

EXTENSIONS OF REMARKS

FIRST QUARTERLY REPORT BY
THE UNITED STATES HOUSE
TASK FORCE ON THE HONG
KONG TRANSITION

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BEREUTER. Mr. Speaker, in response to your directions, I have prepared the following report, the first in a series of quarterly reports by the U.S. House Task Force on the Hong Kong Transition on the status of Hong Kong following its return to the People's Republic of China. It was completed, effective October 1, 1997.

Also at your request, I have formed the House Task Force on Hong Kong's Transition to observe and report on Hong Kong's status following its reversion to China. In addition to myself as chairman, the task force will be bipartisanship balanced and will include Representative HOWARD BERMAN, D-CA; Representative SHERRON BROWN, D-OH; Representative ENI FALEOMAVAEGA, D-AS; Representative ALCEE HASTINGS, D-FL; Representative JAY KIM, R-CA; Representative DONALD MANZULLO, R-IL; and Representative MATT SALMON, R-AZ. As you requested, the task force expects to travel to Hong Kong, Beijing, and other relevant destinations at least every 6 months for the foreseeable future to examine how reversion has affected Hong Kong. The first such visit is expected to take place after the adjournment of the 1997 session but before the end of the calendar year.

CONCERNS PRIOR TO REVERSION

Prior to Hong Kong's July 1, 1997, reversion to Chinese sovereignty, many observers expressed skepticism over Beijing's assurances that it would allow Hong Kong full autonomy in matters other than foreign policy and defense. Skeptics questioned whether Beijing could resist the temptation to meddle in matters related to freedom of expression, for example. They were also concerned about indications that the Beijing-sponsored provisional legislature would roll back forward-looking measures taken by the last colonial Legislative Council [LEGCO] and that the new provisional council would institute election rules less representative than those put into place by Governor Patten in 1995. Businessmen wondered whether China could refrain from meddling in Hong Kong's affairs, either intentionally or otherwise. Maintaining the rule of law and resisting the lure of corruption, so common in China, were key commercial concerns. On the security side, skeptics questioned Hong Kong's continued ability to maintain effective export controls. The future of U.S. ship visits was also in doubt.

IN GENERAL: SO FAR, SO GOOD

While Hong Kong has been under Chinese sovereignty for only 3 months, public confidence is high. Hong Kongers are close to unanimous in expressing relief and pleasure that life has not changed after reversion. The press and media continue to be open, free, and full of criticism and analysis of both the Hong Kong and Beijing governments. Journalists, while wary and suspicious about China's long-term intentions, continue to cover the news much as they did before July 1, 1997. For example, the recent Chinese Communist Party Congress drew extensive commentary. Journalists displayed no hesitancy in voicing views not welcome in Beijing. Nonetheless, the self-censorship that began to creep into coverage in some papers prior to reversion has continued.

Demonstrations—by pro-democracy and pro-Beijing groups and a myriad of local organizations—continue without interference or restriction. More than 150 demonstrations have taken place since the July 1 turnover. Indeed, in an upturn in the number of demonstrations, a gauntlet of demonstrators regularly greets Hong Kong Chief Executive C.H. Tung when he arrives for weekly executive council sessions. However, in a typical Hong Kong twist, Tung invariably trades handshakes and smiles with his critics, who line up behind the waist-high barricades flanking the entry to Central Government Offices as he walks past.

NGO's, including those harshly critical of China, continue to operate freely. Han Dongfan, exiled PRC dissident and leader of workers' groups during the 1989 Tiananmen demonstrations, reports no problems continuing his work in Hong Kong thus far. Commenting in a local newspaper, Han said it was too early to tell what Beijing would eventually do, but "as far as I can see with all the demonstrations by Democrats and others—there is hope for democracy here." Han continues to broadcast regularly from Hong Kong via Radio Free Asia on one of its most popular programs, "The Labor Corner." Amnesty International, Human Rights Watch and Human Rights in China representatives in Hong Kong are encouraged by the continued demonstrations and absence of any Hong Kong Government moves to restrict their operations. Meanwhile, democrats say that the threat to Hong Kong would come from a very slow erosion of the rule of law, not a sudden crackdown on civil liberties or freedom of speech.

Concern arose in mid-September, however, when both the Chinese and the Hong Kong governments objected to the credentialing of two human rights groups to the recent IMF/World Bank meeting in Hong Kong. Since human rights is in the lending guidelines of these financial institutions, participation by the human rights groups was appropriate. The objections of the Hong Kong government are troubling. Ten Members of Congress, led by Congressman BERMAN, wrote to Secretary of

the Treasury, Robert Rubin, to express their concern.

APPROVAL RATINGS HIGH

Reflecting locals' belief that life goes on as usual, Tung's approval ratings have continued to climb since mid-June, when only 57 percent of Hong Kongers reported they were satisfied with his performance. By early August, a reliable local poll showed 78 percent of Hong Kongers were satisfied with Tung. That number rose to 82 percent in early September. Even among survey respondents who said they would vote for pro-democracy parties, 80 percent indicated they were satisfied with the chief executive, rivaling prominent pro-democracy advocate Martin Lee's 82 percent rating.

LOCAL AUTONOMY RESPECTED

The central Chinese Government appears to be taking seriously President Jiang Zemin's pledge at the handover that no mainland government officials "may or will be allowed to interfere" in the affairs which Hong Kong should administer on its own. Premier Li Peng reiterated that pledge and gave a strong vote of confidence to Tung in mid-September while hosting the IMF and World Bank meetings in Hong Kong. Far from being heavy-handed or insensitive, Beijing appears to have absented itself from active involvement in Hong Kong affairs since the handover. Again and again, China has gone out of its way to project a benign "smiling face" image on Hong Kong-related matters.

LOW-KEY APPROACH

After installing the urbane Ma Yuzhen as head of the Ministry of Foreign Affairs [MFA] office in Hong Kong, and the low-key diplomat Jiang Enzhu to replace the always pugnacious Zhou Nan at the Xinhua News Agency, the de facto MFA representative in Hong Kong prior to reversion, China has stood back and refused to become embroiled in local issues. Xinhua, once a source of constant criticism and commentary on Hong Kong Government policy, has fallen silent. MFA head Ma Yuzhen has deferred to the Hong Kong Government on virtually all matters. His contacts with Hong Kong Government officials have reportedly been strictly limited to protocol matters.

If China is attempting to influence certain issues, it is doing so in a manner that is not public. Political debates China has avoided commenting on or attempting to influence publicly include:

The plight of illegal immigrant children with the right of abode in Hong Kong. China has allowed the Hong Kong courts and government to interpret the Basic Law's provision of the right of abode in Hong Kong to certain Chinese nationals. Citing administrative efficiency and preventing overcrowding in schools, Hong Kong will not allow unrestricted entry of PRC nationals who received the right to live in Hong Kong when the Basic Law comes into force on July 1.

Displaying the "Republic of China" Taiwan flag in Hong Kong. Ma Yuzhen, when pressed

● 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.

by a reporter, said the issue would be for Hong Kong to decide.

Hong Kong Government spending. Hong Kong pledged one billion United States dollars to the IMF Thailand bail-out and committed over seven billion United States dollars to a railway construction project. Chinese scrutiny of government spending under the British was intense, usually hostile, and raised fears that China would not stay out of Hong Kong's affairs after reversion. The IMF pledge and the rail project are early indications that China does not always act like a "control freak"—one of Governor Patten's favorite descriptions—and will honor the pledge to respect Hong Kong's autonomy. It should be noted, however, that China also pledged one billion United States dollars to Thailand and therefore would not likely be opposed to Hong Kong's assistance.

SINO-U.S. COOPERATION

In one of the most notable examples of China's smiling face approach to Hong Kong, China outdid itself both in making arrangements for the first visit of a U.S. naval ship to Hong Kong after the handover and in projecting an image of friendliness when the U.S.S. *Blue Ridge* and Seventh Fleet Commander Natter were in town. Subsequent visits by other ships, including nuclear powered ships, were equally successful. No effort was spared to demonstrate China welcomed ship visits as much as British forces did. Appearing conscious that their presence raises the anxiety level in Hong Kong, the PLA garrison has stayed out of sight—and even reduced its numbers—except for carefully scripted appearances by smiling senior officers.

BUSINESS AS USUAL

Reflecting business confidence that Hong Kong's economy will continue to prosper after reversion, Hong Kong's first and second quarter 1997 real gross domestic product growth reached 6.0 percent and 6.1 percent, respectively, thus out-pacing analysts' forecasts for the year of 5.5 percent. This compares to real gross domestic product growth figures for 1996 and 1995 of 4.7 and 4.8 percent, respectively. The Hong Kong Government attributes the first half improvement to a revival of domestic demand, reflected in buoyant stock and property markets, modest improvement in exports, especially services, and increased investment, some of it related to construction of the new Chek Lap Kok Airport. The inflation picture has also somewhat improved in 1997. Consumer price increases declined from 6.0 percent in 1996 to 5.9 percent in the first half of 1997. Unemployment dropped from 3.2 percent in 1995 to 2.8 percent in 1996 and recently stood at just 2.4 percent, May–July 1997, largely due to recovery in the retail sector.

Hong Kong's normally strong financial markets weathered recent currency and stock turmoil during this period but demonstrated they are not immune from shocks. While the Hong Kong dollar remains strong, in late July, the government felt compelled to vigorously defend a brief attack on its dollar by expending 1.0 billion United States dollars of its reserves and jacking up interest rates. Some believe the real target was not the dollar, but an attempt to influence the Hong Kong stock market. Hovering around 14,500 in mid-Sep-

tember, the stock market was volatile in recent months, scoring a record high in August of 16,802, while registering record turnover. The sell-off of Hong Kong shares is partly attributed to meeting cash margin calls in other markets such as those in Thailand and the Philippines. Another major contributor, however, was a feeling that the prices of China-related shares were badly inflated. Most applaud Hong Kong's one billion United States dollar commitment and its leadership in the Thai recovery program, citing the need to help neighbors while simultaneously strengthening its own defenses.

Assessments of the recent regional currency turmoil on Hong Kong suggest modest nearterm costs. One observable increased cost was the rise by 30 to 50 basis points above regular levels of 20 points in Hong Kong's interest rate risk premium. Long-term concerns include potential shifts in trade and investment as Hong Kong's goods/services become relatively dearer. This is also true of Hong Kong's important re-export trade to/from China. Analysts say currency problems might shave just one-tenth to one-half a point off gross domestic product growth next year, while a greater concern might be reduced commitment from China to reforming its financial system.

Despite regional currency turbulence and stock market volatility, monetary figures show no signs of capital flight or panic. Total deposits in all institutions in July 1997 stood at 343 billion U.S. dollars, up 15.9 percent from a year earlier, with Hong Kong dollar deposits exceeding foreign currency deposits 59.6 to 40.4 percent, respectively. The Hong Kong dollar, pegged to the United States dollar, has been steady at around 7.74 Hong Kong dollars per United States dollar and the Hong Kong Monetary Authority is confident it can effectively defend the peg.

The fact that things remain relatively stable despite regional turbulence does not guarantee that there will not be continued rough going ahead, particularly if the currency situation in Southeast Asia remains volatile. The continued overinflated value of Hong Kong real estate could also contribute to currency instability. A certain amount of volatility, of course, is a part of any mature economy. This should not affect Hong Kong's democratic process.

Signs so far indicate that America's substantial commercial interests in Hong Kong are benefiting from Hong Kong's continued post-reversion prosperity. U.S. companies have 16 billion U.S. dollars in direct investment and billions more in portfolio investments. The United States exports to Hong Kong totaled 14 billion United States dollars in 1996 and 7.5 billion United States dollars in the first half of 1997. U.S. Department of Commerce figures showed an estimated 4.1 billion U.S. dollar U.S. trade surplus with Hong Kong in 1996. The first quarter 1997 U.S. surplus reached 1.4 U.S. dollars. The American Chamber of Commerce's recent Annual Business Confidence Survey showed confidence in Hong Kong's future up and high—95 percent—though tempered by concerns about prospects for the rule of law, the free flow of information and corruption. Specifically, many businessmen, both foreign and local, fear that as the main-

land's influence in Hong Kong increases, so will the corruption which has become endemic in many parts of China.

CONCERNS REMAIN

a. Election law

Despite indications that China is refraining from interfering in Hong Kong affairs, a number of serious concerns remain. One primary concern is proposed changes to electoral laws. On July 8, the government of the Hong Kong Special Administrative Region released proposals, prepared by the Beijing-appointed Preparatory Committee, for new electoral arrangements to govern the spring 1998 elections which, while adhering to the major electoral requirements set forward in Sino-British agreements on Hong Kong, are controversial because they dismantle key portions of the electoral reforms put into place by Governor Patten in 1995. The proposals maintain the original formula of 20 Legco members to be directly elected by popular vote, 30 to be elected by "functional constituencies"—initiated by the British in 1985—and 10 to be chosen by a special Election Committee. However, the proposals would shrink the "functional constituent" electorate from approximately 2.7 million voters under the 1995 British electoral reforms to as low as approximately 180,000, according to some estimates. For the 20 directly elected seats, the proposals would also scrap the United States-style "winner-take-all" style system introduced by the British in 1995 and substitute a European-style "proportional representation" system. Critics fear that the new arrangements will dilute the political power of the Hong Kong's Democratic Party and favor pro-China candidates and that seems likely to be the case. Aware of this criticism, C.H. Tung, during his September visit to the United States, outlined his plans over the next decade gradually to expand to 50 percent the number of directly elected Legco seats—now one-third—and to expand the size of the committee which will select a new chief executive.

b. Export controls

Another area of concern is Hong Kong's ability to maintain its high regulatory and monitoring standards in controlling the transfer of sensitive technologies. Currently, United States export control policy toward Hong Kong is less restrictive than that applied to China, based on Hong Kong's past demonstration that its export control policies were sufficiently effective. This policy is based on the Hong Kong Policy Act, which calls for continued separate treatment of Hong Kong in export controls as long as it is able to protect United States technology and equipment. Of course, monitoring Hong Kong's continued autonomy in this field is critical to assessing the risk to United States nonproliferation interests. The General Accounting Office points out that key indicators to watch will include changes in the composition and volume of United States exports of controlled items to Hong Kong, which could signal efforts by China to obtain sensitive technology such as the optical sensors that it has previously been denied. Hong Kong officials maintain that China's desire to see Hong Kong continue to succeed economically will restrain such activity. To date, United

States officials report no change in the performance of Hong Kong customs officials in both pre- and post-license checks.

c. Customs

Hong Kong cooperation in customs enforcement is another issue that bears watching. Increased instances of textile transshipment through Hong Kong led United States Customs to impose special administrative restrictions on textiles from Hong Kong in June 1996. This "wake up call" pressured the Hong Kong customs authorities to crack-down on transshipments and institute new procedures. By June 1997, Hong Kong had made enough progress to persuade United States Customs to lift their special administrative restrictions. Observers see no change to date between pre- and post-reversion performance on the part on Hong Kong customs authorities.

Mr. Speaker, in conclusion, Hong Kong has been under China's sovereignty for only 3 months. It is too early to judge the reversion. Nonetheless, indications to date are hopeful. Civil liberties continue largely unaffected. The economy continues to thrive. U.S. ship visits continue with little change and are indeed, welcomed with open arms. However, we continue to be concerned about the potential over time for the constriction of democracy, media self-censorship and the loss of hard-won rights. Chinese and Hong Kong authorities are acutely aware that the eyes of the world continue to scrutinize their post-reversion actions. That continued scrutiny is well warranted and will help ensure that all concerned continue to value and maintain Hong Kong's autonomy.

CONGRESSIONAL BIOMEDICAL RESEARCH CAUCUS

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. GEKAS. Mr. Speaker, on September 10, the Congressional Biomedical Research Caucus conducted its 57th briefing on the subject of the "University of Genes: The Bits of DNA That Make Us What We Are." Dr. H. Robert Horvitz, Howard Hughes Medical Institute investigator and professor of biology at MIT, and Dr. Philip Heiter, professor of medical genetics of the University of British Columbia, Vancouver, spoke about the similarity of genes across species and how this discovery assists in biomedical research.

