the invading Italian forces, thus throwing a wrench into Hitler's plans for a swift takeover of the Balkans.

Oxi Day is an important milestone in Greece's long, proud history. We must not forget that throughout its history, Greece has been forced to defend its independence and its way of life. At the crossroads of Europe, the Mediterranean, and Asia, Greece has had to contend with an unending stream of aggressive neighbors. Greece has also weathered many challenges from within. The spirit that Greece demonstrated on Oxi Day is the same spirit that has guided Greece through the most difficult periods in its history.

Commemorating Oxi Day helps us reflect on Greece's great contribution to the Allied cause. It also provides an opportunity to thank the Greek people for their long tradition of friendship and partnership with the United States. We must continue to work to expand ties with Greece, support it in its relations with its neighbors, and work to bring about a peaceful resolution to the Cyprus crisis.

HONORING JOHN STURDIVANT

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. MORAN of Virginia. Mr. Speaker, I rise today to pay tribute to John Sturdivant, who passed away on Tuesday. John's service with the Federal Government began in 1961 as an electronics technician with the Army Interagency Communications Agency. John's concern for the well-being of his fellow Federal employees was evident from the very beginning of his Government service. He soon be-

came active in his local AFGE chapter. His passion soon earned him the respect of his peers, who elected him President of his local union in 1968.

John's continued success soon led him to AFGE's national office where he served in numerous positions culminating with his election as AFGE President in 1988. As the principal spokesman for Federal employees, John led the charge for countless reform proposals. In particular, John succeeded in reforming the Hatch Act, so that Federal employees could participate in the political process in their free time. He also pushed for locality pay, to bring Federal salaries more in line with the cost of living.

One of John's greatest fights came in late 1995, when partisan politics caused two Government shutdowns. Shutting down the Government hurt all Americans, but Federal employees suffered first by being locked-out of their jobs. Federal employees should never be used as pawns in a political chess game. Without John's perseverance, Federal employees surely would have suffered even greater injustices.

Mr. Speaker, John should be remembered for all of his accomplishments, but I will remember him mostly as a friend. He was a compassionate man with a profound respect for equity and justice. Though pragmatic, he never lost sight of the very ideals that first led him to serve in his local union. John will be sorely missed.

UNFAIR WTO ACTION INITIATED
BY THE MEXICAN MINISTRY OF
COMMERCE AND INDUSTRY
AGAINST UNITED STATES PAPER
COMPANIES

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. DICKEY. Mr. Speaker, it has been brought to my attention that United States paper producers have encountered serious trade problems in Mexico relating to the World Trade Organization Antidumping code procedures. It appears that Mexico's Ministry of Commerce and Industry has ignored WTO rules relating to United States exports of apples and high fructose corn syrup. The result of not adhering to the rules on trade cases leads to lost business for our producers as their protectionism shields their domestic producers.

I wish to insert into the RECORD a copy of a letter from the American Forest and Paper Association [AF&PA] to Mr. Peter Allgeier, the Assistant U.S. Trade Representative for the Western Hemisphere, of a third case that involves U.S. cut-size bond. There are six paper mills in my district in Arkansas. All six are members of AF&PA. Two are currently exporting bond paper to Mexico and could be adversely affected if the WTO Antidumping Code is not followed. The result could be a loss of export sales for up to 6 months while the final decision on antidumping is being decided.

Free and fair trade with our neighbors must be the goal of each nation. We in Congress

must insist that international rules of trade be adhered to. I will be following this matter closely to determine whether further action by Congress is not needed. Today, it may only be apples, corn syrup, and paper products. But, tomorrow, it could be a product produced in your district.

AMERICAN FOREST &
PAPER ASSOCIATION,
Washington, DC, October 9, 1997.

Mr. PETER ALLGEIER,
Assistant USTR for the Western Hemisphere,
Office of the U.S. Trade Representative,
Washington, DC.

DEAR PETER: On May 27, 1997 the Mexican Ministry of Commerce and Industry (SECOFI) initiated an anti-dumping investigation against U.S. producers of cut-size bond paper. While individual U.S. paper producers are responsible for responding to the anti-dumping questionnaire, AF&PA is closely monitoring Mexico's anti-dumping process to ensure that it does not violate international trade rules and is not used as a tool to limit imports of paper products from the U.S. We expect that the preliminary anti-dumping determination in this case will be issued in late November.

In this regard, we have noted with mounting concern reports regarding Mexico's actions in the anti-dumping investigation regarding high fructose corn syrup (on which USTR has sought consultations in the WTO) and, more recently, U.S. apples. AF&PA is deeply concerned that these actions by SECOFI are not isolated instances but rather may represent a developing trend toward politicization of the anti-dumping process in a manner calculated to roll back the market-opening benefits of NAFTA.

You may recall U.S. paper suppliers were already the target of Mexico's anti-dumping charges in Mexico in 1993-94. In that case, SECOFI arbitrarily used third country sales to calculate the residual dumping rate. Fortunately, the case was ultimately dismissed due to a negative final injury determination. Moreover, ISAC 12 cited the use of anti-dumping procedures against U.S. paper suppliers as a problem to be addressed in our submission for the Administration's NAFTA report.

We understand that USTR will meet with Mexican officials to discuss some of the issues in the apples case in the near future. At that time, we urge you to take an appropriate opportunity to indicate USTR's concern that similar irregularities be avoided in the pending investigation covering cut-size bond paper.

As always, your help with this problem is deeply appreciated.

Sincerely yours,

MAUREEN R. SMITH,
Vice President, International.

THE ROLE OF COMMUNITY HEALTH CENTERS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. RANGEL. Mr. Speaker, I am proud to stand before you today to highlight and honor the work of community health centers [CHC's] and the vital role they play in meeting the unmet health care needs of the less privileged individuals in America.

EXTENSIONS OF REMARKS

Tailoring their services to meet the needs of the entire family, CHC's provide a full range of family-oriented, culturally appropriate, preventive and primary care services. Currently, over 3.5 million or approximately 44 percent of the individuals receiving services at CHC's are children from newborn infants to adolescents 19 years of age, including 1 million uninsured children.

Living in economically depressed, underserved communities, these children and their families are at risk for multiple health and social problems. CHC's are the entry point for these vulnerable populations. These centers provide health care services at more than 2,200 sites across the country. Each year, in my home State, New York, more than 60 free-standing CHC's provide comprehensive medical and support services to 1.5 million of the State's poorest residents.

Perhaps the greatest testimony to the importance of CHC's are their attack on spiraling health care costs through constant innovation and its effective use of preventive health care measures. The public/private partnerships formed by these CHC's have been successful at reducing morbidity and mortality among high risk individuals. While infant mortality rates among the black population remains high, the rate has been sharply reduced in health center catchment areas and, more dramatically, among health center patients. Additionally, CHC's have stepped forward and taken a leadership role in designating cost-effective, culturally competent care for Latinos, Asians, and other hard to reach minority populations.

With the enactment of the welfare reform law, we cannot underscore the importance of these community health centers. Not only do they provide managed care efficiently and competently, CHC's make sure that they respond to the local and cultural needs of their patient populations. In today's new world of measuring the effectiveness of every Federal dollar spent, CHC's stand out as a shining example of Federal investments that pay off in both health and community impact.

Also evident is the economic impact made by CHC's. In many cases, these CHC's have been a major force in reinvigorating entire communities. Not only are jobs created through CHC construction, and the hiring and training of community residents, but partnerships are forged between health centers and local businesses—producing startling effects in many communities.

Finally, let me take this opportunity to thank all community health centers across the country, but especially those centers in the 15th Congressional District in New York which everyday exemplify partnerships of people, governments, and communities working together to meet local health care needs in the most effective and efficient way possible.

October 31, 1997

EXPRESSING SORROW OF THE
HOUSE AT THE DEATH OF HON.
WALTER H. CAPPS, REPRESENT-
ATIVE FROM THE STATE OF
CALIFORNIA

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 29, 1997

Mrs. MALONEY of New York. Mr. Speaker, I rise to share my condolences with the family of WALTER CAPPS—Lois, Lisa, Todd and Laura—and with every Member of this House, because we've all lost a true contributor: A man who legislated from his soul.

We are all left shocked and sorrowful at his death, but there was perhaps no one more prepared for this moment than Walter himself.

Elected officials often suffer from erosion, outside forces chip away at our thoughts, and work to influence our actions. But Walter didn't work from the outside in, he worked from the inside out, his studied philosophies, his moral strength and his writings have left us with an example to follow in our professional lives. His sincerity.

And that twinkle in his eye, have left us with fond memories, to carry home.

HONORING CHRISTINA DRAKE

HON. TIM ROEMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. ROEMER. Mr. Speaker, I rise today to thank my constituent, Mrs. Christina Drake from Bristol, IN. As a mother of two teenage boys, Mrs. Drake recently wrote a letter to me expressing her concerns about gang violence in her community. I agree with Mrs. Drake that gang violence is a serious problem in America, and I share her concerns as she so thoughtfully expressed in her poem entitled "Gang Violence" which follows:

"GANG VIOLENCE"

Kids in gangs tryin' to rule their domain,
huffin' and puffin' doin' cocaine.
Getting a feel for what is real,
but when reality sets in there's violence
again.

Knives and guns, they're in our streets.
Where's the salvation, where's the retreat?
Playin' hard tryin' to win the game,
but in the end it's always the same.
One more found dead tonight,
we're all at war, and it just ain't right!
Hangin' out trying to fit in,
getting even for them killing my friend.
This time I got lucky, they missed me,
Who is next, which one will it be?
Can't you see this has all got to stop?!
It might be you, the next one to drop.
So think about what you say, and do.
Keep your head, stay in school.
There's a better way to take a stand—
work it out, live again!
If your friend was your friend,
he wouldn't push you to the limit.
Stay away, and don't get in it.
You see crime is time, and sometime it's life.
Don't let your's be the sacrifice!

TRIBUTE TO JULIO V. SANTIAGO

HON. JAMES M. TALENT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. TALENT. Mr. Speaker, I rise today to pay tribute to an outstanding humanitarian, physician, teacher and scientist, Dr. Julio V. Santiago, who tragically passed away on August 10, 1997. It is an honor for me to recognize this outstanding individual, not only for his numerous professional accomplishments, but for the passion he gave to his research and patients.

Dr. Santiago was a professor of pediatrics and medicine at Washington University School of Medicine in St. Louis, and a member of the medical staffs of St. Louis Children's and Barnes-Jewish Hospitals. At Washington University, he served as director of the Division of Pediatrics Endocrinology and Metabolism and of the Diabetes Research and Training Center. He served among the leadership of the landmark Diabetes Control and Complication Trial and the ongoing Diabetes Prevention Program. Dr. Santiago was a respected researcher at developing methods for improving the management of diabetes. He served as editor of a national scientific journal, "Diabetes," as well as serving as a volunteer for the American Diabetes Association. His expertise has benefited numerous organizations and agencies, including the National Institute of Health, the Food and Drug Administration, and the U.S. Congress.

One of his colleagues, Dr. Neil White, stated, "He was an outstanding teacher and mentor and role model for all who knew him." Yet another, Dr. Sheridan Tollefsen, stated, "His life was exemplified by his boundless enthusiasm, warmth and generosity, his avid interest of sports and the outdoors, and his tireless efforts to help others."

Mr. Speaker, I ask that you join his family, his colleagues, Washington University, the residents of Missouri's Second District and me, in paying tribute to the life of Dr. Julio V. Santiago. His leadership and compassion will stand not only as an example for other physicians to follow, but for every one of us.

TRIBUTE TO LUCILLE WILLIAMS

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. SERRANO. Mr. Speaker, I rise today to pay tribute to Ms. Lucille Williams for her tireless service to those who are less fortunate in our community. She is a founding member of the Mid Bronx Desperadoes, which celebrated its 22 years of service to our Bronx community last week.

Born in Learned, MS in 1922, Ms. Williams is the oldest of 14 children. She attended Cambellville Elementary School and Yazoo City High School before starting a family and moving to Detroit in the mid-forties. After she moved to Harlem in 1952, she worked for the Frederick Douglas Democratic Club. In 1962,

she moved to the Bronx and became vice president of the Parents Teachers' Association [PTA] at the CS 61 then vice president and president of Herman Ridder's PTA.

In 1974, under her leadership, a group of volunteers who understood the need to revitalize the Crotona Park East section of Bronx Community District 3 that was devastated by arson, disinvestment, abandonment, and population loss, founded the Mid Bronx Desperadoes [MBD].

Throughout its 22 years of service, MBD has been a model of excellence in providing our community with exemplary services through housing development and property management, economic development, and delivery of human services.

Through her years of service, Ms. Williams was involved in several other agencies. She was a founding member of Seabury Better Block Association, board member of Seabury Day Care, and active in other projects before she returned to school for her college degree. Now a senior citizen, she is a member of the Comprehensive Community Revitalization Program [CCRP] and MBD's Concerned Citizens Group.

Ms. Williams is the mother of 5 children and has 12 grandchildren and 9 great-grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Lucille Williams for her outstanding achievements and enduring commitment to our Bronx community.

UNDERMINING THE UNITED STATES EMBARGO OF CUBA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. HAMILTON. Mr. Speaker, I commend to my colleagues' attention the attached article by Ernest Preeg, which was published in the Journal of Commerce several days ago. The article points out that, according to a new United Nations Study, United States citizens sent relatives and friends in Cuba approximately \$800 million in cash during 1996—a sum nearly twice as large as Cuba's net export earnings from its annual sugar harvest. Under current regulations, American citizens may legally send cash to Cuba only after first obtaining a very specific license from the Treasury Department. Rarely, if ever, has any American applied for such a license. The fact that so many private American citizens are moved by kinship or generosity to provide cash assistance to economically disadvantaged Cubans, in violation of the United States embargo and United States law, suggests that many Americans with ties to Cuba themselves reject one of the embargo's fundamental rationales: that it is both appropriate and necessary to apply economic pressure to promote political change in Cuba. This suggests that it is time to pursue a new United States policy toward Cuba, a policy in which both private United States citizens and the United States Government are able legally and openly to aid the Cuban people.