I was particularly pleased to have Dr. Horvitz participate because as a member of the Joint Steering Committee—a coalition of five basic biomedical research societies: the American Society for Cell Biology, the American Society for Biochemistry and Molecular Biology, the Biophysical Society, the Genetic Society of America, and the Association of Anatomists—he has played a significant role in supporting the caucus briefings.

Congressman JOSEPH KENNEDY of Massachusetts introduced Dr. Horvitz and was joined in attendance by myself, Congressman STEVE HORN, Congressman JOEL HEFLEY, and Congressman TOM PETRI, as well as a room full of senior health staff.

I believe our colleagues will find Dr. Horvitz's remarks useful.

ALL CREATURES GREAT AND SMALL: THE UNIVERSALITY OF GENES

I. INTRODUCTION

First, I would like to thank the organizers of this Caucus for inviting Phil Heiter and me to talk with you today. The title of this Caucus is "All Creatures Great and Small: The Universality of Genes." What we are going to discuss today is one of the most striking discoveries in the history of biomedical research: genes—the bits of DNA that make us what we are—genes are so remarkably similar among different organisms that we can study what they do in a microscopic worm or in a yeast that is used to make beer to learn how they work in us.

II. GENES

Let me start with a few introductory remarks about genes. Genes define hereditary traits. Each gene can exist in different forms, and such variations in the forms of genes result in variations in traits. Some such variations we consider simply to be what make us different from one another: for example, eye color and blood type are defined by genes. Similarly, our sexual characteristics, whether we are boys or girls, as David Page put it in an earlier Caucus, are determined by our genes. Variations in other genes result in variations in other traits: for example, dwarfism, deafness and color blindness can be caused by variations in genes. Variations in still other genes results in variations in our traits that we label "disease": Huntington's Disease is caused by one such gene; variations in other genes cause or predispose one to cancer, cardiovascular disorders, asthma, cystic fibrosis, premature aging, Alzheimer's Disease, bone loss, and many, many other diseases.

So, genes are important to us, and crucial to our health. How can we learn about our genes, what they do, and how they sometimes go wrong? One approach is to study our genes—human genes—directly. Biologists do this. (I do this.) But the study of human genes is in many ways very slow and inefficient. Furthermore, some types of genetic studies are simply impossible to do with people. For example, the classic method of genetics is to cross individuals with different gene variants (called mutation); this we cannot do with people.

III. UNIVERSALITY

Fortunately, biology has provided us with an approach that is feasible: genes are strikingly conserved among organisms, so we can study genes in experimental organisms and in this way learn what genes do in us. Let me show you an example from my own research. I study two organisms, human beings and the nematode roundworm known as *C. elegans*. My focus in humans is on Lou Gehrig's Disease, or ALS, the devastating disease that killed Lou Gehrig, Jacob Javits, David Niven, and many others. Four years ago, with a team of collaborators, we found a gene responsible for ALS, a gene known as SOD1. SOD1 in humans is strikingly similar to SOD1 in my worm, as can be seen by the large number of boxed identities in the sequence of the protein products of these genes. Such similarity is seen in SOD1 in many organisms: the gene in spinach is essentially the same as well. To understand what SOD1 does, and how it goes wrong in ALS, one can study the gene in whatever organism is best suited for a particular line of inquiry, and SOD1 is now being studied in worms, in brewer's yeast, in fruit flies and in

mice in attempts to understand how it causes ALS in humans. Let me generalize from this example and show you more broadly the degree to which genes are conserved among organisms.

The next slide is from an article written by Phil Hieter, our next speaker. This table shows a list of 84 human genetic diseases, from A to Z (really from A to W; achondroplasia or dwarfism is No. 2 on the list, while Wornor syndrome, which results in premature aging, is 4 from the bottom). The columns show matches (in color) with genes found in those organisms commonly used for laboratory studies of genetics: the mouse, the fruit fly, the nematode roundworm, brewer's yeast, and the intestinal bacterium *E. coli*. What you can see is that almost all of these human genes have a counterparts in the mouse, that many do in the fruit fly and worm, and that quite a few do in the yeast and bacterium. This table underestimates the degree of similarity with mice, fruit flies and roundworms, since many genes remain to be characterized in these organisms and some will no doubt provide additional matches. It is now clear that almost every human gene has a mouse counterpart, that the majority have fly and worm counterparts and that many have yeast counterparts. These kinds of observations, coupled with findings that genes that look similar act similarly, have led to the use of experimental organisms as models for human biology and human disease.

IV. ORGANISMS

If all organisms have similar genes, how do scientists decide which organisms to study? The short answer is that different organisms have different experimental advantages and that by studying a variety of organisms biologists obtain different types of data that together help us understand what genes do. To provide some concrete examples of how studies of these simple organisms are helping us to understand as well to prevent and cure human disease, Phil Hieter and I will now talk about work involving "our" organisms, the brewer's yeast and the roundworm. The next slide summarizes my perspective on using roundworms to study human disease, given what we know about human genes and worm genes: "Worms are little people in disguise." So let me start with the neurodegenerative disorders, such as Alzheimer's Disease, and on cancer.

V. ALZHEIMER'S DISEASE AND THE PRESENILINS

First, let's talk about Alzheimer's Disease. Some, but not all, cases of Alzheimer's Disease are clearly genetic, i.e. pass from parent to child. Most genetic or "familial" AD is caused by changes in a single gene, known as PS-1, for "Presenilin gene number one." In 1995 this gene was isolated biochemically. What does it do? How can we find out? Simply having access to a gene is not enough to tell us what it does unless it is sufficiently similar to a gene we already know about.

PS-1 is similar to four other known genes. One, called PS-2, is a second Alzheimer's gene isolated in 1995. The other three are all in the roundworm *C. elegans*. How similar are these worm genes to the human genes? In one experiment, researchers at Columbia University in NYC showed that the human PS-1 gene could work in the worm, substituting for one of the worm genes it looked like. This finding says that the human AD gene and the worm gene are functionally interchangeable. They are very similar. Thus, figuring out what the worm gene does should give us a very strong clue about what the human gene does. Studying this worm

gene is now a important effort in both academia and the biotech industry.

VI. CANCER AND THE RAS PATHWAY

Let me turn now to cancer. Cancer, like familial AD, is caused by variants in genes. The first human cancer gene was identified in 1981. This gene was called Ras. Biomedical researchers actively analyzed Ras and desperately wanted to know what it does and, in particular, wanted to know the pathway through which Ras acts. This concept of pathway is key for the development of pharmaceuticals: if you can block the action of a disease gene, either directly or indirectly, i.e. either by acting directly on that gene or by acting later in the gene pathway through which that gene acts, you should be able to prevent the disease.

What is the Ras genetic pathway? The answer emerged not from studies of human Ras but from very basic and apparently unrelated studies of animal development, in particular studies of the development of a sexual organ of the roundworm and of the eye of the fruit fly. It turned out that a gene that controlled worm sexual development as well as a gene that controlled fly eye development were both strikingly similar to human Ras. The levels of identity were approximately 80 percent. Furthermore, at the time it was discovered that a Ras-like gene was involved there had been very extensive studies of these processes; as a consequence within a few years detailed gene pathways were completed. Together these studies, which were done in my laboratory at MIT, at CalTech, and at Berkeley, revealed the pathway of action of Ras. Now cancer biologists and drug companies alike are using this knowledge of the Ras pathway both for further studies of how Ras causes cancer in people and for the development of drugs, drugs that can block the various steps in the Ras pathway.

VII. PROGRAMMED CELL DEATH, NEURODEGENERATIVE DISEASE AND CANCER

The third example I'll offer from worms relates both the cancer and to neurodegenerative diseases, which include AD. This example again is one in which studies of a basic biological phenomenon in the roundworm have had a major impact on our understanding of and approach to human disease. The biology in this case involves a phenomenon called "programmed cell death." For many years, biologists assumed that cells died because they were unhappy, i.e. because somehow they had been injured. However, a variety of studies revealed that many cells die during the normal course of development. For example, as our brains form, as many as 85 percent of the nerve cells made at certain times and certain parts of our brains die. Such death is a natural phenomenon and for this reason is often referred to as "Programmed Cell Death."

Given that cell death is a natural aspect of development, some years ago my colleagues and I reasoned that like other aspects of development, PCD should be controlled by genes. We sought such defined a 15-gene genetic pathway that controls programmed cell death in the worm. It now appears that a least some of these gene correspond to human genes that caused disease. For example, we talked earlier about neurodegenerative diseases, such as AD, Huntington's Disease, Lou Gehrig's Disease and Parkinson's Disease. Many researchers believe that these diseases, which are characterized by the death of nerve cells, are diseases in which the normal process of PCD has gone amok. Specifically, the normal pathway that

causes cells to die by PCD during development for some reason may be unleashed in nerve cells that are not meant to die.

How might we stop such deaths? By blocking the killer genes responsible! And what are the killer genes? We have ID'd two such genes in the worm, genes we call CED-3 and CED-4, for "cell-death abnormal." Given these worm genes, others have gone on to find similar genes in humans that also act to cause cell death. These genes have now become major drug targets: many companies in the pharmaceutical industry are attempting to block the action of these killer genes, with the goal of preventing such neurodegenerative diseases.

It turns out the genetic pathway for PCD we have defined is relevant not only to neurodegenerative disease but also to cancer.

Let me explain. What is cancer? In brief, cancer reflects an uncontrolled increase in cell number. How can you get such an increase? One way is to make too many cells. This is precisely what happens when the Ras gene, which we just discussed, is mutated. However, it turns out there is another way to make too many cells. The number of cells in our bodies is really an equilibrium number. Cells are always being added to our bodies, by the process of cell division, but cells are also always being taken away, by the process of programmed cell death. So, we can generate too many cells—as in cancer—not only by too much cell division but also by too little cell loss.

How can we bet too little cell loss? One of the genes we identified as controlling cell death in the worm is not a killer gene but rather a protector gene—it protects cells from dying by PCD. If a gene like this is too active, too many cells would survive, and cancer would result. In fact, there is a human cancer gene that is very similar to this worm protector gene, so similar that the human gene can work in worms to protect against worm cell death and to substitute for the worm gene. Given such protector genes, how might one prevent? Again, this is precisely the approach that is now being taken in the pharmaceutical industry, and there is great hope that by learning to control such protector genes it will be possible to control certain cancers.

VIII. CONCLUSIONS

Let me conclude very briefly by summarizing what I've said. First, a gene is a gene is a gene. Genes in humans are fundamentally no different from genes in other organisms and are so similar in many cases that a human gene can be put into another organism and work just fine. Second, genes are much easier to analyze in experimental organisms than in people. In few years, the Human Genome Project, sponsored by the NIH, will tell us what all of our genes look like. But what do they do? To find out, we must study experimentally tractable organisms. Third, time and time again truly basic studies of genes in experimental organisms have proved directly relevant to human diseases and disease genes, once we knew what those human genes looked like. An investment in such basic studies is an effective investment indeed, as it means that knowledge will proceed at an enormous pace once a human disease gene is identified. Finally, knowledge of what the counterparts of human disease genes do in an experimental organism can be directly used both in the understanding of what that gene does in people and also in the application of that knowledge to the development of a treatment of cure. I thank you for your time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, November 8, 1997.

HON. TOM BLILEY,
Chairman, Committee on Commerce, U.S. House of Representatives, Washington, DC.

DEAR TOM: I understand that today or tomorrow you intend to move to suspend the rules and concur in the Senate amendment to H.R. 2472 with an amendment.

The version of H.R. 2472 you plan to bring up would extend through September 1, 1998 certain provisions of the Energy Policy and Conservation Act, 42 U.S.C. §6201 *et seq.* Under Rule X, the Committee on the Judiciary has jurisdiction over provisions of the Act: the antitrust defense provided in Section 252, 42 U.S.C. §6272, the participation of the antitrust enforcement agencies in activities under that section, and any amendment, extension, or expansion of these provisions or any other antitrust immunity provided in the Act.

Because of the urgency of passing this important national security legislation, I am willing to waive this Committee's right to a sequential referral of H.R. 2472. I will allow this legislation to go forward so long as it remains a simple extension through September 1, 1998 without any substantive change to the existing antitrust defense or the participation of the antitrust agencies. However, my doing so does not constitute any waiver of the Committee's jurisdiction over these provisions and does not prejudice its rights in any future legislation relating to these provisions or any other antitrust immunity provided in the Act. I will, of course, insist that Members of this Committee be named as conferees on these provisions or any other antitrust immunity provided in the Act should the bill go to conference.

If the foregoing meets with your understanding of the matter, I would appreciate your placing this letter and your response in the record during the debate on H.R. 2472. Thank you for your cooperation in this matter.

Sincerely,

HENRY J. HYDE,
Chairman.

INSTITUTE FOR COMMUNITY LIVING

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. VELÁZQUEZ. Mr. Speaker, I rise today to pay tribute to the marvelous work of the Institute for Community Living, on the occasion of its 11th anniversary. For over a decade, the Institute for Community Living has helped people with mental and developmental disabilities to function successfully in different living, learning, working, and social environments. Through its operation of housing, rehabilitation, and support services, it has helped improve the quality of life for countless mentally and developmentally disabled adults at various stages of the rehabilitation process.

ICL is a participating agency of the United Way of Greater New York and a member agency of the Association for Community Living and the Coalition of Voluntary Mental Health providers. ICL has also been recognized nationally for its success—its recent accolades include the Hospital and Community

Psychiatry Significant Achievement Award and the National Center for Disability Services Exemplary Program Award.

The Institute for Community Living has succeeded in providing an array of secure, community-based residential programs in which mentally disabled people can pursue their own rehabilitation plan. By making it possible for these individuals to live a life of independence and dignity, ICL serves as a shining example of service to the mentally and developmentally disabled community. I urge my colleagues to join me in commending the Institute for Community Living and in extending our best wishes for its continued success.

ON THE RETIREMENT OF FLOYD FLAKE

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. NADLER. Mr. Speaker, I rise today to bid farewell to a very distinguished Member of my State's delegation. FLOYD FLAKE has served in the House with honor, with sincerity, and with unwavering commitment. He can serve as a model to all of us in this body: for over a decade, he has fulfilled a calling to public service, fighting the fights he believes in, representing his constituents with passion and nobility.

In leaving this body, FLOYD FLAKE is leaving this Nation richer for his service. The moral guidance he has given us and the example he has set for us will echo through this Chamber in the coming years, resonating with its obligation to the people of this country after he has gone.

Now, our colleague is about to respond to another calling. With the chance to devote his full energies to the needs of his congregation, he will continue his lifelong commitment to service and justice. And though he will be in a new setting, he will continue to be an inspiration for us all. I can only say that it has been an honor serving with him, and I wish him all the best.

PERSONAL EXPLANATION

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. RADANOVICH. Mr. Speaker, as a result of being detained while in the service of my constituents in my district, I may have been unable to cast votes today on measures before the House of Representatives. I would like to take this opportunity to explain my support for three key areas of public policy, which were likely voted on in my absence.

H.R. 867, the Adoption Promotion Act.—I support this measure, as I believe it emphasizes the need for foster children to be adopted by a permanent family. Also, the Adoption Promotion Act requires States to expedite the process that governs the adoption of a foster child. The bill provides for increased stability

for foster children and encourages a strong, healthy family structure. All foster children deserve the opportunity to be adopted to secure a sound future.

H.R. 2709, the Iran Missile Proliferation Sanctions Act.—Credible reports have drawn attention to the fact that Iran is pursuing plutonium separation and gas centrifuge enrichment in its nuclear program. Iran has also taken aggressive steps toward purchasing nuclear weapons-related material. Potentially, this development poses an enormous threat to our Middle East allies and other peaceful countries around the world. Therefore, we must take the appropriate steps to prevent Iran from obtaining a nuclear missile capability. H.R. 2709, the Iran Missile Proliferation Sanctions Act, goes a long way toward accomplishing this objective. The legislation requires the President to submit a report to Congress, within 30 days of enactment, identifying nations or entities about whom there is credible information that they transferred missile goods or technology to Iran. Sanctions against entities involved in the attempt or transfer of missile technology to Iran include denying arms exports licenses and eliminating all United States assistance for 2 years. The bill also expresses a sense of Congress that the President should exercise existing authorities and available funds to prevent the transfer of weapons-related material and delivery systems to Iran. I believe the actions taken in this bill will check Iranian arms proliferation and enthusiastically support its passage.