[From the Journal of Commerce]

HAVANA AND HELMS-BURTON

(By Ernest H. Preeg)

The U.S. embargo against Cuba, extended to third-country Cuban investors through the 1996 Helms-Burton Act, enjoys strong support among most Cuban-Americans, the three Cuban-American members of Congress and the well-organized Cuban American National Foundation.

However, Cuban-American attitudes are in deep conflict. While most strongly support the embargo, including Helms-Burton, increasingly large remittance flows are sent to Cuban friends and relatives, effectively undermining economic restrictions.

The extent of this contradiction—and its impact on U.S. Cuba policy—is underscored by a startling U.N. Economic Commission on Latin America and the Caribbean report. Eclac found sharply rising remittances to Cuba in 1995 and 1996, even as Congress enacted Helms-Burton, more than reversed the law's limited success at discouraging third-country investors.

Virtually all Cuban-Americans, and many others, oppose the Castro communist regime and want democracy quickly restored in Havana. Yet Cuban-Americans also understand that economic sanctions' poor track record forcing political change on authoritarian governments—some even step up repression in response—and the tool's disproportionate impact on the poor.

The dilemma did not exist before 1990 because huge Soviet subsidies—\$6 billion annually in the late 1980s—ensured decent Cuban living conditions despite the U.S. embargo. After Russia's abrupt 1990 aid cutoff, however, Cuban shortages of food, medicine and other goods mounted, worsened by Helms-Burton.

Cuban-Americans responded by stepping up remittances, helped greatly in 1993 when Havana embraced U.S. dollar usage and opened dollar-only stores. The forthcoming Eclac report suggests remittances grew to approximately \$800 million in 1996 from under \$100 million in 1990, despite strict U.S. Treasury limits—before counting direct shipments of clothing and consumer goods.

The role these remittances play in undermining the U.S. embargo is best seen in a comparison with other dollar sources. Cuba's 1996 tourist receipts were \$1.4 billion, sugar exports \$1 billion, other exports under \$1 billion and much-touted foreign investment inflows about \$100 million to \$200 million. Exact investment figures are secret.

But the comparative figures are gross dollar receipts, which don't reflect high offsetting imports. Cuban hotels buy most food and other goods abroad, for instance, while the sugar industry imports fertilizer, oil, machinery and parts to service refineries. Tourism's net inflow, accordingly, is as low as 30% of the gross—an estimated \$400 million in 1996—while sugar's is about 50%, or \$500 million. With remittances, in contrast, virtually all \$800 million remains in Cuba.

In 1996, therefore, the \$800 million remittances nearly equaled the net contribution from sugar exports and tourism combined. Applying the same calculations more broadly, about one-third of Cuba's entire net dollar inflow is from remittances.

The money is sent, of course, to help individual Cuban relatives and friends. Yet in aggregate, it offsets the embargo's financial squeeze and helps Havana keep the economy afloat despite failed central planning policies. While the remittances go directly to Cuban people, their help paying for food and other basic needs leaves the government

with \$800 million more to spend on other priorities.

This fundamental difference between what Cuban-Americans say and do regarding the U.S. embargo deserves broader discussion, given the new Eclac figures. Helms-Burton's extra-territorial provisions create tension between Washington and its trading partners, particularly within the World Trade Organization. If Cuban-Americans press for strict adherence to the act's terms while undermining it through large and apparently illegal remittances, the embargo policy is deeply flawed.

A review is particularly timely given the pope's planned Cuba visit next January. The Catholic Church has consistently opposed economic sanctions throughout the world, given their undue impact on the poor. Pope John Paul may be anti-communist, but he is opposed to the U.S. embargo. The church's strategy for social and political change in Cuba, as elsewhere, is longer term.

During his visit, the pope hopes to obtain enhanced "working space" for the church, particularly a church radio station in Cuba—although Castro is unlikely to agree to that request. In the words of one Catholic priest: "When Fidel is gone, and the revolution is gone, the church will still be."

The Catholic Church has long dedicated itself to helping the poor and disadvantaged. It has opposed the U.S. embargo and extended food and medical shipments to Cubans through Caritas, its humanitarian agency. Several million dollars in Cuban Caritas aid, however, pales beside the \$800 million in Cuban-American remittances. In this respect, Cuban-Americans are more Catholic than the Pope.

IN SUPPORT OF HONDURAN
APPAREL INITIATIVES

HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. HILLIARD. Mr. Speaker, I would like to bring to your attention a recently published article by the Council on Hemispheric Affairs [COHA]. The article is entitled: "Scandal-Ridden Honduran Apparel Industry Seeks New Image." It appeared in COHA's biweekly edition of Washington Report on the Hemisphere on August 15, 1997.

The article brings to light the efforts of the Honduras Apparel Manufacturers Association to establish an industrywide code of conduct as a constructive, proactive mechanism to prevent future labor relations problems. The aforementioned association is a nonprofit and nonpolitical organization from the private sector, created to promote and develop exports of apparel goods, and to serve its associates and represent them before public and private institutions, both nationally and internationally. Membership is mandatory under Honduran law for all exporting companies. This new code was approved by the association's board of directors in late July, at an industrywide meeting.

Mr. Speaker, you will recall that the COHA is a locally based think-tank policy institution. It is well established for its views on developments in Latin America. COHA monitors human rights, trade, growth of democratic in-

stitutions, freedom of the press, and hemispheric economic and political developments. I would like to place in the RECORD the full text of this article.

SCANDAL-RIDDEN HONDURAN APPAREL INDUSTRY SEEKS NEW IMAGE—EMBITTERED INDUSTRY MANUFACTURES ITS OWN CODE OF CONDUCT

As major media revelations on child labor and sweatshop abuses in Honduras surfaced, deeply embarrassed local business interests, foreign firms operating in the country, and government authorities became increasingly concerned about the bad PR as much as conditions under which garments were being made there. At the end of July, the embattled Honduran Apparel Manufacturers Association (AHM) organized its first congress in San Pedro Sula in order to design a binding code of conduct for their industry. The AHM is a non-profit, non-political private sector organization established in 1991 to promote Honduras' exports of apparel goods and to serve as a foreign and domestic voice for the booming garments assembly industry. The sector consists of 180 plants, employing 87,000 workers. But its impact is far greater than it appears because in a country of approximately 5 million people, the industry accounts not only for its own workers and their almost 400,000 dependents, but for nearly 600,000 other Honduran laborers and their families in such related industries as shipping and packaging.

By drafting its own self-enforcing code of conduct, "the AHM hopes to preempt any outside intervention that could lead to regulations mandated from above." This meeting of the Honduran maquiladoras was focused on addressing international humanitarian concerns such as harsh work site conditions and widespread labor abuses raised when the Kathy Lee Gifford scandal broke last year.

WORKING CONDITIONS IN THE FACTORY

In June 1996, Charles Kernaghan, the executive director of the National Labor Committee, submitted a complaint to the House International Operations and Human Rights Subcommittee accusing Honduran apparel manufacturers and Kathy Lee Gifford associate, Global Fashion (a South Korean-managed firm), of labor abuses. The foreign company was accused of employing approximately 100 minors under deplorable work conditions, which included prohibiting the use of restrooms, mandating that female employees take birth control pills, and forcing pregnant women to stand while working in unbearable heat. But, inspections of the company's facilities conducted by the Honduran Department of Labor and Social Security as well as the Episcopal Church, among others, failed to establish hard evidence of endemic abuse. However, the company did acknowledge that overtime work was compulsory and that there was a high employee turnover rate. In fact, Global Fashion may have been better than most of the tainted industry.

The government insists that its labor laws have been designed to protect its citizens. Under the most recent labor legislation, employees working 44 hours per week are entitled to 50 hours worth of wages, which adds up to 14 months of pay per year. While the official minimum wage in the country is \$0.31/hr., most apparel industry laborers earn as much as \$0.86/hr. Education is mandatory through grade six, and minors who are 14 or 15 years of age may work up to 36 hours per week, but only with permission from parents or legal guardians and from the Ministry of Labor. The AHM claims that "there are no

minors under the age of 14 working in Honduran assembly plants." Skeptics are not so sure.

OBSTACLES TO THE CODE

Although the AHM's code of conduct now appears to be based on a real desire for progressive reforms, there are many cultural and political roadblocks to its progress. The Korean-owned segment of the industry creates a large culture gap that has resulted in many worker complaints. Approximately 18 percent of AHM's members are South Koreans who own about one-fifth of the 200 maquiladoras operating in the country. Complaints that Korean managers frequently commit verbal, physical and sexual abuse against female workers have led us to a expulsion of several Korean managers from the country. Due to the hard-line Korean business ethic that stresses "the more you work the more you earn" strategy, the AHM has had to provide Korean maquila managers with special seminars on Honduran labor laws and appropriate workplace conduct.

Another obstacle hindering the efficacy of the new code of conduct is the omnipresent political corruption existing in the country. The recent scandal involving Chiquita Brand International executives and the deeply flawed Honduran court system demonstrates how the integrity of the judiciary can be compromised and manipulated by powerful and unethical foreign corporations. Complicating the AHM's task is the claim that some of the 33 plants that are unionized have tainted labor leaders who routinely demand payoffs. According to Arnaldo Solis, President of the AHM, "the new code of ethics will be a healthy instrument if used properly to enhance protection of human and labor rights, but could become dangerous if used as a political instrument to 'deteriorate' the industry."

DESIGNATE THE RICHARD C. LEE
COURTHOUSE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Ms. DeLAURO. Mr. Speaker, today I introduced a bill to designate the U.S. courthouse in my hometown of New Haven, CT, as the "Richard C. Lee United States Courthouse." I am pleased to take this opportunity to speak of the dedication and service that my friend and colleague, Richard Lee, has given the city of New Haven throughout his life. Richard Lee epitomizes all that a mayor should be. He is a local boy, a family man, a dedicated and hard-working person, and most of all a friend to everyone. He is truly a model mayor for this century.

After serving his tour of military duty, Dick Lee returned to New Haven to begin a lifetime of service to his beloved city. During four terms as an alderman, Dick Lee was committed to urban redesign at a time when most cities had not yet considered such ideas. When Lee first ran for mayor in 1949 he had the foresight to recognize the need for urban renewal. He was elected mayor in 1953 and then went on to serve eight terms.

Those of us from New Haven know Richard Lee for his profound influence on the city, but he is well known for his signal impact on national urban policy. Lee fought for and won

Federal funding for important city renewal projects. Under Lee's aegis New Haven came to have three times more Federal funds per capita than any other city. Both Presidents Kennedy and Johnson courted Lee's insight and innovation on urban renewal. Lee's forward thinking ideas on city planning were the first version of the War on Poverty.

When the signs of an urban upheaval were noted by President Johnson, Richard Lee's connection to the heartbeat of cities was well acknowledged. The new Federal Department of Housing and Urban Development was created and Lee was offered a prestigious Federal post—which he declined because he wanted to continue his service to the city of New Haven.

Anticipating the coming storm embodied in the civil rights movement, Lee applied for and received \$2.5 million from the Ford Foundation to combat urban unemployment and poverty. In addition, he received the first Federal grant to battle juvenile delinquency. When the urban tensions of the civil rights movement came to a head with rioting across the Nation, New Haven was spared the violence which shook other American cities. In New Haven, not one shot was fired by a policeman and not a single citizen was seriously harmed.

Under Lee's direction, the city of New Haven became one enormous renewal effort. Every neighborhood and school was involved in Dick Lee's programs and projects, and citizens of New Haven are still reaping the benefits today. The restoration of Wooster Square and the engineering buildup of Long Wharf are both credited to Dick Lee. The Knights of Columbus building and the Veterans coliseum were also projects of Lee's doing.

While Dick Lee is known for his many achievements, projects, and programs, he is also known by the people of New Haven for his commitment to the average citizen, his community involvement, and his accessibility. For Dick there was no higher service than the office of mayor of New Haven. Time and again he rejected offers of higher government positions. He felt the best way to serve the city and the people was in the mayor's office.

In 1980 Richard Lee was presented with the Distinguished Service Award for his advocacy on behalf of America's cities by the U.S. Conference of Mayors. The country is thankful to this man who has brought so much to America's cities. Most importantly, the people of New Haven are blessed with the presence of this hometown boy who came to the position of mayor and changed the face of the city.

As a citizen of New Haven, I am grateful that I have had the opportunity to know and learn from this remarkable man. The Richard C. Lee U.S. Courthouse will be a lasting tribute to a man who was truly one of the most dedicated and effective mayors of this century.

PRIEST IS KILLED IN INDIA

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. KING. Mr. Speaker, I rise today to bring to the attention of the House that this past

Tuesday a Catholic priest was found beheaded in Bihar, India, apparently for simply helping Untouchables. I not only deplore this tragedy but urge the Government of India to rectify this situation and end the persecution of religious minorities.

I submit for the RECORD two news articles describing this horrible crime and the persecution of Christians by Indian police.

[From the New York Times, Oct. 30, 1997]

3D PRIEST IS KILLED IN INDIA

NEW DELHI, Oct. 29 (AP)—A Catholic priest was found beheaded in a forest in northern India, apparently killed for helping untouchables, colleagues said today.

A search party from the Australian-run mission that employed the priest, the Rev. A.T. Thomas, found his body Monday near Sirka, Bihar, three days after he was abducted.