S. 1519, Extending the Intermodal Surface Transportation Efficiency Act.—S. 1519, Extending the Intermodal Surface Transportation Efficiency Act [ISTEA], is an important piece of legislation. The measure provides \$9.7 billion in new transportation money to States, thus continuing transportation funding to the States until Congress passes a regular, 6-year ISTEA bill next year. Extending ISTEA for this temporary duration is important to ensure that California, as well as the other States, continues to provide for the transportation needs of its residents during this time.

SUNSHINE IN THE COURTS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. SCHUMER. Mr. Speaker, in April of this year, I along with my distinguished colleague from Ohio, Congressman CHABOT, introduced H.R. 1280, the Sunshine in the Courtroom Act. H.R. 1280 allows photographing, electronic recording, broadcasting, and televising to the public of Federal court proceedings at the discretion of the presiding judge. This legislation is key to opening our Federal courts to cameras in order to educate the public and increase understanding of our Federal judicial system.

Allowing sunshine into our Federal courtrooms is one of the best ways to expand public knowledge on how our Federal court system operates. In recent years, there has been an increasing concern regarding our courts. Changes of judicial activism are eroding con-

fidence in the legitimacy and fairness of Federal court proceedings. If the public continues to be kept in the dark about what occurs behind the doors of Federal courtrooms, these concerns and criticisms will surely mount. The availability of televised courtroom proceedings will increase public confidence in our Federal system, as demonstrated already within State courts around the Nation. Decisions made in Federal courts have the capability to affect every citizen's life. The public should have the opportunity to see and understand how these cases unfold.

In 1997, the House of Representatives passed a House resolution to televise House floor proceedings and committee hearings to the public to create a greater degree of accountability of Members of Congress to their constituents and to enable the public to obtain a greater appreciation for the work that occurs on Capital Hill. C-SPAN coverage of the House allows citizens to watch and learn about the legislative branch for themselves, instead of relying solely on the media to interpret for them what is happening in Washington, DC.

I was elected to the House of Representatives for my ninth term last election by the citizens of my district in New York, and I continue to be accountable to every one of my constituents. Through C-SPAN coverage, they can see for themselves the issues I fight for and against on their behalf. It is time to take this idea of cameras for accountability and expand it into the judicial branch of the Federal Government.

I would also like to emphasize to everyone that H.R. 1280 does not in any way encroach on the powers of even one Federal judge. Quite the contrary, it is a pure grant of discretion, empowering the Federal judge to open or close proceedings that today are closed regardless of the judges desire and willingness to open the proceeds to public view. The Sunshine in Courtroom Act allows cameras in Federal courts only upon the approval of the presiding judge in each specific case. There are certain cases that are too sensitive to allow full media coverage of its judicial proceedings, such as trials involving minors, or cases in which a witness or members of a jury need to be kept confidential in order to protect them from harm. I do not want there to be any confusion on the fact that H.R. 1280 leaves judges total power to deny or limit television coverage of these types of cases.

Mr. Speaker, my fellow Members of Congress, the Sunshine in the Courtroom Act is legislation that is long overdue. Opening up our Federal courts will allow the public to see how our justice system really works and to gain a greater appreciation and trust in our Federal courts. In the second session of Congress we need to make H.R. 1280 a priority by holding hearings on this issue and then, passing this legislation into law. We, as Members of Congress, need to assert our dedication to keeping the Federal Government open and accessible to the public by letting sunshine into our courtrooms.

TRIBUTE TO REPRESENTATIVE
FLOYD FLAKE OF THE SIXTH
CONGRESSIONAL DISTRICT OF
NEW YORK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, my departing words for a good friend, Congressman FLOYD FLAKE are marked with good wishes and sadness. While Allen A.M.E. Church is gaining a great minister who will work full-time for his congregation, the United States House of Representatives will be losing a man of conviction, compassion, and remarkable legislative skill. I will miss him, as will this body, not only as a lawmaker but as a valued friend.

Congressman FLAKE has brought together the spirituality of the church, the innovation of the private sector, and the laws of the Government to produce economic revitalization for his congregation and the entire Sixth Congressional District.

November 7, Congressman FLAKE said his formal goodbye to the House of Representatives. For the first time, he told Members as well as the C-SPAN viewing audience about his inspirational road to success in the ministry, academia, and Congress. Never until that day had he told people about his long days of work and long nights of studying to earn his undergraduate degree or his doctorate of ministry. This is how we will remember Congressman FLAKE. We will remember a man who did not speak about his difficult road to success, rather, he spoke proudly about his service to God, his family, his district, and his country.

Congressman FLAKE was born in Los Angeles on January 30, 1945, and came to Houston, TX, to attend public school. After growing up in the great State of Texas, he studied at Wilberforce University in Ohio, earning his undergraduate degree. He continued to broaden his educational experiences in graduate programs at Payne Theological Seminary and Northeastern University. In 1994, he earned his doctorate of ministry degree from the United Theological Seminary in Dayton, OH.

Congressman FLAKE evolved from student to educator, serving as dean of students and university chaplain at Boston University in 1976. He served as the director of the Martin Luther King, Jr. Afro-American Center at Boston University from 1973 to 1976. From 1970 to 1973, he served as the associate dean of students, director of student activities at Lincoln University. Moving to business, he served as a market analyst for Xerox and as a sales representative for Reynolds Tobacco Co. He also served as a social worker for an early child development/Head Start program.

Mr. Speaker, Congressman FLAKE has lent his talents, energy, and concern for others to many activities. Congressman FLAKE always says that he has been blessed to have enjoyed so many successful endeavors. Personally, I would say that he has blessed so many people in so many areas.

Legislatively, I will remember his work on the Committee on Banking and Financial Serv-

EXTENSIONS OF REMARKS

November 12, 1997

ices and increasing investment opportunities for undeserved communities through the Bank Enterprise Act and the Reform of the Community Reinvestment Act.

Congressman FLAKE has done more than lecture and preach about the merits of self-sufficiency and job creation. Through his church, he has created local jobs, affordable homes, schools and multiservice centers that provide health care.

Mr. Speaker, it has truly been a pleasure to serve with the Congressman from New York's Sixth Congressional District. It will be even more of a pleasure to hear and witness his continued work in helping his community. Along with the many other Members of this body, I would like to give Congressman FLAKE my wishes of good luck and blessings.

HONORING IDA ECKHAUS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. TOWNS. Mr. Speaker, I rise today to honor Ida Eckhaus, a pioneer in providing community living for people with mental disabilities.

Mrs. Eckhaus has always been committed to bringing vital services to the people of New York City. Through her efforts, she was one of the founding members of APRIL, the Association of Parents for Rehabilitation and Independent Living. She and her husband Sam, along with three other couples, got together with the simple plan of obtaining housing for persons who suffered mental illnesses. In those meetings, they found there were many more needs for the mentally ill. Out of those meetings, the organization grew to become one of the largest affiliated in the State.

In addition to her community advocacy, she enjoyed working with families and their loved ones. For years her personal telephone at home was a crisis hotline. No hour was too late, no problem too difficult, no person too distraught for her. She was always there to help in any way she could. Even after the installation of the APRIL Hotline, Mrs. Eckhaus continued to take her calls at home.

Mrs. Eckhaus was a person of superlatively high standards, complete integrity, and boundless enthusiasm for whatever task she undertook. Throughout her service, she also served on numerous boards including the Institute for Community Living and AMI/New York State and she also founded Summit House of Brooklyn.

Mr. Speaker, please join me in honoring Mrs. Ida Eckhaus and all her contributions to the community of Brooklyn.

CONGRATULATIONS TO
LANCASTER LABORATORIES

HON. JOSEPH R. PITTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. PITTS. Mr. Speaker, today I would like to honor Lancaster Laboratories, a company in

Lancaster, PA, recognized in the October issue of Working Mother magazine as one of the 100 best companies for working moms.

Even through the transition that Lancaster Labs has undergone over the past few years, this family-begun business has not only kept its emphasis on quality, but it once again has proved to be a successful company which values the family. By believing that a company can be committed to providing state-of-the-art services, and still manage people in a way that accommodates the hectic and activity-laden lives of working mothers and fathers, Lancaster Labs has succeeded in keeping their dedicated employees.

Lancaster Labs has been measured against standards of child care, flexibility, pay, opportunities to advance, and other family-friendly benefits. Although the company came out strong on each one of these, it is not because they attempted to meet some arbitrary yardstick, but because Lancaster Labs believes in creating a company that has fairness and family at the core of its existence. With fair pay, advancement for women, onsite child care, and the promotion of adoption, Lancaster Labs is an exemplary and prosperous part of our community.

Mr. Speaker, I congratulate this exceptional company for its holistic approach to the working environment. Many companies would be wise to learn from the Lancaster Labs' example, which says that enhancing the lives of working moms can significantly improve the overall performance of the company. I wish the very best to Lancaster Labs in the future.

CHARITABLE INCENTIVE GIVING
ACT OF 1997

HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. DUNN. Mr. Speaker, in this time of fiscal constraints, I am introducing today legislation that would encourage greater private sector support of important social, educational, nutritional, medical, and other necessary programs in local communities by restoring incentives for charitable giving of closely-held stock.

Governments on all levels, Federal, State, and local, are reducing spending throughout their budgets, including social programs. At the same time, society's needs for these programs cannot be overlooked. Congress should do all that it can reasonably do to encourage private philanthropic efforts at this critical stage in restructuring Government and returning responsibility to our local communities. Many of these services can be provided at the local level by charities that know the community best and can supply the most efficient and competent delivery of services. Public charities and private foundations already distribute funds to a very diverse, wide-ranging group of social support organizations at the community level on a timely basis.

To meet the resulting deficit in unmet social needs, Government cannot merely expect the private sector to fill the gap, but must provide the leadership for the use of private sector resources through changes in the Tax Code.

One source of untapped resources for charitable purposes is closely-held corporate stock. Today the tax cost of contributing closely-held stock to a charity or foundation is prohibitive, and it discourages families and owners from disposing of their businesses in this manner. This legislation would correct this problem by once again permitting certain tax-free liquidations of closely-held corporations into one or more tax exempt 501(c)(3) organizations.

Under current law, the problem with giving closely-held stock to charity is that the absence of a market for such stock and the typical pattern of small and sporadic dividends paid by such closely-held companies make it difficult for a charity to benefit from ownership of such stock. Accordingly, if such stock is given to a charitable organization, and in particular if a controlling interest is given, the corporation may have to be liquidated either by statutory requirement or to effectively complete the transfer of assets to the charity for its use. Under current law, such a liquidation would incur a corporate tax at a Federal rate of 35 percent. This cost is imposed as a result of the tax law changes made in 1986 that repealed the "General Utilities" doctrine and this imposed a corporate level tax on all corporate transfers, including those to tax exempt organizations. The charitable organization could also be subject to unrelated business income taxes. These tax costs make contributions of closely-held stock a costly and ineffective means of transferring resources to charity, and these are the costs I propose to eliminate in order to free up additional private resources for charitable purposes.

The legislation I introduce today eliminates the corporate tax upon liquidation of a qualifying closely-held corporation if certain conditions are met. Most importantly, qualification would require that 80 percent or more of the stock must be bequeathed at death to a 501(c)(3) tax-exempt organization. This bill also clarifies that the charity can receive mortgaged property in a qualified liquidation free from the unrelated business income tax for a period of 10 years. This change parallels the exemption from the unrelated business income tax [UBIT] for 10 years provided under current law for direct transfers by gift or bequest.

By eliminating the corporate tax upon liquidation, Congress would encourage additional, and much needed transfers to charity. Individuals who are willing to make generous bequests of companies and assets they have spent years building should not be discouraged by seeing the value of their gifts so substantially reduced by taxes. There will be a revenue cost to this legislation, probably in the hundreds of millions of dollars based on work the Joint Committee on Taxation has done on this concept over the past year. But it is crucial to remember that this cost represents charitable giving of many times that amount; by the same techniques used to estimate tax cost, it's estimated the giving stimulated to be as much as seven times the revenue cost, placing its value in the range of \$2 to \$3 billion. In short, this revenue impact represents the expectation of significant transfers to charity as a result of the legislation.

Good tax policy would advocate the broadest support of charitable giving. It is worthwhile to note that the individual donor does

not receive any tax benefit from the proposal. All tax savings go to the charity. By inhibiting these charitable gifts, the Government not only hurts those individuals that most need the help of their Government and their community.

I welcome my colleagues' support and co-sponsorship for this legislation. I urge each Member to talk to their constituents about it and learn for themselves the response received from those individuals and families in local communities in a position to make such a charitable gift of their business.

PERSONAL EXPLANATION

HON. CASS BALLENGER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BALLENGER. Mr. Speaker, on Saturday, November 8, I missed rollcall votes 617 (H.R. 2631) and 618 (H.R. 2534). Had I been present I would have voted "yea" on both.

TRIBUTE TO EUGENE LESESNE

HON. WILLIAM J. COYNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. COYNE. Mr. Speaker, I rise today to pay tribute to one of my constituents, Mr. Eugene Lesesne of Pittsburgh, PA.

Eugene Lesesne, a U.S. Army veteran of World War I, will be 100 years old on November 19. Born in Sumter County, SC, he served in the Quartermaster Corps in France in the final months of the First World War. He moved to Pittsburgh shortly after his discharge in 1919 and has lived there ever since.

A quiet, unassuming person, Mr. Lesesne lived a life of hard work as a laborer. He was married twice, widowed twice, and was a father of four. Mr. Lesesne attributes his long life to the good habits instilled by his parents, whom he describes as "good Presbyterians who taught me to stay away from bad things." A longtime member of Grace Memorial Presbyterian Church, in 1968 he joined with church people of different races to form the Community of Reconciliation, an interracial, interdenominational church. He continues to sing tenor in that church's choir to this day and is noted for the natty way he dresses.

I commend him to this body as an example of a man who served his country overseas in his youth and came back home to lead an exemplary salt-of-the-Earth life.

COMMEMORATING THE 25TH ANNIVERSARY OF THE GREAT LAKES WATER QUALITY AGREEMENT

HON. STEVE C. LATOURETTE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. LATOURETTE. Mr. Speaker, I rise today to commemorate the 25th anniversary of the

Great Lakes Water Quality Agreement [GLWQA]. This groundbreaking agreement between the United States and Canada was signed on April 15, 1972, by President Richard Nixon and Canadian Prime Minister Pierre Trudeau as a binational pledge to reduce and prevent Great Lakes pollution. The GLWQA grew out of a need to reverse the decades-long trend of decline in the health and beneficial uses of the Great Lakes.

My constituents have been especially impacted by water quality since my district includes the longest Lake Erie shoreline of any Ohio congressional district. In the late 1960's, Lake Erie was considered to be a dead lake, with stinking mats of algae growing profusely, and huge parts of the lake rendered uninhabitable for fish due to lack of oxygen. After a comprehensive study of this problem was conducted, it became apparent that these problems were the result of eutrophication, or the overfertilizing of the lake. Too much phosphorus was being dumped into Lake Erie from various sources, including farms, factories, and private homes. The 1972 GLWQA included provisions for the reduction of phosphorous loadings into Lakes Erie and Ontario.

As a result of the 1972 GLWQA, phosphorus levels significantly decreased in the Great Lakes. In Lakes Erie and Ontario, phosphorus loadings have been reduced by almost 80 percent. The United States and Canada achieved this binational goal through improvements in sewage treatment, lowering the levels of phosphorus in detergents, and reducing agricultural runoff.

In 1978, the GLWQA was revised and the two countries pledged to restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes basin ecosystem. Toxic substances were a major concern by the late 1970's, and the two countries committed themselves to achieving zero discharge of toxic substances in toxic amounts and the virtual elimination of persistent toxic substances. These persistent toxics bioaccumulate in organisms and increase in concentration up the food chain. Some of these substances, such as PCB's and dioxin, have been shown to cause adverse health effects in humans and wildlife.