He was the third Catholic clergyman killed in two years in Bihar, where caste-based gang wars have killed hundreds of people.

Father Thomas, an Indian, had established 15 schools and health projects for untouchables.

[From the Tribune, Oct. 27, 1997]

DSP HURT IN BRICKBATTING

Ludhiana, October 26.—The police opened fire in the air and resorted to a lathi charge to disperse an agitated mob of Christians last night and as many as 19 policemen, including a DSP and nine Christians were injured in the brickbattling and lathi charge. Two vehicles were also damaged. The Christians had started a five-day programme on "Jesus Christ is the answer" festival from October 22 to October 26 on the Chandigarh Road. They claimed that they were holding their prayers and thousands of Christians were participating in the same. On the other hand BJP activists of the Shiv Sena and the Bajrang Dal objected to the holding of the festival alleging that the Christians were resorting to conversions and indulging in "magical healing." The administration on the first day withdrew permission to hold the festival but on the assurance that no magical healing would be done and no conversions would take place, it relented. However, groups opposed to the holding of the festival continued their protest dharna near the venue of the festival. The police had made elaborate security arrangements. According to a spokesperson for the Christians, the district administration yesterday forced them to wind up the festival as tension was brewing up in the town. He said that on October 22 an attempt was made to set the venue on fire and electric lights were damaged. But the administration did not take any action against the rioters. He said as the announcement for the cancellation of the festival was made the youngster started a dharna on the Chandigarh Road. The police lathicharged them and chased them to the CMC Chowk where other Christians had collected in protest against the cancellation of the festival. The spokesman said a deputation of the Christians had also met the Chief Minister, Mr. Parkash Singh Badal, at a village in Muktsar district two days ago and apprised him of the situation. The SSP, Mr. Dinkar Gupta, said as many as 19 policemen were injured in the brickbattling. He said the police force was outnumbered at the CMC Chowk and had to resort to a lathi charge and open fire in the air to protect themselves.

BREAST CANCER AWARENESS MONTH

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mrs. MCCARTHY of New York. Mr. Speaker, I rise this evening in support of Breast Cancer Awareness Month. We are facing a national epidemic. Breast cancer is the leading cause of death for women between the ages of 35 and 52. Approximately 1 in 9 women in the United States will develop breast cancer. Every 3 minutes a woman is diagnosed with breast cancer and every 12 minutes a woman will die of breast cancer. Our mothers, sisters, daughters and friends deserve better. We must find a cure for this disease.

In order to find a cure, scientists need to better understand this multi-factorial disease. While important discoveries have been made like the breast cancer gene which accounts for 10% of breast cancer cases, there is still a great deal more to learn. One factor particularly significant on Long Island is the appearance of clusters, high incidence of breast cancer in one geographic area. On Long Island, 110 out of every 100,000 women will be diagnosed with breast cancer compared to 100 out of every 100,000 women in New York State.

Scientists suspect that breast cancer clusters are linked with toxins and other chemical substances present in the environment. In 1993, Congress authorized the National Institute of Health to conduct the Long Island Breast Cancer Study (LIBSCP). This project brings together scientists and breast cancer patients for a comprehensive study to explore the possible connection between environmental toxins and breast cancer.

Until we find a cure for breast cancer, we must increase our efforts for diagnosis and treatment. Regular mammography screening is vital for early detection of the disease and all women 40 years old or older should receive an annual mammogram. Last week, I had the opportunity to visit a Mobile Breast Cancer Unit that provides mammograms for underserved women in my district and I was impressed with the number of women who visited the unit in one afternoon. This kind of outreach is the best way to target women in all communities for early detection.

For the one women of nine diagnosed with breast cancer, quality medical care is essential. This year, Congress introduced several pieces of legislation to assist breast cancer patients, such as minimum stay requirements for mastectomies, mandatory insurance coverage of second opinions and reconstructive surgery. Today, early detection together with quality treatment is the best way to cope with this disease.

Breast Cancer Awareness Month is an opportunity to educate women about breast cancer and to promote awareness, research and quality treatment in the United States. I look forward to the day when we have a cure and this month is no longer necessary.

TRIBUTE TO WALSH COLLEGE

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. LEVIN. Mr. Speaker, I rise to congratulate Walsh College on celebrating 75 years of leadership in exemplary business education. Walsh's history is firmly implanted in the success of Michigan business; from the early years of the auto industry to the development of high-technology businesses today.

Walsh College started as a small accounting institute in Detroit and became an upper-division college in 1968. Seizing the opportunity to partner with area community colleges, Walsh developed the successful 2 & plus; 2 program. With just 151 bachelor-degree-seeking students in 1970, Walsh College has expanded to 4 campuses and grown to over 3,300 students currently pursuing bachelor and master degrees in business.

It is with pride that Walsh College acknowledges the 11,000 Walsh alumni who have played a vital role in the growth of Michigan's economy. Over 90 percent of their alumni live and work in southeastern Michigan directly contributing to the progress of the region.

Mr. Speaker, I ask my colleagues to join me in congratulating the entire college, the president, David Spencer, the administration, faculty, students, and alumni who have each played a vital role in Walsh's success over these past 75 years.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. KIND. Mr. Speaker, another day has gone by and still no campaign finance reform. While the House of Representatives refuses to take action on this important issue, the tales of abuses of the system continue to come to our attention.

In yesterday's paper I read, with interest, more documented abuses of the campaign finance system. The abuses include ambassadorships for sale, hush money from foreign businessmen, shakedowns of people with issues before the President, all being coordinated from the Oval Office. These revelations are new to the public, but they are not new abuses. These activities occurred over 26 years ago, during the administration of President Richard Nixon, the poster child for campaign finance reform.

Following the revelations of the illegal activities by the Nixon White House, Congress passed campaign finance reform. Those reforms haven't been changed or updated since that time. Today we see the result of our failure to update and strengthen the campaign finance rules. Parties, candidates, and special interest groups have discovered loopholes in the law and have devised schemes to operate outside of public view.

Mr. Speaker, it is time we change the rules and strengthen the requirements under which

EXTENSIONS OF REMARKS

campaigns are run. If we do not take action now the abuses will continue. Failure to act will continue the undermining of America's confidence in our democracy that began after the Nixon Watergate scandal.

It is time to vote on campaign finance reform, I refuse to take "no" for an answer.

IN HONOR OF MR. ROY O. CARROLL, JR., ON HIS RETIREMENT FROM THE CHICAGO FIRE DEPARTMENT

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. JACKSON of Illinois. Mr. Speaker, I rise today to honor a dedicated public servant, and my constituent, Mr. Roy O. Carroll, Jr., in his first year of retirement from the Chicago Fire Department after 35 years of committed service to our great city. In 1962, when Mr. Carroll began his career with the department, 150 African-Americans served on a force of 5,400 in segregated firehouses, and in segregated neighborhoods. The overcrowded and inferior living conditions suffered by African-Americans at that time created a dangerous atmosphere which was rife with the potential for fires and emergencies. As a result, the black fire engines, numbered 16, 45, 19, and 48, were the busiest companies in the city, and perhaps in the world, averaging from 3,700 to 4,500 runs per year.