Again, my constituents have been impacted by the constant plague of persistent toxics which were dumped into the lakes during a time when the consequences of pollution were not understood. The Ashtabula River and harbor in northeast Ohio was a dumping ground for toxic waste for years.

The 1987 protocol to the Great Lakes Water Quality Agreement reinforced the 1978 commitments of the United States and Canada and highlighted the importance of human and aquatic ecosystem health. Provisions were added to clean up 42 local areas of concern in the Great Lakes and included the development and implementation of remedial action plans [RAP's] and lakewide management plans [LaMPs].

The Ashtabula River and harbor was designated as an area of concern by the International Joint Commission [IJC] in 1985, and a remedial action plan has since been developed to clean the river up. Under the leadership of the IJC, a coalition of interested parties

has worked continuously to make the Ashtabula River and harbor one of the first successful cleanup sites in the Great Lakes. The Ashtabula River Partnership has made great strides in recent years to secure the commitment of the Army Corps of Engineers to safely dredge the sediments and dispose of them in a manner consistent with our obligation to protect the environment.

The accomplishments under the GLWQA extend beyond my constituents' corner of the Great Lakes. As a result of the United States and Canadian commitment to reducing toxic substance releases, cormorants in the Great Lakes region have significantly increased in population from the 1950's to the 1970's levels when the number of nesting pairs of cormorants dropped by 86 percent. Concentrations of DDE and PCB, both persistent toxic substances, decreased in cormorant eggs by more than 80 percent between 1971 and 1989. Concentrations of chlorinated compounds, such as dioxins and furans which are used in the bleaching process of pulp and paper mills, have decreased in the Great Lakes by 90 percent since the late 1980's.

On November 1, 1997, in Niagara Falls, NY, the International Joint Commission, with Canada and the United States, celebrated the 25th anniversary of the GLWQA. This event was attended by many people in the Great Lakes community hailing from United States and Canadian Government agencies, environmental organizations, public interest groups, and industry. The key speakers at the celebration were Deputy Secretary John Garamendi, United States Department of Interior, and the Honorable John Fraser, Canadian Environment Ambassador, as well as a member of my staff, Mr. Brett Kaul.

At this landmark anniversary of the GLWQA, we must not rest on the laurels of the accomplishments of the past, for there is still much to be done to restore the environment of the Great Lakes. This effort will require vigilance and commitment from the United States and Canada, Federal and local governments, industry, and the public. In 1999, the United States and Canada will review the agreement's objectives and terms to determine whether to update its scope. Let us continue to work together in a concerted effort to achieve the goal of bringing back the Great Lakes to their former preeminence as a natural resource to be enjoyed for generations.

TRIBUTE TO RODGER MEIER

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to a constituent and good friend Mr. Rodger Meier, this year's recipient of the Russell H. Perry Free Enterprise Award. It is very difficult to be brief when paying tribute to Rodger Meier, a man who has championed so many noble causes.

I know him as an advocate of entrepreneurial initiatives, community service and public policy issues that has produced opportuni-

ties for the citizens of Dallas. The Wright amendment was established to protect the economic opportunities and financial well-being of the Dallas-Fort Worth Airport. Rodger was right there and never fails to express his feelings about keeping the economy strong in the Dallas area.

In addition, he is a long-time supporter of DART and has lead to my constituents enjoying better transportation and environmental opportunities while producing more dollars for area businesses and allowing passengers to reach key destinations without clogging our highways and freeways.

And so, it is truly fitting that he is being honored this year with the Russell H. Perry Free Enterprise Award. This award salutes entrepreneurial spirit and how it fosters opportunities, service, and civic responsibility. After all, Rodger embodies all of these traits. And I shall never forget how he worked so hard and put in all of his efforts in passing into law, the 1985 education bond election. It was critical and he was there.

He was there because he believed in education and that no child should be left behind and that all children must be included in education. Rodger is just so good in every area and he really understands the needs for all of the people. And in addition to all his caring, he has been the No. 1 Cadillac salesperson in all of the country, and we all like Cadillacs.

I first met Rodger when we both were on the board of trustees at Texas Christian University where we both graduated from. And that friendship will never end. I have so much respect for him as a husband, father, Christian man and civic person extraordinaire. In addition to a few things that I have pointed out, Rodger is involved in so many more. He never forgets the young people, whether handicapped or not.

He never forgets to be caring as it relates to any issue and I think that the committee has decided this year to give honor to the award by citing Rodger Meier.

It is my pleasure to congratulate you Rodger, and in addition to congratulating you, I thank you. I thank you for all that you have done to make this world a better place and to make Dallas a better community. The award does itself honor in honoring you. I thank the awards committee. Rodger, my friend you have earned it, you deserve it and I hope that you enjoy it.

HONORING ADAM ARLEN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. TOWNS. Mr. Speaker, I rise today to honor Adam Arlen, a pioneer in providing community living for people with mental disabilities.

Mr. Arlen was born in Poland where he was educated in economics. After experiencing years of hardship during World War II and the oppression of the subsequent Communist government, in a dramatic personal adventure, he escaped to the United States to start a new life in 1966.

During his first years in America, following formal training, Adam Arlen became a nursing home administrator. In the early 1970's, seeing that large numbers of individuals with mental illnesses were being discharged from State hospitals into the community with inadequate aftercare, he pioneered the development of this type of community living in New York State. For almost two decades, he stood out among his colleagues as a supporter of the highest quality of services for individuals under his care. In his role as advocate, he testified before legislative and administrative bodies and supported the creation of award-winning mental health programs. As a founding member of the Institute of Community Living's Board of Directors, he has continued to speak out on behalf of those with mental disabilities offering unique and practical advice that stems from his special personal history and as well as professional interests.

Mr. Speaker, please join me in honoring the zealous and faithful advocacy of Adam Arlen on behalf of individuals with mental disabilities.

PATRICIA STARK OF RIVERHEAD, SELECTED AS PERSON OF THE YEAR

HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. FORBES. Mr. Speaker, I rise today to join my friends and neighbors on eastern Long Island as we pay tribute to Patricia Stark, of Riverhead, in honor of her designation as 1997's Person of the Year by the Paumanok District of the Suffolk County Council of the Boy Scouts of America.

Pat Stark's good work is so extensive, it might be more apt to declare her Person of the Decade. She is being honored by the Suffolk County Boy Scouts because they recognize her selfless and seemingly endless contributions of time and energy to the entire Riverhead community. Pat has worked tirelessly to improve the quality of life for all her neighbors, whether through supporting the arts, beautifying our community, improving education, protecting the environment, or preserving her hometown's historic legacy.

After a career in education where she taught in several Long Island schools, Pat has directed her talents to private business and is now the vice president of Storage Town East. But she is most loved and respected for her tremendous pride in her community, one that has inspired her devotion to Riverhead. Pat founded the Riverhead Country Fair, serving as the event's cochair for 7 years, with the goal of the focusing the townspeople's attention on the special gifts of the Peconic River. With the help of her friends and neighbors, that purpose was attained and today the riverfront has come alive with the bustle of boaters, fishermen, residents, and tourists.

Pat also served as chairperson of Riverhead Townscape, an organization responsible for allocating the funds raised by the fair on beautification projects. Some of the beneficiaries those efforts include the Peconic Riverfront, Lombardi Park, the flower boxes, trees and

plantings along Main Street, plantings in Grange Park, the gardens and grounds of the East End Arts Council, and the Riverhead Preservation and Landmark Society.

Pat's other efforts includes serving as co-chair of the East End Arts Council's Suffolk Theater advisory committee, the Riverhead Business Improvement District's downtown planning strategies committee, and as president of the Riverhead Revitalization and Preservation Corp., which has just completed a vital historic restoration project on Roanoke Avenue.

Completing her prodigious list of volunteer efforts, Pat is a member of the advisory board of the Hallockville historic site, serves as director of Confraternity of Christian Doctrine for St. John's Roman Catholic Church and is still a prodigious fundraiser for many local non-profit organizations. Patricia has been recognized in the Senate by AL D'AMATO for her efforts in housing restoration and it is altogether fitting that the House of Representatives honor her contributions.

That is why, Mr. Speaker, that I ask my colleagues in the House to join me honoring Patricia Stark and recognize her commitment to promoting and protecting the quality of life of Riverhead and the entire east end of Long Island, for her family and for her community. We are truly blessed to count her as our friend and neighbor.

DESIGNATION OF THE "EUGENE J. MCCARTHY POST OFFICE BUILDING"

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. VENTO. Mr. Speaker, I rise with the support of the Minnesota delegation in the U.S. House, to introduce H.R. 2836, a bill to designate the U.S. Post Office Building in downtown St. Paul, MN, as the "Eugene J. McCarthy Post Office Building."

Eugene J. McCarthy served as a U.S. Representative from Minnesota's Fourth Congressional District, the seat that I've been honored to represent. He also served for many years as a U.S. Senator from the State of Minnesota. He served for over two decades in Congress and was a much celebrated candidate for the Democratic nomination for President of the U.S. in 1968. Gene McCarthy's role in this 1968 campaign was the catalyst that set in place major change in U.S. and global policy in Southeast Asia and electoral politics in our Nation.

Eugene McCarthy was a teacher in the public schools in Minnesota and a professor at St. John's University in Collegeville, MN. He was also an instructor of economics at the College of St. Thomas in St. Paul and a distinguished author of numerous books on subjects ranging from children's literature to history and most renowned for his poetry.

The State of Minnesota is the home of many great leaders, however, few have touched as many lives as Minnesota's Eugene McCarthy. Senator McCarthy is a tireless leader and throughout his recent illness his fighting

spirit persists. Therefore I, as well as, the Minnesota delegation and the people of the great State of Minnesota want to honor the accomplishments and service of this historic Minnesota leader from the area of St. Paul, MN, that catapulted him onto the national stage and into the U.S. Congress.

I welcome the support of my colleagues and this Nation in recognition of the career and public service of this great American.

WALTER CAPPS WAS A JOYOUS MAN

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BEREUTER. Mr. Speaker, on October 28 the House of Representatives lost an extraordinary Member. That loss was felt here, and it was felt across the country. Earlier in October the gentleman from California, Mr. Capps, had visited this Member's home State of Nebraska and the city of Omaha, where he was born and grew up. Not surprisingly, Nebraskans responded enthusiastically to his warm and generous spirit. This Member commends to his colleagues the piece by Roger Bergman which appeared in the Omaha World-Herald on November 8, 1997.

[From the Omaha World-Herald, Nov. 8, 1997]

WALT CAPPS "WAS A JOYOUS MAN"

(By Roger Bergman)

Even as the lights were coming back on in our house and around Omaha on Oct. 28, another kind of light was being extinguished. Our friend—really a member of the family—Congressman Walter Capps was dead. He suffered a heart attack in Dulles Airport in Washington, D.C.

It seemed impossible that someone so vital—so full of life and with so much to offer—could be claimed by darkness so suddenly, so unexpectedly, so early. Even at 63, even after barely surviving a head-on collision with a drunken driver more than a year ago, Walt Capps was not someone you expected to die. My wife, Dr. Wendy M. Wright, a Creighton University theology professor for whom Capps was an intimate friend and mentor, expressed it well: "He was such a joyous man."

During his recent visit to his native Omaha to attend family and high school reunions and to speak at his boyhood church and at Creighton University, Walt remarked to me that no less a figure in Western civilization than St. Augustine had written both "The Confessions" and "The City of God," respectively classics of spiritual autobiography and political theology.

A longtime and influential professor of religious studies at the University of California at Santa Barbara, Capps was elected to the U.S. House of Representatives less than a year ago. As he said in his lecture Oct. 12 at Creighton, he was trying in his own way and however modestly to bridge the gap between spiritual values and the concerns of public life. That an accomplished scholar and master of the lecture hall would even consider such a challenge at the time in a career when most of us would be thinking of retirement attests to his insatiable thirst for life generally and to his faith in the democratic ideal specifically.

It was also Augustine who proclaimed that a Christian should be an "alleluia from head to foot." Walter Capps was such a man.

And his joy in life and hope for America in a time of cynicism about politics was infectious. After spending the evening of Oct. 12 listening to the congressman speak enthusiastically of the quality of people he was getting to know in Washington and of the genuine care and concern of so many elected officials and their often young and idealistic staffs to do the right thing, one Creighton political science professor remarked that she had not felt so hopeful about Congress for years. Although 15 years my senior, Walt, with an almost boyish verve for an overwhelmingly difficult job, made me feel somewhat jaded by comparison.

Perhaps some of Walt Capps' hopefulness came from the healing and reconciliation he saw taking place in his course on the Vietnam War. Vets who had never told their stories before were invited to share the podium with him. Students whose fathers were unknown to them personally were sent as emissaries of the class to the Vietnam Memorial in Washington to touch those precious names on the black marble. Sen. Bob Kerrey, Nebraska's then-governor, took an active role in the class for years, becoming a close friend to Capps and mentoring him into political life.

Capps quoted Kerrey in his lecture at Creighton. Politics is often defined as the art of compromise. But Kerrey, reported Capps, described politics as the art of the possible.

The congressman's own philosophy responded well with that. Especially after his near-fatal crash in 1996, he said he woke up every morning just grateful for the new day and the opportunities it offered.

He approached his legislative role in Washington in the same spirit: Whatever small advance I can help to make for the general welfare of the people of this country, let me be ready to do it. Not a bad philosophy for the rest of us.

Of Capps' 14 books, the most recent was on the Czech playwright and president, Vaclav Havel, another fine intellect who responded to the call of public service. Havel's most recent book is titled "The Art of the Impossible." Walter would have appreciated that perspective on self-government, too. One of his own books was significantly titled, "Hope Against Hope."

But Walt Capps was not merely a dreamer. He wanted to make a difference. And so he put up with the arduous demands of the campaign trail (and the insults of his opponent, which he did not return) and the daily frustrations of an idealist in the powerbroking world of the national capital. If he tilted at windmills, it was only after being sure it was for the good of his own constituents and the country generally.

Like a combination of Don Quixote, St. Augustine, and Vaclav Havel, our friend Walter Capps dreamed a possible dream. He believed that citizens could govern themselves despite deep moral and ideological disagreements. Perhaps felled by the strenuous schedule that belief demanded of him as a citizen-representative, Walt Capps is a reminder to all of us that democracy has no sidelines.

Professor Capps—he took a leave of absence from his university post rather than give it up entirely—had a more personal dream, too. After several terms in Congress, he wanted to return to the University of California at Santa Barbara to teach about democracy.

Democracy, he said, is not something we inherit as a lifeless monument from the past.

It is something we create and recreate every day. Or at least that is the challenge.

He will not be able to fulfill that personal dream—to the loss of all of us, but especially to those UCSB students who will know of him only by reputation. My wife and I are immensely grateful that our children, his godchildren, were touched by his life.

But like the image of a flame that lingers in the mind's eye even after the wick has been snuffed, Walter Capps' joyous, hopeful, generous spirit will linger long after his life has gone out.

May he rest in peace. And may the rest of us get to work.

VETERANS DAY IS AMERICA'S
DAY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. RAHALL. Mr. Speaker, I rise today to commend to my colleagues an article that was published in the Charleston Gazette of Charleston WV. The article was written by a constituent of the Third Congressional District of West Virginia and a national vice commander of the American Legion, Mr. Robert Vass, Sr., of Huntington, WV.

I am sure that many of my colleagues spent yesterday the same way that I did, visiting with constituents to celebrate Veterans Day. Entire communities come together on November 11 each year to honor those who have served our Nation in the Armed Forces. Veterans Day is an opportunity to remember those who have given their life in service and to remind ourselves of our responsibility to care for those veterans who still need assistance.

As Mr. Vass writes, veterans continue to serve our Nation, even after leaving the military. Not only are they ready to serve in time of war, they remain active in times of peace. Veterans and active-duty personnel alike are active in our communities by volunteering at hospitals, sponsoring scouting and athletic programs for youths, providing scholarships or students and donating thousands and thousands of hours in volunteer service in their communities.

I share my good friend's column with my colleagues because it reminds us that Veterans Day is not just a day for veterans and their families; it is America's Day. It is a day for Americans to "express appreciation for the contributions of all veterans upholding the values for which these patriots sacrificed." And it is a day for all Americans, to be like veterans, and to involve themselves in their communities.