In 1980, Mr. Carroll joined my father, the Reverend Jesse L. Jackson, Sr., in a successful effort to settle a month-long firefighters' strike. In 1982, he was promoted to the position of lieutenant, and in 1991, Mr. Carroll was again promoted to lead the force as captain. Additionally, during the period from 1991 to 1996, he served as assistant bureau commander of the West Side Fire Prevention Bureau. After this impressive tenure of committed public service, Mr. Carroll retired from the department on November 15, 1996.

Mr. Carroll's commitment to his community, his Nation, and the world extended well beyond his career with the Chicago Fire Department. He served his country honorably in the Korean conflict, and continued his service to the Nation upon his return. Closer to home, as chairman of the 111th Street Business Association, member of the Morgan Park Community Roots Organization, founding member of the Umoja Business Alliance, and senior vice commander of the Captain John Daniels VFW Post No. 111 in Chicago, and as griot of the Safari Marketplace empowerment group of manufacturers, designers, and distributors, Mr. Carroll has brought to task his leadership skills.

Mr. Carroll, a loyal husband, father of three and grandfather of three, deserves our most humble commendation. Mr. Speaker, our city, our Nation, and, indeed, the world community owe him a debt of gratitude for his valuable contributions and public service.

October 31, 1997

75TH ANNIVERSARY OF THE RESERVE OFFICERS ASSOCIATION

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. SKELTON. Mr. Speaker, in the analysis that followed World War I, it was clear to many American military experts that we suffered unacceptably high casualties due in no small part to the lack of a well-trained reserve force. With this in mind, Congress enacted the National Defense Act of 1920 which created, among other things, a 200,000-member Officers Reserve Corps.

On October 2, 1922, the Reserve Officers Association of the United States was organized at the suggestion of General of the Army, John J. Pershing. General Pershing charged the ROA with the responsibility to recruit the corps, develop public support for it, and petition Congress to appropriate adequate funds to train these citizen service members. One of my State's most prominent citizens, President Harry S. Truman, a junior officer during World War I, was an original, charter organizer of the ROA. In the 75 years since its founding the ROA has more than met the challenges given to it by General Pershing.

At the beginning of World War II, 115,000 members of the Reserve Officers Corps were trained and available for instant service, helping us avoid the hectic days of 1917, when there was no adequate reservoir of officers to draw upon. Since that time, reservists have been involved in all of our conflicts, including the 267,000 that were recalled for Operations Desert Shield and Desert Storm, and the 14,000 that have served in IFOR and SFOR in Bosnia and Herzegovina.

Throughout all of these years, the ROA has been active—supporting initiatives to strengthen our Nation's military, and opposing efforts to undermine America's preparedness. It has helped stop dangerous and ill-advised cuts in our Nation's reserve forces. It has fought for and won improvements in the pay and benefits of all of our Armed Forces—measures which have been vital to us in recruiting and retaining a quality force.

Today, the ROA is a strong, vibrant, and well-respected association of 90,000 members, 68 percent of whom are life members. It is an organization whose integrity and credibility meet the highest standards. Because of my deep respect for the ROA and its work, I was deeply honored to receive its Minute Man of the Year Award in 1995.

Mr. Speaker, I know that all of our colleagues in the House will join me in congratulating the Reserve Officers Association of the United States on its 75th anniversary, and in wishing it all the best in its future endeavors.

HONORING UCSF STANFORD HEALTH CARE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Ms. ESHOO. Mr. Speaker, I rise today to salute the farsighted, courageous leadership

of the regents of the University of California and the board of trustees of Stanford University for approving the merger of UCSF Medical Center and Stanford Health Services. UCSF Medical Center includes Mt. Zion Hospital, while Stanford Health Services is comprised of Stanford University Hospital and Lucile Salter Packard Children's Hospital. The new organization resulting from this merger shall be known as UCSF Stanford Health Care.

UCSF and Stanford Health Services, both recently named among the top 10 medical centers in the United States, have well earned reputations as extraordinary institutions that educate new physicians, engage in life saving research, and provide exemplary care to their communities. Lucile Salter Packard Children's Hospital is widely heralded for its advocacy of children's health and has a distinguished national record of expert and compassionate care for children. Mt. Zion Hospital, which became part of UCSF in 1987, has a rich tradition of providing high quality care to San Francisco families. Together, these organizations provide care to more than 1 million individuals each year. The combined entity has pledged to continue its commitment to those who need its services, including the indigent and those with special needs.

The employees of UCSF, Stanford Health Services, Lucile Packard Children's Hospital, and Mt. Zion Hospital bring with them a tradition of maintaining high standards for patient care and an ability to put a vast array of new technologies into service with dizzying frequency. Their ceaseless commitment to providing the finest service to those entrusted to their care will enable the new entity to continue as a leader in the healing arts.

Mr. Speaker, this ground breaking merger is very important to the people of our region and our Nation and will make UCSF Stanford Health Care a peerless resource for advanced medical treatment. I ask my colleagues to join me in congratulating all those who took part in the creation of UCSF Stanford Health Care and wish them our best in this new endeavor.

DOMESTIC VIOLENCE AWARENESS MONTH

HON. ELIZABETH FURSE

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Ms. FURSE. Mr. Speaker, October is Domestic Violence Awareness Month. Domestic violence is a subject that we must give greater attention. In this country, 42 percent of murdered women are killed by their intimate male partners. I find that shocking—of 100 women killed, in almost half the cases, the murderer is the woman's boyfriend, ex-boyfriend, husband, or ex-husband.

The importance of violence against women as a national problem was acknowledged by Congress in our 1994 passage of the Violence Against Women Act as part of the crime bill that year.

Soon after I was elected to Congress in 1992, I met with a group of advocates working to prevent domestic violence in Portland. They asked me to develop a community-based ap-

proach to domestic violence prevention. Along with Senator Hatfield, I introduced legislation in 1993 which was included in the Violence Against Women Act and the crime bill.

Because the problem of domestic violence is pervasive, only a coordinated approach which integrates the unique perspectives and assets of these interrelated sectors of society can produce truly effective solutions. Local domestic violence organizations often lack coordination with similar groups in their community. My legislation included a provision to improve and expand existing intervention and prevention strategies through increased communication.

My legislation enabled funding for community programs on domestic violence. These grants are being awarded in local communities in order to develop coordinated community plans for intervention in and prevention of domestic violence. These projects involve such sectors as health care providers, the education community, the religious community, the justice system, domestic violence program advocates, human service entities, and business and civic leaders.

The National Research Council published a report last year called *Understanding Violence Against Women* which said: "[these coordinated community] projects had a significant impact on increasing the levels of arrests for battering, convictions, and court mandates to treatment * * * Arrests prior to the coordinated effort increased repeat violence, while police action, particularly arrest, in coordination with other criminal justice efforts deterred further violence."

These community programs were funded at \$6 million each year in 1995 and 1996. Six million dollars is included in both the House and Senate versions of this year's Labor/HHS appropriations bill for coordinated community initiatives.

Much of the funding in the Senate bill comes from the violent crime reduction trust fund rather than by further extending the Centers for Disease Control's base budget, which is already stretched thin. Several of my colleagues have joined me in sending a letter to House conferees urging them to recede to the Senate position.

Mr. Speaker, the fundamental nature of violence against women remains unexplored and often misunderstood. We must increase our knowledge so that we can ameliorate this national problem.

A NATIONAL SYMBOL FOR GERMAN-AMERICANS

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. MINGE. Mr. Speaker, this summer I was honored to be part of a glorious event for German-Americans, the Hermann Monument Centennial in New Ulm, MN. The 100-year dedication drew thousands of Americans with German ancestry to a parade and several festivals at the site of the Hermann Monument, a statue of a celebrated German hero.

The Hermann Monument stands at a crest of a hill overlooking the city of New Ulm. To

the thousands of residents in the heavily German-American New Ulm area, the monument symbolizes the importance of German ancestry. To German-Americans scattered across the country, the Hermann Monument represents unity of the German people.

The formation of a united Germany began in 9 A.D. when Arminius, or Hermann, defeated three Roman Legions who had invaded the area known today as Germany. His victory laid the foundation for German identity. Hermann went on to symbolize German unity and the hard work and perseverance it took to attain that goal.

Centuries later in America, Hermann signified the struggle of the German immigrant coming to America. To Germans who came to this new country, Hermann stood for pride in having made it to America, and in having established opportunity for the future. Hermann was recast as a German-American symbol, representing the essence of the German-American experience.

German-Americans are an integral part of the culture and history of our Nation. There are more than 57.9 million individuals of German heritage residing in the United States, representing nearly 25 percent of the population. German-Americans surpass all other ancestries as the largest ethnic group in the United States.

Currently, we do not have a national symbol of the German heritage. The Hermann Monument celebrates the unity of German-Americans throughout our Nation. Consecrating a monument to this great leader, and manifesting it as a national symbol for German ancestry, emphasizes the importance of recognizing the contributions German-Americans have made to our country. This monument, visited by thousands of Americans of German ancestry, and revered by German history scholars, should be a national symbol for the contributions of German-Americans.

It is with the goal of recognizing the German-American experience that I have introduced a concurrent resolution that designates the Hermann Monument as a National German-American Monument and a symbol of pride for Americans of German heritage. The bill will recognize the Hermann Monument as a sight of special historical significance.

Scattered across the country in small towns as well as large cities, German-Americans are separated by regions of the country, but deeply united in ancestry. It is our duty to recognize the importance of the history and culture of German-Americans who have helped to mold our great Nation. This monument, representing unity of a great people and celebrating the experience of a unique culture, is but a small token of the contributions made by German-Americans to our great Nation.

SUPPORT STANDARDS OF EXCELLENCE IN EDUCATION

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Mr. ETHERIDGE. Mr. Speaker, I rise today to announce the introduction of my resolution

in support of voluntary educational standards of excellence. I urge my colleagues to join the 23 original cosponsors and myself in support of this important measure.

This simple, straightforward resolution is a commonsense approach to improving education in this country. The American people strongly support educational standards of excellence so parents, teachers, students, and taxpayers will have the advantage of quality public schools. This Congress must go on record in support of high education standards.

As the former two-term, elected superintendent of North Carolina's Department of Public Instruction, I know firsthand that aiming high and providing our teachers and students the tools they need to get the job done is the proven way to improve academic achievement. America needs educational standards of excellence, and the House must pass this important resolution.

Mr. Speaker, my resolution is strongly supported by the Council of Chief State School Officers, the American Legion, and other groups dedicated to providing a quality education to each and every child in this Nation. Our country's commitment to public education has been the great equalizer in this society. We must pass this resolution to strengthen and improve our public schools.

I have worked with the administration in developing this resolution, and it can be supported by both Republican and Democratic Members of this House.

Mr. Speaker, nothing is more important than our children. I urge my colleagues to join me in support of this important resolution to encourage education standards of excellence for every school in America.

FORAGE IMPROVEMENT ACT OF 1997

SPEECH OF

HON. HELEN CHENOWETH

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 30, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2493) to establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands.

Mrs. CHENOWETH. Mr. Chairman, I rise in support of H.R. 2493, as amended by the manager's amendment and its second degree amendment. As originally written, I had grave concern over H.R. 2493's impact to the private property use and preference rights that spring from the Taylor Grazing Act. But after extensive discussions with Agriculture Chairman BOB SMITH and Ranking Member STENHOLM, my concerns have been addressed and I am pleased to support the measure. I wish to thank Chairman SMITH for his stalwart leadership. It is not easy to bring so many divergent views together and reach agreement. No one worked harder than he, and I appreciate him.

Mr. Chairman, the second degree amendment to the manager's amendment that I worked out with Chairman SMITH was quite

simple. It merely deleted the definitions of "allotment" and "base property," and deleted a paragraph about lease transfers. It was my concern that these definitions threatened the rights found in the Taylor Grazing Act, and that the lease transfer language could allow the Secretary concerned to separate the Taylor's preference right from the base property. I wanted to ensure that when an individual sells or leases his or her ranch, that the grazing preference for the allotments go with it. The amendment merely leaves the current law in place, and I am unaware of anyone having concerns with the current definitions. However, I do realize that the current lease transfer regulations on Forest Service land cause problems. But I was concerned that we were agreeing to bad language. I would rather pass no law than bad law.

To understand my position, one must understand the history of how the Western United States was settled and the history of the development of the use right inherent in the grazing preference.

The arid grazing lands of the Western States were settled by hardy persons who endured severe hardships in developing ranching operations where there was water to support those operations. You must understand, much of this country gets less than 10 inches of rain fall per year. There is less forage, and it therefore takes a whole lot more land to raise cattle. These individuals established base properties, but had to depend upon the massive Federal lands for forage to support a viable livestock herd. They developed use rights, such as rights of way across the Federal lands, which were recognized by Congress in 1866 when it passed R.S. 2477.

Major John Wesley Powell, Chief of the U.S. Geological Survey issued a report entitled "Report on the Arid Lands of the United States," which led to the passage of the act for the Relief of Settlers on the Public Lands, May 14, 1880. That act recognized the act of settlement itself as initiating and maintaining the settler's property rights. The report pointed out that nearly all the land in the West was primarily suited to livestock grazing and had been settled on as ranches. After passage of that act, settlement itself was sufficient to put other settlers on notice that the land had already been appropriated to private forage use.