Mr. Speaker, I have included a copy of Bob Vass column and ask that it be printed following my statement.

[From the Charleston Gazette, Friday, Nov. 7, 1997]

VETERANS DAY IS AMERICA'S DAY—HOLIDAY
HONORS THOSE WHO SACRIFICED

(By Robert E. Vass, Sr.)

I'm proud to be one of countless Americans who in the tradition of the citizen-soldier fighting for America's independence, served in our nation's armed forces. I served in the U.S. Army Air Corps during World War II.

Veterans Day, Nov. 11, is not only my day; it is America's day. On this day, in events ranging from solemn to spectacular—in sprawling cities and in small towns—Americans will honor those who sacrificed for freedom.

Men and women of all races, creeds and social stations have stood in harm's way in World War I, World War II, Korea, Vietnam, Lebanon, Panama, Grenada and the Persian Gulf. More than a million of them, including my wartime contemporaries, forfeited all of their tomorrows in their youth so that the core values of our nation—freedom, justice and equality—might grow old.

A simple gesture of gratefulness is all veterans want on Veterans Day. Whether you a veteran or not, you can poignantly express appreciation for the contributions of all veterans by upholding the values for which these patriots sacrificed.

I and my comrades in the American Legion support traditional American values here and in thousands of other communities nationwide. We carry on a tradition of community service dating back to the Legion's founding in 1919.

We advocate policies upholding law and order, a strong national defense, a full accounting of those listed either as missing in action or as prisoners of war, and just compensation for veterans, with service-connected disabilities. The latter includes thousands of Gulf War veterans who went to the region healthy and returned with ailments of mysterious origin.

We volunteer in Department of Veterans Affairs hospitals. We help veterans file claims for benefits. We sponsor programs which instill traditional values in young people, including Scouts, high school ROTC, American Legion Baseball, American Legion Boys State and Boys Nation, Junior Shooting Sports, and the National High School Oratorical Contest.

West Virginia Legionnaires last year donated 38,436 hours of service to their communities, awarded \$63,664 worth of scholarships to 70 deserving West Virginia students, and donated 459 pints of blood to West Virginia blood collection centers.

Above all, consistent with our support for the Constitution, Legionnaires believe "we the people" must have a voice in how our nation is governed. On this premise, the U.S. Senate should do what the House did in June: Pass a constitutional amendment to return to the people the right to protect the flag of the United States from physical desecration.

Ordinary citizens must reinforce America's core values through service to God and country and participation in our governance. That's what the American Legion is all about on Veterans Day and every day. And that's what we all must be about on Veterans Day and every day.

Veterans Day is America's day.

SCHOOL CHOICE

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. HAMILTON. Mr. Speaker, I would like to insert my Washington Report for Wednesday, November 12, 1997, into the CONGRESSIONAL RECORD.

SCHOOL CHOICE

Education has always been a defining issue in American politics and a matter of the

highest importance. Everyone believes that in America every child should get a good education. Politicians of all stripes have yearned to be known as "education presidents" or "education governors". The often heated debates swirling at the local school board level also testify to how central an issue education is at all levels of government.

Now a further debate within this larger education debate is taking place in statehouses and schoolhouses across the country. That debate is over school choice. At a fundamental level, school choice involves giving parents the ability to select which schools their children attend. But despite the relatively simple definition, school choice involves many different and competing options, and the debate is heating up.

WHAT IS SCHOOL CHOICE?

School choice encompasses a broad spectrum of educational initiatives and models, from modest tinkering to expansive reorganizations. The most popular include school vouchers and charter schools.

School vouchers provide assistance to families, often in the form of coupons, to be used to pay either a portion or the entire cost of private school tuition. Cleveland and Milwaukee have voucher programs supported with taxpayer dollars. These programs are targeted to low-income families. In Indianapolis there is a limited voucher program funded through private funds.

Charter schools are independent public schools usually started by parents, teachers, and administrators. These schools are freed from some of the bureaucratic rules and regulations that drag down performance, but in return they are responsible for meeting certain standards. Over the past several years there has been an intense debate in the Indiana state legislature over the issue of some charter schools possibly restricting admission.

CONGRESSIONAL DEBATE

Currently in Congress the school choice debate is a popular topic and will certainly continue to be a lightning rod for years to come. Supporters claim that choice injects competition and accountability into the educational system. They ask why the poor should not have the same chance at better schools as the well-to-do. They believe that choice will, through competition, prod the public schools to get better.

American parents are deeply concerned about the quality of their children's education, and are searching for ways to improve the system. School choice is one such option. Billed as a way to increase parents' control over where their children enroll while also creating incentives for reform in our public schools, the numerous school choice proposals promise to shake up our educational system. In this day and age, when we often hear calls to increase the efficiency and responsiveness of government, the free enterprise themes that characterize school choice proposals resonate with many Americans.

Opponents, on the other hand, argue that choice, at its least, unduly weakens public schools and, at most, is unconstitutional. They argue fairness: since States will never have the money to help all the poor children who want it, most poor children will never be able to take advantage of the choice, and they will be left behind in a public system more starved for money than ever before. For them, public funds should be spent to improve public schools, not spent to help students leave them.

Critics also argue that most Americans do not want tax dollars subsidizing private schools, and they believe that vouchers create instant church-state problems. They say that using public funds for religious-affiliated schooling is a violation of the First Amendment's separation of church and state which is at the center of the American political heritage.

Critics also point to the practical difficulties in implementing school choice. In urban areas, where there are not only more schools to choose from but also greater accessibility to public transportation, it is easier to implement school choice reform. Could this work in rural southern Indiana where schools are often separated by at least an hour's drive? What about parents unable or unwilling to choose, or troubled students who are less desired by the schools? How do you find enough resources to make choice really meaningful, so even the poorest or worst behaving or lowest achieving student would have a chance to enroll in a good school?

ASSESSMENT

When it comes to the education of American children, I believe we should be willing to experiment and creatively address the challenges of making sure they receive the world-class education they deserve. The idea of school choice is certainly an attractive one, at least in general. By allowing parents to send their children to any school in any neighborhood, many schools will shape up and bright students can shop around to escape inferior schools.

But I also believe that choice is not a cure-all for American schools. It must not stand as a substitute for a strong commitment to a sound education for all of our children. If school choice is going to be an effective alternative, we must address the fundamental issues which surround it, and local leadership must take the lead in designing the programs. In general, I think school choice works best when it is arrived at gradually, locally, and voluntarily—not by top-down mandates.

The verdict is still out on whether school choice programs already in place have been ultimately successful. For this reason, school choice needs to be a gradual experiment, and local leaders need to look long and hard at a variety of innovative strategies aimed at improving public schools.

What we do not want in the end is a school choice system that leads to further segregation by race or income, or a choice system that creates a few favored schools for the elite. To bridge the gap between the ideal of school choice and the reality of fundamental educational reform, we need to carry on with this timely experiment.

WHY BETTER CERTIFICATES OF MEDICAL NECESSITY ARE NEEDED TO HOLD DOWN MEDICARE FRAUD

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. STARK. Mr. Speaker, on October 7, I introduced H.R. 2633, to require the Secretary of HHS to develop and require the use of standard forms by which physicians certify that a course of home health or hospice care is necessary and appropriate.

Today, doctors just sign for such services without a clear statement that the patient qualifies or is eligible for the course of treatment. Often a doctor is nagged into approving the course of treatment by the family or patient, and I know that many doctors would like to be able to explain to patients why they cannot casually certify an expensive Medicare benefit, but instead, various conditions of medical need must be met.

A clearer, consistent statement of CMN can help reduce fraud. For example, there is the complaint of the United States versus Joseph Ari Kirschenbaum, filed this October 14 in the U.S. District Court for the Northern District of Illinois (Eastern Division), No. 97 CR 702. In the grand jury's charges and in the complaint, Mr. Kirschenbaum is charged with defrauding Medicare of millions of dollars by providing—or not providing—hospice benefits to Medicare beneficiaries.

Following is one of the many charges from the grand jury. It is important to note that Doctor K and the other doctors mentioned in this charge are not—to my knowledge—being charged with the hospice owner. A reformed and strengthened CMN system, as provided in H.R. 2633, would help ensure that doctors would not casually sign such stacks of paper, and if they did, would be liable for false certification.

58. It was further part of the scheme that defendant KIRSCHENBAUM hired a Medical Director for Samaritan Care who, in exchange for a modest salary, was willing to sign every patient certification form that was presented to him without examining the patients or reviewing the patients' medical records. This Medical Director, referred to in this indictment as "Doctor K," had no involvement in the hospice other than signing his name to patient forms every two weeks at the Samaritan Care office. Often the patients had been receiving hospice care for several days before Doctor K first learned of the patients when he received the certification forms to sign. Kirschenbaum never informed Dr. K of the extensive responsibilities of the Medical Director as set forth in the Policies and procedures, and Dr. K did not fulfill these responsibilities. Kirschenbaum later employed other Medical Directors at modest salaries who signed certification forms without seeing patients or reviewing their medical records.

TRIBUTE TO JOE PAULINO

HON. ROBERT A. UNDERWOOD

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. UNDERWOOD. Mr. Speaker, I rise today to pay tribute to one of Guam's educators, and a former colleague of mine, Jose "Joe" E. Paulino, who was called from this life on October 14, 1997.

Following his graduation from George Washington Senior High School in 1956, Joe attended the College of Guam before transferring to Fresno State College in California where he earned a bachelor of arts in physical education and a minor in recreation in 1961. After his graduation, Joe returned to Guam and began his teaching career at Inarajan

Junior High School. He spent the next 3 years teaching at the former Tumon Junior-Senior High School, prior to commencing his affiliation with the College of Guam in 1964.

The following year, Joe was granted a year of paid educational leave by the college's then president, Antonio C. Yamashita, to pursue a master's degree in physical education at Indiana University. Upon receiving his degree in 1966, he returned to the College of Guam and was promoted to an assistant professor position. Joe continued his teaching career, achieving associated professor status at what would eventually become the University of Guam in 1977, and subsequently achieving tenure in 1982.

Later that year, Joe took leave from the university to become the director of the department of parks and recreation, but continued to teach one course per semester at the University of Guam through 1984.

In 1984, he returned to the University of Guam campus on a full time status accepting the position of advisor to then university president, Jose Q. Cruz, on the management and operation of the newly built University of Guam fieldhouse. President Cruz subsequently appointed him as the fieldhouse manager, a position he retained until his retirement in 1991.

During Joe's distinguished academic career, he served on a majority of the University of Guam's planning committees. He also held responsible administration positions, including chairman of the Division of Health, Physical Education, Recreation and Dance, and assistant to the president.

Joe also played a major role in the establishment of sports organizations, such as the Guam Sports Federation, the Guam Tennis Club, the Guam Table Tennis Association, the Guam Volleyball Association, the Far East AAU, the Guam Amateur Sports Association and the Guam Amateur Baseball League. He was one of the driving forces behind Guam's involvement in the 1966, 1969, and 1975 South Pacific Games, the Chamorro Open Tennis Tournament as well as the activities for refugees as part of Operation New Life.

Throughout his teaching career, Joe Paulino consistently demonstrated the kind of care and commitment to students expected for all good teachers. Joe reached out not only to Guam students but also to hundreds of young men and women from our neighboring Micronesian islands. Whenever necessary, he took these visiting students under his wing during their stay on Guam. He also spent many summers teaching courses in Kosrae and Chuuk. Joe Paulino's distinguished service, his active involvement and his contributions to the University of Guam and to the people of Guam are well deserving of recognition and have in fact moved the Guam legislature to enroll him in Guam's "Guma Onra" or House of Honor.

My sincere condolences go out to his wife, Pauline, and his children and their spouses, Mark and Pauliana, Brian, Andre and Melissa Mendosa.

THE VIETNAM WAR: THE MISSING
CHAPTER IN AMERICAN HISTORY
BOOKS

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. MANZULLO. Mr. Speaker, yesterday, my family and I had the opportunity to attend the commemoration of Veterans Day held at the Vietnam Memorial in Washington, DC. My children, ages 9, 11, and 13, don't know the meaning of the word "Vietnam," though several times we have talked to them about the Vietnam war.

Gen. Barry McCaffrey, Vietnam war veteran, and now head of our Office of National Drug Control Policy, gave a stirring speech about the ones who fought the war, reminding us that the price of freedom is very high. I also heard the incredible speech of Ann Cunningham, a nurse who served two tours of duty in Vietnam and who shared her experiences of the war.

Then I met a group of Vietnam veterans in the rotunda of our Capitol, and they advised me that in many school history textbooks the Vietnam war is relegated to a simple paragraph. The memory of the 58,000-plus men and women who perished in that war deserves more than cursory comment.

Therefore, I am requesting the speeches given by Gen. Barry McCaffrey and Ann Cunningham be included in the CONGRESSIONAL RECORD for today. I trust that they will be read by children and serve as a missing chapter in our history books.

REMARKS FOR VETERANS DAY, VIETNAM WAR
MEMORIAL

(By Gen. Barry McCaffrey)

INTRODUCTION

Senator Hagel, Jan Scruggs, distinguished guests, ladies, gentlemen, fellow Veterans of the Vietnam War.

In particular the assembled soldiers of B Company, 2-7th Cav who I was privileged to serve with in Vietnam during 1968-1969—thank you for your courage and dedication in combat and the joy of our reunion during the past two days.

I am especially honored to be here with our keynote speaker, the Honorable Charles Hagel, Senator from Nebraska, who courageously served in Vietnam as a squad leader in the 9th Infantry Division. He is one of the seven U.S. Senators and nine Congressmen, members of Congress, who fought in Southeast Asia.

Today we honor all those who served in Vietnam—both the living and those who never came home.

A ceremony at this site brings to mind the images of the nearly three and a half million men and thousands of women who served in the Vietnam theater. It also brings into sharp focus the faces of mothers, fathers, young wives, and children who braved the uncertainty of that conflict, waiting with anticipation for the return of loved ones.

Our country did not treat any of you with the respect, support, and compassion you deserved. It was a shameful blot on our history to send our country's young men and women off to this terrible conflict and then use our soldiers as objects of blame for the divisive political struggle that ripped the nation apart for a decade.

EXTENSIONS OF REMARKS

The names inscribed on this monument are those of men and women who went to Vietnam with their futures ahead of them and who came back home only as memories to their loved ones.

More than 58,000 died and over 303,000 were wounded. The bloodshed was terrible, and the suffering has not ended. At least 80,000 of our ranks still suffer from severe service-connected disabilities; around 6 percent of our Vietnam War comrades suffer from drug abuse or dependence; 11 percent suffer from current alcohol abuse; many are homeless; and others still suffer from war-related psychological and physical problems.

This continuing heavy human toll demands that we Americans vigorously support the finest possible health care in our Veterans' Administration facilities and sustain strong outreach programs to assist Veterans suffering from drug and alcohol dependency and physical and emotional wounds. Our nation needs to make the sacrifice for those who sacrificed so much in Vietnam.

WHO WE WERE

Who were we, who went to war in Vietnam? We were young. Our average age was 19. 60 percent of those killed were 21 or younger. In my unit, B Company 2-7 Cav, 1st Cavalry division, almost all of the troops were between 18 and 22—basically young men who rapidly turned into hardened combat soldiers.

We represented the face of America. We were men and women, rich and poor. 11 percent of our ranks were African-Americans. 5 percent were Hispanic.

We were the best educated troops our nation had ever sent to war. 79 percent of us had a high school education.

Most of us were volunteers. Many of our best combat soldiers were drafted. More than 70 percent of our killed in action were volunteers. United by circumstance and choice, we risked our lives for fellow soldiers and country.

We paid a high price for service to our country. A grunt in the 25th Infantry Division had a 75 percent chance of being killed or wounded. One in four marines became a combat casualty. We suffered amputations or crippling wounds at 300 percent the rate of our world War II forbears.

We served honorably. 97 percent of us received honorable discharges.

We have been successful. Vietnam Veterans enjoy incomes higher than our non-veteran counterparts. We also have an employment rate 1/2 higher than those who never served in the armed forces.

WHAT WE LEARNED

The Vietnam War officially ended in 1975, more than twenty-two years ago. For many of us, nearly three decades have passed since our time in Vietnam. The historians may still be sifting through mountains of documents. However, most of us assembled here already know what we learned from the War.

1st—We must not commit our youth to war without the support of the American people. For in a democracy, lack of such support produces catastrophic divisiveness and weakening of national will, which are essential to winning.

2nd—We must not send our sons and daughters to war without a clear understanding of national aims and the costs for achieving them. For failing to articulate these requirements leads to flawed strategies and higher casualties.

3rd—Victory will be paid for in blood by the men and women who serve and by loved ones at home who must bear separations, recoveries from wounds, and ultimate sacrifices.

November 12, 1997

And 4th—As individuals, we learned that to survive and succeed when conditions are appalling and your life is on the line requires: moral and physical courage, competence, self-discipline, and trust in your buddies.

THE FUTURE

Our nation needs your help:
1st, Help Vietnam Veterans in need. Get involved in state, local, and Veteran organizations. Offer your energy, time, money, and support.

2nd, Battle the evil of illegal drugs. Get involved in state, local, and community anti-drug efforts.

3rd, Improve your community. Get involved in other activities to make your community better. Our nation's leadership system works from the bottom up.

ENDING

We stand before this black marble wall with row after row of names and salute fallen comrades for their courage. We remember the words of poet Laurence Binyon, who wrote at the end of World War I:

"They shall not grow old, as we that are left grow old,
Age shall not weary them, nor the years condemn,

At the going down of the sun and in the morning
We will remember them."

Thank you Vietnam Veterans for your service to America.

SPEECH OF ANN CUNNINGHAM

Today is Veterans Day—a day set aside to honor the men and women who have served this country.

Today is also the 15th anniversary of the dedication of the Vietnam Veterans Memorial—the Wall—which at the time of dedication was scorned and ridiculed as a black gash of shame and today is the most visited of any Memorial in Washington.

Today is also the 4th anniversary of the dedication of the Vietnam Women's Memorial—which took 10 years to build and I feel would never have been built but for the tenacity and determination of Diane Carlson Evans. People ask me which of the three women remind me of myself. They all remind me of myself at one time or another, but the one I am most drawn to is the kneeling figure. If you look closely at her face you will see pain, sadness, exhaustion, and compassion reflected there. All the women who served in Vietnam and during the Vietnam War had these traits—from the nurse in the operating room, to the nurse in the ICU unit.

From the Red Cross women who read books and wrote letters for wounded GI's, to the Air Traffic Controllers who brought the planes home after their missions, from the women who counted and tallied up the casualties daily, to the women in Special Services.

Thirty years ago I was in Vietnam. I was a young, naive 22 year old, a year and a half out of nursing school when I joined the Army Nurse Corps. I was two and a half weeks out of basic training the day I landed at Bien Hoa Airbase with about half of my basic class and a greener 2nd Lt. you would never find.

I was a trained operating room nurse, but I had never seen a trauma patient, let alone a mass casualty situation. Needless to say in the next 12 months I saw many such situations. It was the best of times and the worst of times and it took me 15 years to talk about it. When the Wall was dedicated, I didn't even know about it because I didn't read about Vietnam or watch Vietnam movies.

When I did see the dedication on TV, part of me was sad that I wasn't there, but in 1982 I wasn't ready to face Vietnam.

I look at the Wall behind me and I see the names of people I know—Bruce Kennedy and Charlie Warner—I grew up with in Santa Monica, CA. We all went to school together.

I look behind me and I see the names of people I served with: Leroy Pitts, Al Gaidis, Zeddie Dulin, Chuck Springer, Lowell Morgan and Phil Schmitz.

I look behind me and I see the names of women who cared enough to volunteer to help other Americans: Carol Drazba, Annie Graham, Elizabeth Jones, Hedwig Orłowski, Eleanor Alexander, Pamela Donovan, Mary Klinker and Sharon Lane.

I look behind me and I see the name of Gary Jones, a person I loved very much. We went to Vietnam, I came back and he didn't.

I look behind me and I see the name of patients we were unable to save. One, I especially remember, he is engraved in my mind forever. I was able to find his family and I wrote them a letter. His mother wrote back and these were her words, "when we received word that our son was wounded, I wanted to go to him, to somehow be there for him, but I could not be there. That is a mother's worst nightmare. You will never know what it means to us to know that before he died, someone was there to care. Thank you for all you did."

I think of the friends who have died since Vietnam, whose names are not on the Wall, but maybe ought to be, of BT Collins, whose contributions to the living and the dead will live on forever and of Doug Colliander, who was a friend and died too soon.

I look behind me at the memorial and think of the friends who have been dead now longer than they lived and of the impact they made on my life.

To the veterans in the audience today, the veterans of World War I, World War II, Korea, Desert Storm, Somalia, Bosnia and Vietnam, especially Vietnam, I say "thank you for your service and your sacrifices for your country and welcome home. You are very special people."

INDIA FACES THREAT OF SELF-DETERMINATION, PROFESSOR SAYS, FACES NO EXTERNAL THREAT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. TOWNS. Mr. Speaker, I noted with interest the recent remarks of Dr. Ainslie Embree, a professor at Columbia University, at a seminar on "India's Regional Security" held recently at the Henry Stimson Center here in Washington.

Professor Embree stated categorically that India faces no external threat. The imminent threat to India is the movements for self-determination throughout the subcontinent, he said. He cited the freedom movement in Kashmir as the most immediate, but also cited the freedom struggles in Nagaland, Tamil Nadu, and Punjab, Khalistan. India takes the position that self-determination movements are only used legitimately against a colonial power, but that once a country is independent no part of that country can claim its independence, as the

Sikh nation did on October 7, 1987, when it reclaimed its freedom, forming the separate, sovereign country of Khalistan. Sikhs ruled Punjab until the British annexation in 1849 and were to receive sovereign power in 1947 when India was made independent, so clearly it is now India that is the occupying colonial power in Khalistan, as well as Kashmir, Nagaland, and many other countries in South Asia. In fact, there was no political entity called India until the British created it in the nineteenth century.

Professor Embree said that India will have to resolve the Kashmir issue by letting the people of Kashmir exercise their political will through the referendum they were promised in 1948, but which India has never allowed to be held.

Despite facing no external threat, India is building up its military might, especially its nuclear capacity. Two Indian scientists admitted in mid-October that India's supposedly peaceful nuclear explosion in 1974 was a bomb. In addition, the chief of the Indian infantry said on October 23 that the Indian military is being trained in nuclear and chemical warfare. A secret report, revealed on October 16, shows that Indian plans to produce enough plutonium for 50 nuclear bombs within three years.

These frightening developments raise a troubling question: If India faces no external threat, why is it producing nuclear weapons and training its troops for nuclear war? There are only two possible answers. Either these weapons are a means of tightening the repression or India is planning to start a war with a neighbor, presumably Pakistan. I would warn India right now: The world will find any nuclear attack unacceptable and a war will only strengthen the hand of the freedom movements in the countries India occupies.

In light of these revelations, especially since India refuses to sign the Comprehensive Test Ban Treaty, India should be declared a nuclear threat to the world and appropriate security measures should be taken. We should place tough sanctions on India, cut off its aid, and support the movements for self-determination in Khalistan, Kashmir, Nagaland, and all the nations of South Asia. We must support freedom wherever and whenever we can. We can make a real difference in South Asia. We must begin supporting freedom in South Asia now.

I am inserting an article from the news service NNI on Professor Embree's remarks into the RECORD.

INDIA FACES INTERNAL THREAT NOT EXTERNAL; AMERICAN EXPERTS

(By Ainslie Embree)

WASHINGTON, October 28 (NNI).—The only threat to Indian security is internal not external, and the internal threat is the "self-determination threat," said Dr. Ainslie Embree Professor Columbia University speaking at a seminar held at Henry Stimson Center Washington. The topic was "India's Regional Security". He was the key-note speaker.

Dr. Ainslie said India as well as Israel had been driving for commercial and cultural hegemony over the world. Focusing on Indian claims, he pointed out that in the brief 50 years of independence, India had already lost the role that the sub-continent played in the region during the Mughal and the British rules.

He said that during early days of independence Nehru defined India's problems as the communal problem, the caste problem and the language problem, but Nehru failed to mention the self-determination as India's biggest problem. He said ironically, India itself was a big supporter of self-determination in those days, and would support all the liberation movements against the colonial powers in Africa, Asia or Latin America.

India changed its position on self-determination in 1966, said Dr. Ainslie. He said that since 1966 India pronounced the self-determination movement as a movement against an alien occupation, foreign occupation or a colonial occupation only; and once a country was independent, no part of that country could claim independence, and thus no self-determination movement was acceptable.

The first self-determination example of South Asia is Pakistan, said Dr. Ainslie, adding Pakistan was the result of self-determination movement by the Muslims of the sub-continent. He said apart from several self-determination movements of South Asia stretching from Nagaland to Tamilnad to Punjab, the most important, most lasting one is the self-determination movement of the Kashmiris.

He said India will have to resolve the Kashmir issue, even if it considers the UN resolution as an extreme position and impracticable, India cannot ignore the movement and will have to let Kashmiris exercise their will.

Dr. Ainslie emphasized that Kashmir is the core issue between Pakistan and India, and no one in Pakistan is interested in the small matters like visa or trade facility, while is not ready to accept the Kashmir problem as a problem.

On Slachen, Dr. Ainslie said that Pakistan's position was logistically better than India's, so that Pakistan had to spend much less than India. India is bleeding at Slachen, he added.

Dr. Ainslie Embree is also a member of Kashmir Study Group, and the team leader who recently visited Pakistan, where he met with Foreign Minister Gohar Ayub, Information Minister Syed Mushahid Hussain, Minister of State for "Agenda 2001" Ahsan Iqbal.

CONGRATULATIONS TO HORIZON ARMENIAN TELEVISION

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate Horizon Armenian Television on the occasion of their 1,000th show. Horizon signifies excellence in Armenian television broadcasting.

On Friday, November 7, Horizon Armenian Television celebrated its 1,000th show with a gala banquet at the Universal Sheraton in Los Angeles. As a statewide television program, it is the largest and most watched Armenian television program. The show contains Armenian local, national, and international news. The hour-long program also includes cultural and community events along with Armenian music videos.

Horizon is administered under the direction of the Asbarez Armenian newspaper and Editor John Kossakian. I commend Mr. Kossakian

for his work with the Armenian publication Asbarez and Horizon Armenian Television. In my district, which includes parts of Fresno, Madera, Mariposa, and Tulare Counties, the horizon show can be seen every Wednesday from 5:30 to 6:30 p.m. on Media One (local channel 42).

Mr. Speaker, it is with great honor that I congratulate Horizon Armenian Television as it celebrates its 1,000th show. The show signifies leadership in reporting Armenian news and information. I ask my colleagues to join me in wishing Horizon continued success with future programming. I extend to Asbarez and Horizon my appreciation for a job well done.

TRIBUTE TO THE BLACK ARCHIVES, HISTORY AND RESEARCH FOUNDATION OF SOUTH FLORIDA, INC., ON ITS 20TH ANNIVERSARY

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mrs. MEEK of Florida. Mr. Speaker, I rise to pay tribute to the Black Archives, History and Research Foundation of South Florida, which is celebrating its 20th anniversary on Saturday, November 15, 1997.

This is indeed a milestone in the history of this organization, given the countless struggles and challenges that ushered its humble beginnings. And as I join my community in recalling the role of Miami's Black Archives Foundation, I also would like to honor Dr. Dorothy Jenkins Fields who serves as the catalyst behind its emergence as a respected institution. Almost singlehandedly, Dr. Fields helped turn around a neglected part of Miami's cultural heritage into a living, breathing lesson about the black experience in south Florida for students, adults, and researchers alike.

In preparation for the celebration of our Nation's 200th birthday, she conceived and developed the concept that hastened the establishment of this cultural institution. Incorporated on November 17, 1977, as a private, nonprofit organization, the Black Archives, History and Research of South Florida, Inc., is presently governed by a board of directors and supported by a board of trustees. Funded solely by its members, donations and grants, the foundation is dependent upon its volunteer help.

This institution serves as a manuscript/photographic repository of south Florida's African-American communities. The materials in this repository are collected for educational purposes for users, which include students, teachers, scholars, researchers, the media, and the public-at-large. The memories of the pioneers, family albums, photographs, documents, souvenir programs from churches and organizations are preserved in its burgeoning files. Additionally, it identifies historic sites for nomination to local, State, and national designation. As a result of the collected documentation, the historic Overtown Folklife Village and Dade County's Black Heritage Trail came to fruition.

It also works in conjunction with the Dade County Public Schools by providing content for

the infusion of African-American history into existing curriculum utilizing source materials for school children of all races throughout the school year. It also initiated the restoration of several historic sites including the Dr. William A. Chapman, Sr. residence. Located on the campus of Booker T. Washington High School, the house was restored for reuse as the Ethnic Heritage Children's Educational Center.

One of the more recent joint ventures it worked out with the Dade County Public Schools is the creation of a district-wide, multi-cultural and multi-ethnic research and educational facility for students, teachers, and the community. The objective is to provide opportunities for students at all grade levels to celebrate the rich variety of cultures in Dade County. This program enables students to record the past in relation to the present, as well as ponder the possible events of the coming century.

The documented materials that now form the wealth of the Black Archives Foundation collectively represent a stirring graphic journey into the inner sanctum of some of the most vivid life-experiences of African-Americans in Dade County. The soul-searching representation captivated by its historic documents personify not so much the black destination, as much as the episodic journey of our pioneers to that destination. Together they evoke the truism of a revered African Ashanti proverb that " * * * until the lions get their own historian, the story of the hunt will always glorify the hunter."

Mr. Speaker, I am truly proud of the pioneering efforts and resilient spirit of Dr. Dorothy Fields that nurtured the spirit of the Black Archives Foundation in south Florida. The significance of the role of the foundation is premised on the paradigm in that when you stifle the remembrance of your people's past, you will have silenced the promise of their future. Conversely, however, I am exultant that under the aegis of this revered institution our community has truly become redemptive and knowledgeable of the struggles and sacrifices of our African-American forbears.

As we honor them through the celebration of the 20th anniversary of the Black Archives Foundation, we will have become once again their partners in exploring the journey they began. In the convergence of our spirits and memories with theirs, we will be enriched because through our understanding of the many and varied messages they left us through their life's journeys, we will be inextricably linked closer to them.

On this occasion, I want to congratulate the board of directors and the board of trustees for their steadfast efforts and genuine resilience throughout the Black Archives Foundation's 20-year history. I would like to reiterate our community's utmost gratitude for giving us the privilege of maximizing our knowledge of the vast richness and nobility of our African-American heritage.

INTRODUCTION OF THE POLICE PURSUIT AND RESCUE SUPPORT ACT

HON. CAROLYN C. KILPATRICK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. KILPATRICK. Mr. Speaker, today, along with Congressman MARTIN FROST and Congresswoman JUANITA MILLENDER-MCDONALD, I am introducing the Police Pursuit and Rescue Support Act. This legislation is very simple: it will allow for our financially strapped police departments to utilize Department of Defense helicopters and other equipment to pursue felons or rescue citizens.

High-speed police pursuits are an unfortunate consequence of the very difficult job that our local police officers must do everyday. In 1996, 377 persons nationwide were killed as a result of these high-speed pursuits, with 107 of these fatalities being occupants of other, uninvolved vehicles or innocent bystanders. Two persons in my congressional district have died as a result of these high-speed pursuits this year. Their deaths inspired me to seek a reasonable and workable solution to this challenge. Helicopters have been shown to be a more cost-effective and efficient device in high-speed pursuits. However, the high expense to purchase and maintain a helicopter is prohibitive to many local police departments.

The Police Pursuit and Rescue Support Act will allow local police departments to utilize helicopters or any other equipment from the local Army, Navy, Air Force, Marines, or Coast Guard branch to pursue fleeing criminals or rescue citizens. Upon the submission to the Department of Defense of high-speed pursuit and rescue guidelines by the local police department, the Department of Defense will make helicopters and other equipment available, with a pilot and maintenance person, free of charge, to the local police department. This would be a mutually agreeable arrangement: the local police department and the local Army, Air Force, Coast Guard, or Navy base both must conclude that this arrangement is practical, feasible, and financially responsible.