The rights of the settlers to use of these Western grazing lands were confirmed and ratified by a series of congressional actions such as the act of August 30, 1890 as amended by the act of March 3, 1891, the act of January 13, 1897, the act of June 4, 1897, the act of June 11, 1906, the acts of March 4 and September 30, 1913, the Stock-Raising Homestead Act of 1916, which authorized homesteading of those lands designated as "chiefly valuable for grazing and raising forage crops," and several other acts leading up to passage of the Taylor Grazing Act in 1934. Each of the confirming and ratifying acts provided that all preexisting rights be protected.

As we all know, when Congress passes a validating or confirmatory statute, the legal title passes as completely as if a patent were issued, and the power left to the United States is the power to survey and define the boundaries of the tracts validated, as determined by the U.S. Supreme Court in *U.S. v. State Inv. Co.*, 264 U.S. 206 (1924).

When the Taylor Grazing Act was enacted, the Congress emphasized protection of the prior existing rights, and called for establishment of the grazing preferences. Following passage of the act, the Department of Interior surveyed existing allotments throughout the West and issued adjudications establishing the grazing preference right attached to that adjudicated allotment.

Secretary of Interior Babbitt issued his regulations of grazing in the so-called Rangeland Reform, and one of those regulations replaced the term "grazing preference" used by the Congress in the Taylor Grazing Act with the term "permitted use," and made that grazing use dependent upon the discretion of the Secretary. In *PLC versus Babbitt*, United States district judge Brimmer enjoined the Secretary from replacing the "grazing preference" with a discretionary permitted use. In his decision, Judge Brimmer traced the development of a grazing preference right:

Congress enacted the Taylor Grazing Act in 1934. Pursuant to the Act, the Secretary identified public lands "chiefly valuable for grazing and raising forage crops and placed these lands in grazing districts. Thus, the Department of Interior engaged in a lengthy adjudication process to determine who was eligible for a grazing preference. This process began in the 1930's and took nearly 20 years to complete. The Department issued adjudication decisions awarding grazing preferences to qualified applicants. The term "grazing preference" thus came to represent an adjudicated right to place livestock on public lands.

Judge Brimmer continued: "The grazing preference attached to the base property and followed the base property if it was transferred."

Mr. Chairman, the bill without the second degree amendment could have allowed the Secretary concerned to separate that adjudicated right from the base property. No longer would the adjudicated right to place cattle on an "allotment" be "appurtenant" to a base property. This bill would have downgraded that legal connection to "associate with." Additionally, the lease transfer section of this bill would have left the transfer of the adjudicated right to the sole discretion of the Secretary, with absolutely no qualifications. This is wrong. The Taylor Grazing Act already has adequate qualification requirements, and this bill will supersede Taylor.

Judge Brimmer's decision is critical to the ranchers who are dependent upon forage rights on Federal lands. It acknowledges grazing preference as a "use right." It is a decision which specifically states that the Secretary has "an affirmative duty to protect" the "grazing preference." We must not extinguish that right, and with the amendments, it does not.

The lawyer who argued *PLC versus Babbitt* to the Tenth Circuit Court of Appeals is very concerned about the way the manager's amendment was written. I quote from an October 29, 1997 letter from Connie Brooks:

The term appurtenant was originally described in the first rules under the Taylor Grazing Act. The appurtenance issue is very significant with respect to transferability of the grazing preference. Once a preference or grazing use was "appurtenant" or "attached" to a base property, it meant that the

transfer of the base property included the transfer of the grazing preference or grazing use. Based on this fundamental premise, ranches to this day can be mortgaged, inherited, and bought and sold with the assurance that the grazing rights on Federal land will also be transferred.

Again, the second degree erased the bill's entire attempt to define the base property and allotment, and I thank Chairman SMITH for agreeing to this.

Regarding the lease transfer language, Connie Brooks, again, the lawyer who argued BRIMMER, wrote:

"This may well spill over into the long-standing interpretation of the Taylor Grazing Act, which requires the Secretary to recognize any transfer of the base property and grazing preference. The Forest Service will require the waiver of the permit back to the agency and re-issuance to a purchaser. The concern is that if there is an issue of discretion then we will see the BLM seeking to cancel a grazing preference and permit rather than transfer it. The cancellation and issuance of a new permit will trigger a host of environmental and permitting issues, which would make ranches difficult to sell as cattle ranches and increase the likelihood that they will be developed as subdivisions, reduce the value of the ranch and collateral.

Mr. Chairman, this is a quote from the woman who argued the Brimmer decision. This is a property rights, 5th amendment issue. We cannot allow these ranches that have been passed down from generation to generation to have their adjudicated preferences separated from them. The ranches will become useless, and families will be destroyed.

The second degree amendment addressed my concerns. Again, I thank the Chairman and all those who worked so very hard on this bill. I urge adoption of the bill.

TRIBUTE TO KEITH FORBES

HON. DONNA M. CHRISTIAN-GREEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 31, 1997

Ms. CHRISTIAN-GREEN. Mr. Speaker, I rise to pay tribute to Mr. Keith Forbes, a fellow Virgin Islander, close family friend and one of the pillars of my childhood, who passed away last week. Mr. Forbes dedicated his life to the service of God, his family, and his community, making the Virgin Islands a better place due to his efforts.

Keith Forbes was born on October 28, 1920 on the island of St. Croix. He served the St. John's Anglican Church Community in Christiansted for over 60 years in many capacities. As a young boy, he served as an acolyte, licensed lay reader, and later conducted outreach services at the correctional facilities and outlying areas of St. Croix. He also served on the Vestry where his duties included the position of junior and senior warden and vestry member emeritus.

In 1944 Mr. Forbes began what would eventually span more than five decades of active Masonic involvement. He was installed as a Freemason in the Sovereign Grand Lodge of Puerto Rico and served as the past district deputy grandmaster and past district deputy

grand instructor of that lodge. He became a founding member of the Caribbean Light Lodge No. 101, as well as a charter member of Master Masons Lodge of Anguilla, W. I. Mr. Forbes also held the positions of high priest of Zetland Chapter No. 359 St. Thomas; Supreme grand Royal Chapter of Royal Arch Masons of England; member Chapter Rose Croix, HRDM No. 48 Jamaica, W. I.; Supreme Council 33 Degrees Masons of England of Wales; Past High Priest of Caanan Chapter No. 1, and past commander Knight's Templar.

From 1952 to 1979, he began his association with the Federal judicial system, starting as a clerical assistant and retiring as the deputy clerk-in-charge, for the St. Croix Division of the U.S. District Court.

Throughout the late sixties to the early eighties, he owned and operated "The Peppermint Parlor", a popular local restaurant, which served as a friendly family gathering place for the community.

In 1988 he was named president of the board for Brodhurst Printery, Inc., parent company of the St. Croix Avis, the local newspaper for that island district, maintaining that position until his untimely death.

He was a founding member of the Gentlemen of Jones, a charitable community organization that provides services to the people of St. Croix, especially renowned for their Christmas charity work in the city of Frederiksted.

On behalf of the people of the Virgin Islands of the United States, I salute Keith Lancelot Forbes for his dedicated service to God, his family, and community.