The Police Pursuit and Rescue Support Act is a voluntary program that allows local police departments to draft their high-speed pursuit and rescue guidelines, submit these to the Department of Defense, and upon approval of these guidelines, work with their local branch of the Department of Defense to establish exactly how, when, and where this emergency equipment would be used. Each local police department would have the flexibility to design and develop their own high-speed pursuit guidelines. As a former elected Michigan State legislator, I am sensitive to mandates in a one-size-fits-all fashion coming from Washington, DC, and stringently avoided any such prerequisites in the Police Pursuit and Rescue Support Act.

Finally, this bill will make Department of Defense equipment available for the rescue of citizens. Many of our cities have high-rise office buildings that are inaccessible by the longest hook and ladder fire trucks. There are

those accidents and catastrophes that are only accessible by the high technology, advanced vehicles available to our armed services.

It only makes sense for our financially strapped police departments to have access to that equipment, already paid for by taxpayer dollars, to safely pursue criminals and rescue citizens. My bill gives local police departments the flexibility to design policies that will protect citizens, police officers, and save taxpayers untold sums in wrongful death lawsuits.

10TH ANNIVERSARY OF THE EDISON INDUSTRIAL SYSTEMS CENTER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the 10th anniversary of the Edison Industrial Systems Center. On November 6, 1997 EISC will celebrate its long history of achievement and contribution to the businesses and citizens of Ohio at a celebration to be held at the center of science and industry in downtown Toledo, OH.

EISC has been a tremendous force in helping to link companies to high tech resources in Ohio and throughout the Nation. These connections have been instrumental in increasing production and in improving the quality of products and employee skills in industry.

One of EISC's major accomplishments is the revolutionary and much acclaimed Toledo Technology Academy. The academy's goals are to prepare high school students for high-tech careers or for further education in engineering disciplines.

Food production is Ohio's largest industry and EISC's food technology centers work to modernize food producers who still rely on outdated technology for quality control. Modernization provided by EISC through this program vastly improves plant safety, product consistency and profits.

Among the innovations created under the food technology centers are several new types of food sensors that measure quality. Germ free packaging methods instructed by EISC are another helpful addition to the industry, improving the safety of our food.

The center for technology commercialization offers a variety of services to firms. Attorneys, accountants, and financial institutions maintained by this division are available to companies as a form of cost-effective support.

Companies in the city of Toledo, OH, and throughout the Nation are indebted to EISC for its work. I will be pleased to join my community on November 6, 1997, to commemorate the strides EISC has made in 10 years of growth and betterment to industry.

EXTENSIONS OF REMARKS

HONORING ASSEMBLYMAN JAMES F. BRENNAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. TOWNS. Mr. Speaker, I rise today to honor the work and achievements of Assemblyman James F. Brennan.

Jim Brennan represents the 44th assembly district containing section of Park Slope, Flatbush, Kensington, Parkville, Midwood, and Windsor Terrace. Since 1994, Jim has chaired the assembly standing committee on mental health, mental retardation and developmental disabilities. Mr. Brennan also serves on four committees: corporations, authorities and commissions; education; and real property taxation.

In his 12 years in the legislative, Mr. Brennan has sought to champion consumer protection, energy conservation, and social and economic justice. He is well known for his expertise on budget matters, school aid, and utility regulatory matters. He is the author of a major piece of budget reform legislation, the tax expenditure budget. This law, passed in 1991, requires the Governor to submit an itemized list of every special tax break that exists within the State tax code as part of the budget. This gives the legislature and the public the opportunity to scrutinize each tax break and to determine if it has a benefit to the public as well as to the private parties involved. Mr. Brennan also authored the exemption from the vault tax for New York City homeowners and the exemption from the New York City personal income tax for poverty level taxpayers.

Mr. Brennan maintains an active presence in his district, participating in the many civic, school, and community improvement efforts with his constituents. To better serve his constituency, he maintains two district offices. He was first elected to the assembly in 1984 after working for his predecessor, Joseph Ferris.

Mr. Speaker, please join me in congratulating Assemblyman Jim Brennan for all of his years of faithful service to his country and to the 44th assembly district of Brooklyn, NY.

CONGRATULATIONS TO C.W. "BILL" JONES AND THE WESTERN DIVISION OF WILBUR-ELLIS CO.

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. RADANOVICH. Mr. Speaker, I rise today to congratulate C.W. "Bill" Jones and the Western Division of the Wilbur-Ellis Co. as they are presented with Fresno Agriculturist and Fresno AG Business of the Year Awards. Bill Jones and the Wilbur-Ellis Co. exemplify excellence in the agriculture industry.

Bill Jones, originally from Big Spring, TX, graduated from the University of California, Davis with a bachelor of science degree in agriculture. After being honorably discharged with the rank of captain from the U.S. Army

Air Force, Bill Jones returned to the Central Valley where he worked as a fertilizer salesman. In 1949, Jones acquired 1,200 acres of farmland in the Firebaugh Canal Co. and started J & J Farms. In 1968, Bill was appointed to the California Water Commission by then-Gov. Ronald Reagan. During his time of service on the commission, he was known for recognizing the importance of water development throughout the State. J & J Farms has continued to grow and add a number of crops to its production ledger, including cotton, melons, alfalfa, corn, tomatoes, onions, garlic, broccoli, lettuce, and other vegetables.

Bill Jones played a key role in the formation of the San Luis and Delta-Mendota Water Users Association in 1977, and was elected president of its board of directors at the first meeting. He held the position for 20 years, retiring in June 1997. Under his leadership, the association expanded its membership to include urban contractors such as the Santa Clara Valley, the city of Tracy and the Grasslands Water District.

The Western Division of the Wilbur-Ellis Co., headquartered in Fresno, has been serving the San Joaquin Valley and Arizona for 51 years. The company was selected by a committee representing the AG Fresno Advising Board, the Baker, Peterson & Franklin [BP&F] AG Department, and other organizations as a winner of the 1997 BP&F AG Business Award.

The Western Division of the Wilbur-Ellis Co. is actively involved in testifying, lobbying, and helping to influence legislation for the reform of the Endangered Species Act, pesticide safety, water issues, and tax reform. They encourage their 400 employees to be actively involved in community service. The company also provides its employees company time to pursue their interests. The company sells pesticides and fertilizers through 18 branch locations, and its AMC subsidiary manufactures spray rigs and equipment. The company prides itself on the exceptional service to their customers.

Mr. Speaker, it is with great honor that I congratulate both C.W. "Bill" Jones and the Western Division of the Wilbur-Ellis Co. as they are presented with the Fresno Agriculturist of the Year and the AG Business of the Year Awards. The hard work and dedication of both Mr. Jones and the Wilbur-Ellis Co. serve as a model for all Americans. I ask my colleagues to join me in wishing Mr. Jones and the Western Division of the Wilbur-Ellis Co. the best for the future.

IN MEMORY OF ANNE DOYLE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Anne Doyle of Brecksville, OH. A Cleveland native, Anne successfully managed a family, a career, and several community activities.

In 1959, Anne was named Mother of the Year by the Southeast Mothers of Twins Club. She gave birth to twin sons, one of whom had Hodgkin's disease, only 11 months after the

birth of her first child. She and her husband, Bertram, welcomed their fourth child when their oldest was starting kindergarten. Juggling an active household with four young children and budgeting her time to include activities such as Cub Scout den mother and singing with the Sweet Adelines prepared Anne for her later career. She served as an administrative assistant of parking and security for Cleveland State University for 9 years.

Anne's strong family values, and her exceptional Czechoslovakian recipes, will endure in her three surviving sons, Michael, Kenneth, and William, and her five grandchildren. She will be greatly missed.

IN MEMORY OF JOHN MILSTEAD

HON. BILL McCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. McCOLLUM. Mr. Speaker, I rise with great sorrow over the loss of a good friend of many of us in the Florida delegation, John Milstead, and to give condolences to his family. On Sunday, November 9, 1997, John suffered a massive heart attack while at home. He passed away that night at the age of 62.

John Milstead was the executive vice president of the Florida Bankers Association [FBA] for the last 24 years. In that role he was instrumental in many of the major changes in the banking industry over the last quarter century. John was government relations for the FBA both in Washington and Tallahassee.

Legislators of all stripes knew and liked John, and he will be missed by many. It was always a pleasure to visit with him, both in Washington and back home in Florida. His lack of pretense and absolute sincerity in personal and professional relationships made him a special person. John always knew the issue and argued his cause, but he was never abrasive. He was warm, generous, and thoughtful with everyone with whom he came in contact. Mr. Speaker, no words could do justice to how fine a person John Milstead was.

Our sympathy goes to John's wife Chris, his two sons, three daughters, and six grandchildren.

IN MEMORY OF HON. JUDGE
ANGELO DARRIGO

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. GILMAN. Mr. Speaker, it is with deep regret that I inform our colleagues of the passing of a truly outstanding member of the bar in my congressional district, a credit to the bench, the Honorable Judge Angelo Darrigo.

Angelo was first elected town justice in the town of Newburgh, in Orange County, NY, in 1957. He was reelected every 4 years since and accordingly served on the bench for nearly 40 years. It is a credit to the high regard in which he was held that he was unopposed for reelection. In fact, he was reelected without

opposition to his 11th 4-year term on the bench just last week, 4 days prior to his passing.

Angelo was a combat veteran of World War II, serving in the Army Air Corps. When he and I came to know each other, when we were both studying law in New York City, we shared many memories of our experiences as Army Air Corpsmen.

Angelo was known not only for his compassion and fairness on the bench, but also as a skilled legal practitioner whose door was open day or night for anyone seeking his wise counsel and advice. Angelo will be sorely missed.

Mr. Speaker, I invite our colleagues to join with me in expressing condolences to Angelo's widow, Antoinette, their three sons, Carl, Michael, and Anthony, their two granddaughters, Angelo's sister Mary Russo, his brothers, Frank and Thomas, and their many other family members, loved ones, friends, and admirers who recognize that Judge Angelo Darrigo will be sorely missed.

FAST TRACK

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. KAPTUR. Mr. Speaker, by defeating fast-track negotiating authority, the House holds a rare and, in fact, profound opportunity—after nearly two decades of growing pleas from the American people—to define a new and responsible American free trade policy where trade becomes a two-way corridor—where reciprocity reigns; where America's trade ledgers move from deficit to surplus again; where fair treatment and a living wage is afforded people who work, and where the wages and benefits earned by America's workers rise again; where the rule of law gains ascendancy on a global basis; where respect for the world's environment is fundamental; where we as Members of Congress uphold our own sovereign constitutional responsibilities as this Nation's chief lawmaking body on trade.

Congress must respond to the plight of people like Ethel Tyner or David Filipiak or Griselda Rodriguez—our fellow citizens who have paid the price of flawed trade agreements. Our trade policy cannot abandon people such as Wanda Napier of Missouri, who had worked for Lee Apparel for 14 years and whose job was terminated and moved south of the border.

Like millions of other Americans who remain invisible to the persistent proponents of fast track, Wanda was on the losing end of fast track. Vanity Fair Corp., parent company of Lee Apparel which has been expanding its operations in Mexico and other foreign countries while terminating 1,650 more jobs in the United States, suddenly announced in September 1996 it was closing the plant where Wanda had worked for over a dozen years, throwing 350 Americans out of work.

President Clinton, after failing to acknowledge her plight for nearly 2 years recommended the fast-tracker's panacea to Wanda—retraining. Well, she went for retraining. In her own words,

We were ridiculed and humiliated by the local division of Employment Security. Even though most of us had never asked the United States government for a dime in their lives, we were treated like we were worthless and had our hands in the government till. We were told we couldn't go to the schools we wanted or take the training we needed. We were told that the only training we could have was the quickest, the fastest, and the cheapest.

Today Wanda works for two-thirds her former wage and receives no health benefits or pension.

A vote against fast track is a vote of conscience that puts a human face on trade. It is a vote that says where trade is not a two-way street, serious human casualties prevail. The President claims that fast-track trade agreements create "good, high-paying jobs at home." What jobs? The Economic Policy Institute has identified almost 400,000 more lost U.S. jobs, 19,000 in Ohio, just from NAFTA. In just the last 3 months, nearly 3,000 more jobs have been moved to Mexico alone. Yes, Mr. President, more people are working but they are working harder for less—4 percent less since NAFTA and GATT even in this time of economic growth, and 20 percent less over the last 20 years.

Just ask thousands of Americans whose jobs are being fast-tracked outside the United States as we conduct this polite debate—the 279 recently terminated workers at Eveready Battery in Fremont, OH; or the 350 terminated workers at Jansport in Burlington, WA; or the 1,500 workers that got pink slips at Fruit of the Loom in Louisiana this Tuesday; or the 10,000 at Kodak in Rochester, NY and elsewhere who await their layoffs this week; or the thousands of vegetable farmers and production workers in Florida whose futures have been permanently altered because our Government failed to respond in a timely manner to the import surges that wiped out over 225 farm operations since NAFTA's passage. Talk to the hundreds of thousands of terminated workers whose jobs have been fast-tracked, and who if they have been re-employed, now earn \$2 less per hour on average than on their previous job, many of them working part-time, or for reduced hours with lower or nonexistent health and pension benefits.

On the global front, it's time for a realignment of U.S. trade policy that goes beyond the narrow tariff and investment focus of NAFTA and GATT. America must not trade away its middle-class jobs. Expanding trade must be linked to democracy building and social development abroad—free trade among free peoples.

As John Kennedy taught us, "economic growth without political freedom elsewhere remains an empty promise" in history's long struggle toward the liberation of subjugated people. Tonight, we demand an international trade policy that respects people as much as it respects capital.

Will the trade rules that govern that global market ensure that trade does not become a race to the bottom, undermining America's jobs, wages, and consumer and environmental protections? Will it lead to the development of democracy and the rule of law in other nations or simply enforce plutocracy? The question for the 21st century is whether the world trade regime will foster a global village or a global

plantation. So far, U.S. trade negotiators have been successful in safeguarding capital rights—foreign investment, copyrights, and corporate prerogatives but unsuccessful in safeguarding people's rights—a living wage and decent working conditions, a safe environment, and a lift in the standard-of-living for our people as well as those from other lands. If America keeps its markets open while other global markets remain highly hurdled, we will continue to erode our middle-class standard-of-living and degrade the world's environment. America has a moral duty to assure that the global marketplace benefits everyone, not just those capital interests with the deepest pockets.

U.S. TRADE DEFICITS HAVE EXPLODED

Let us look for a moment at the ledger. For a century, America has been the world's leading trading nation. We still are. Whether the United States will lead the world in the next century is not the question. The question is where will we lead. Until the mid 1970's, U.S. trade accounts had been generally in balance. But over the last 20 years, particularly since fast track has become a device to end run Congress, America has amassed enormous trade deficits that today lop one full point off of U.S. GDP, representing \$1 trillion in lost income.

The pattern is familiar. Dole Pineapple, for example, closes down all its production in Hawaii, abandoning thousands of employees, moves its operations to low-wage havens such as Vietnam and Thailand where field workers are paid with three meals a day. Dole's female processing workers earn pennies an hour, and the pineapple they can is then shipped here to the United States for sale. All the while the price-per-can increases. Dole stock rises on Wall Street, but the workers on Hawaii's main street get pink slips, while the productive capacity of Hawaii is diminished. The story is the same whether it is a Japanese corporation such as Bandai, or Nike, or dozens of others who trade off people's sweat for money.

What we see is a handful of giant global firms, many with assets larger than nation states, who hold no national allegiance and gravitate to the lowest common denominator in wage scales. They are the ones who have the front row seats at the World Trade Organization in Geneva. They continue to monopolize the benefits of the current trade regime.

I can understand why these groups support fast track and other means to limit congressional debate and perusal of these vital agreements. What other measures that come before Congress are subject to after-midnight votes, Congress being held hostage, and such arm-twisting. Let me remind you these global firms have not created a single net new job here at home in the past quarter century. So isn't it time for us to take account of their ledger, and demystify it for the American people.

What has happened in the past 25 years is that the United States has become the residual importer for world markets that largely remain closed to us. The important figure is the net of exports minus imports. On this the United States has been the clear loser for over two decades.

The United States racked up a \$170-billion trade deficit for 1996. Add this to the deficits of the previous 20 years and the trade debt

represents \$1.8 trillion of wealth transferred from the American people to foreign creditors—a massive loan from foreign countries which must eventually be repaid. Our trade deficit with China will surpass \$40 billion this year; post-NAFTA, our surplus with Mexico has fallen to an \$18-billion deficit; our annual \$50-billion deficit with Japan remains intractable. In fact, for every country with which the United States has negotiated a fast-track agreement, our Nation has fallen into deficit. Since the United States hold a positive trade balance with Chile and the MERCOSUR nations, why rock the boat? Shouldn't Congress exercise its responsibility to correct that which is wrong with the current system before expanding it?

If the trade deficit keeps growing at this rate for another decade, the United States will essentially be paying the equivalent of 2.5 percent of our GDP in trade debt service—virtually all of the recent annual increase in the GDP! This means our people pedal harder but their bicycles still slip backward. Moreover, this continued hemorrhaging of U.S. jobs and industry hollows out our manufacturing and agricultural base. There is a difference between Wall Street's paper money and productive wealth.

If the United States does not take the initiative to modernize our trade policies at this historical moment at the dawn of the 21st century, I ask, what country will? Who will carry the burden to root our trade agreements in our fundamental national values, beginning with individual dignity and justice for all.

The ongoing fast-track debate has served to illuminate the deficiencies of oldstyle trade agreements. It cannot pass on its merits. The frantic wheeling and dealing by the White House and the Republican leadership that characterized the last 100 hours of the debate shows the opponents of fast track have already won a great moral and intellectual victory. So in a historic and troubling last-minute search for votes, every conceivable lure has been used to dangle in front of undecided members—Christmas tree provisions in appropriation bills, threats to take away Members' chairmanships, tax breaks for southern towns, bridges, roads through national forests, financial help in upcoming primary and general elections, trade preferences for sub-Saharan African nations, tobacco subsidy guarantees, wheat ad wine deals—you name it; it's on the table.

It my 15 years in Congress, this type of law-dry, unyielding pressure convinces me just how powerful the forces resisting change are. It also tells me how strong are the oaks in this Chamber who have stood against the wind. We have scored a real victory for the American people and light a roman candle for the dignity of working people everywhere.

DOES THE PRESIDENT NEED FAST TRACK?

This and preceding administrations have negotiated over 220 trade agreements without fast-track authority. The Uruguay round of the GATT proceeded for several years without fast track. The Clinton administration is currently negotiating a multilateral agreement on investment without fast-track authority. The United States-Israel Free Trade Agreement was negotiated without fast track. The President has constitutional authority to negotiate with other

sovereign nations. The only reason the President needs fast track is so he doesn't have to seriously consult or negotiate with Congress.

Think about it. Without fast track, U.S. trade negotiators will be in a stronger position vis-à-vis our trading partners if they have to sell the deal to Congress. The suggestion that our trading partners won't deal with us without fast track is ludicrous. If President Clinton can say, "I want to do this, but Congress is insisting on inclusion of these provisions . . ." doesn't that strengthen his hand?

Congress certainly is capable of dealing with extremely complex legislation. Each year, we pass 13 highly complex appropriation measures, thousands of pages in length. Each year, we adopt a defense authorization bill thousands of pages in length. And hasn't Congress dealt with budget and tax measures thousands of pages in length, controlling hundreds of billions of dollars in spending and taxes?

MAKING IT THERE AND SELLING IT HERE

The United States represents about 4 percent of the world's population and enjoys about 22 percent of the world's products. To maintain our standard-of-living, it is argued, we have to sell to the other 96 percent of the world's population. But of the world's 6 billion potential consumers, 80 percent are only window shoppers, low-wage workers or subsistence farmers. Under the fast track agreements, we don't sell a net positive balance of consumer goods to other countries; we send capital and capital goods out of our country where goods are assembled by low-wage workers often employed for "hunger wages," and then re-exported back to the United States and sold here at high prices—U-turn goods. Mexico is the prime example. NAFTA assured that Mexico would become one of the primary low-wage export platforms to the United States market, presently surpassed only by China. Nearly 3,000 plants have located just south of the border and they are called "in-bond" plants. I agree; labor is held in bondage. Since NAFTA, the Mexican domestic market has shrunk but its export market, primarily to the United States, has expanded dramatically. This process keeps putting severe downward pressure on United States living standards. If Europe and Japan maintain positive trade balances with Mexico, why is it only the United States that keeps digging a hole of debt with Mexico deeper and deeper? And with China? And with Canada?

HEALTH, SAFETY AND DRUGS

What does a fast-tracked trade policy mean for the quality of American life? Danger. Since 1990, food-borne outbreaks in the United States from imported food have included: shigellosis from imported green onions; salmonella from imported cantaloupe and imported alfalfa seeds; cyclospora from imported raspberries; and cholera from imported coconut milk. In Michigan earlier this year, more than 200 cases of hepatitis A were associated with frozen strawberries imported from Mexico and illegally labeled as United States grown. Strawberries imported from Mexico were found to have an 18.4 percent violation rate for illegal levels of pesticides in 1993. A 47-count indictment was brought against a California firm for fraudulently labeling Mexican grown strawberries as United States grown. On May 29

the Centers for Disease Control reported that imported raspberries were the cause of a 1996 outbreak of hepatitis.

Yet inspection of produce for pesticides on imported food has been reduced. The absolute number of imported food sample inspections decreased from 6,463 in 1993, to 5,448 in 1994, and to 5,032 in 1995—a decrease of 28 percent over that period. Inspection of imported Mexican produce declined from 1,820 samples in 1993 to 1,723 samples in 1995 even though imports doubled. The food provisions of NAFTA constrain food safety and agricultural disease and pest inspections. NAFTA specifically forbids imported food from being inspected at the border more thoroughly than the same domestic commodity.

Moreover, under NAFTA we have not just opened our southern border to unsafe food. We have thrown the door open for the importation of the illegal drugs that degrade and destroy our communities. Key provisions for cross-border trucking have been relaxed resulting in Mexico becoming the primary route for the importation of drugs into the United States. The vast majority of trucks entering the United States from Mexico enter without inspection.

During the closing moments of the NAFTA debate in 1993 when it was clear that our position was on the short end of the votes, we promised the American people during that singularly compelling moment here in the House that our fight would continue in the tomorrows to come—a fight against the narrow visions of the elites and Wall Street who would abandon those who work in our factories, on our farms, and on Main Street. We have continued valiantly in our efforts, and we can be proud as we vote here today. For it is in our hearts, that reside the truest principles of democracy, prosperity, and respect for ordinary people of extraordinary spirit. Our victory gives hope to those in our world who struggle for democracy, for labor rights, for human health and safety in the workplace, and for the right to speak out as we have spoken out today.

When the vote on GATT occurred, we said when that vote was over, it would not be over. Its consequences would be felt for years to come. As a result of the elections of 1994 and 1996, we have been joined by many new Members of Congress, on both sides of the aisle, who fought to be our new partners and in that fight to forge a new American responsible trade policy. These colleagues did not share our experience as we battled NAFTA in 1993 and GATT in 1994. But they have heard the will of the American people as they campaigned for the seats they now hold, and they have made the difference.

Out of these many battles in a long struggle has come a deep awareness on the part of the American people that trade and jobs are inextricably linked and that people matter more than profits. On the floor of this House, we not hear the voices of those who bear the pain of NAFTA, the indignities of GATT. We must now proceed to constructively fashion a trade policy that moves America and the world into an era of trade-linked advancement for people or ordinary means.

I said in 1993 and again in 1994 during the GATT debate—also scheduled after midnight during a lame duck session of Congress—that

working people would remember those votes. I say again America's working families will remember this vote as well. Let history show it was here, together, in the people's House where the journey began to enshrine in trade laws the highest ideals of a free people. Let us inspire a world where the majority long for a better way of life along the path that leads, not back to the 19th century, but forward to the 21st.

HONORING JOSEPH SULTAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. TOWNS. Mr. Speaker, I rise today to honor the work and achievements of Joseph Sultan.

Joe Sultan is a Brooklyn native who graduated from Abraham Lincoln High School in 1972. He attended the Cooper Union for the Advancement of Art & Science where he received his bachelor of architecture degree in 1976.

After graduation, he worked for such prestigious architectural firms as Davis Brody Associates, Giorgio Cavaglieri and Warren Gran & Associates.

In 1983, Joe established his own firm, Sultan Associates and in 1991 merged with Warren Gran & Associates to form Gran Sultan Associates. Together Joe and Warren Gran have completed numerous schools for the New York City School Construction Authority, four SRO's for mentally ill adults and many other commercial, residential, and institutional projects.

Joe is currently designing the home for the Long Island Children Museum and Crosby Commons, a 67-apartment assisted living residence for United Methodist Homes of Connecticut. He has taught construction technology at New York University as a visiting lecturer and his work has been featured in the national media. He and Warren have been named local heroes by Time magazine for their work in supportive housing.

Mr. Speaker, please join me in congratulating Mr. Joseph Sultan for all of his years of faithful service to his country and to the 10th Congressional District of Brooklyn, NY.

TRIBUTE TO JUDGE RICHARD T. FORD

HON. GEORGE P. RADANOVICH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. RADANOVICH. Mr. Speaker, I rise today to pay tribute to Judge Richard T. Ford upon his retirement on the U.S. Bankruptcy Court. Judge Ford's years of dedicated public and civic service have been instrumental throughout his career. His commitment to justice serves as a model for all Americans and should be held with the highest respect.

Richard T. Ford will retire early in 1998 as U.S. Bankruptcy Court judge. His retirement

comes following his long-standing service in the community and in the courts. Upholding the values for improved practice and ethical standards, Judge Ford has been graced with an exceptional career as a lawyer and a counselor.

Judge Ford is a native to Fresno. He attended local public schools including Fresno State University. He has served his country in various capacities including time in the U.S. Army. Following his service in the Army, Judge Ford attended the Hastings College of Law.

After his legal education, Judge Ford returned to Fresno area to work for the Fresno County District Attorney's Office. After his work for the district attorney, he practiced bankruptcy and insolvency law. He has served as a bankruptcy trustee and has administered thousands of bankruptcy cases over the years. Judge Ford began his service as a bankruptcy court judge on January 1, 1988.

Mr. Speaker, it is with great honor that I pay tribute to Richard T. Ford upon his retirement as a U.S. Bankruptcy Court judge. Judge Ford is a thoughtful, impartial, insightful, and thoroughly prepared judge. Litigants and counsel are treated with respect in his courtroom and are given full opportunity to be heard. I ask my colleagues to join me in wishing Judge Richard T. Ford the best of luck with the future.

RELIEVE THE TAX BURDEN

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to share some thoughts about taxes. The tax burden on Americans is out of control and not being eased fast enough. As we debate the best way to give Americans much needed tax relief I urge my colleagues to consider the comments of a constituent of mine, Brandi Graham, of Fort Collins, CO.

In 1914 the United States was preparing to enter into the most mammoth war the world had ever seen. She was strapped for the necessary cash to fund the unprecedented development, training, and transport of troops and weaponry across the globe. It was inarguably the greatest financial challenge the growing nation had faced.

Congress took to radical measures. Among others, it enacted a temporary federal tax on income. It was a spirited debate that produced the 16th Amendment.

The first tax rate was a flat one percent of all income earned. An amendment was offered that would have capped the all-time federal tax rate at two percent. Unfortunately, the amendment was defeated. Many of the legislators wondered if allowing the federal government to tax individual income would be the slippery slope toward a government that would confiscate the earnings of its citizens. Tragically, their fears were to become realized.

In 1997, Americans worked through the month of May just to pay the tax collector. Only after June, did the Feds actually allow us to begin providing for our own families. In the hands of congressmen, the flat, one percent tax rate has become a cruel monstrosity

bearing all the modern trappings of "progressive" taxation, loopholes, and shelters.

The tax code itself contains over 1,000 pages and requires legions of accountants to comprehend. "Progressivity" has caused citizens who work harder to find inexplicably that they only have less take home pay because they have achieved a higher tax bracket. Others discover that their savings are taxed at higher rates, or that they pay more to the government now simply because they decided to marry.

The scramble to escape the clutches of the income tax has approached the absurd. Billionaires exchange U.S. citizenship for tax breaks and companies move their operations to countries offering less confiscatory ways of raising national revenue. Our system is a disaster beyond repair.

So what would the authors of the 16th Amendment do if they were in Washington today? Well assuming they could recover from the shock of seeing the Frankenstein-like mutation of their quaint little income tax plan, they would almost certainly call for tax relief. They would urge the elimination of the myriad of loopholes and write-offs. But such a lesson might better persuade them that the original dissenters were right: That any income tax allows for government repression of its people. They might opt for the old and proven way of funding the federal government.

Today, seemingly all Americans agree that the tax code is hideous except for those who make the laws. Politicians seem to like the power confirmed by the prodigious code. They seem to enjoy the contributions from interests seeking to tweak the tax laws here and there for their selfish advantage.

But the nation's true leaders are those who understand the history of American taxation. They understand how hard Americans work to pay their government's largess. They realize that our nation once did well to rely on national sales taxes (we called them tariffs then) to fund all government operations. And our best leaders recognize today that a nation which ventured beyond a national sales tax has become perpetrator of a sick irony, embracing the very precepts against which it once rebelled, denying the fruits of real liberty with an arrogance of royalty and all the while crushing its people under the weight of oppressive taxation.

Mr. Speaker, as we move forward in our quest to relieve the tax burden, let us keep these comments in mind. Taxpaying Americans desperately deserve to make their own decisions on how their hard-earned money should be spent.

A COMPACT FOR AMERICA'S FUTURE: SAVING SOCIAL SECURITY FOR OUR GRANDCHILDREN

HON. NICK SMITH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. SMITH of Michigan. Mr. Speaker, a few months ago, I received a letter from one of my constituents, Betty Dowling of Marshall, MI, urging me to continue working on preserving Social Security for future generations. "It is most certainly not fair to leave big debts for our children and grandchildren," she wrote. She's exactly right. The good news is that more and more people are coming around to Betty's point of view.

There has been a lot of talk in the last year about the future of Social Security. It is an issue that, in some way or another, affects every American, young and old. If you're currently working, you pay tax into Social Security—listed as FICA on your paycheck stub. And if you're retired, you probably regularly received a Social Security check.

When President Franklin Roosevelt enacted Social Security in 1935, it was meant to provide modest assistance to the Nation's most elderly—those over 65—paid for by the current work force. At that time, the system worked wonderfully. Most people never made it past the age of 61, and, as it worked out, about 42 workers contributed to the system for each retiree.

Today, Social Security is the Nation's largest budget expenditure. Thanks to advancing technology and improved health care, the average life expectancy for Americans is no longer 61, but a record 74. Instead of 42 workers paying taxes to support each retiree, there are now just three workers for each retiree. Instead of the old 1 percent payroll tax enacted in 1935, the tax is now 12.4 percent. In just the past 26 years, in fact, the payroll taxes all workers pay has been hiked 36 times—that is on average more than once a year. As the so-called baby boom generation starts to retire at the turn of the century, the ratio between workers and retirees will continue to get smaller and the propensity to increase taxes will continue to be greater. As early as 2005—less than 8 years from now—the Social Security trust fund will start spending more than it takes in. That is unless we take some action now to change the system.

Shortly, and with support from Democrats and Republicans, I intend to introduce a bill that would allow workers to use a portion of their current Social Security payroll tax for private investment. This bill would give you the option of investing your own earnings in stocks or bonds and with the guidance of a professional money manager, with potentially far greater returns than you would ever get in the current system. The average annual rate of return for stocks and bonds in the last 70 years has been 9 percent. That is almost five times the rate of return from Social Security. By allowing you to invest more of your money as you like—and your Social Security payroll tax after all is still your money—you could amass substantial savings.

Senator BOB KERREY, a Democrat from Nebraska who is also working on this problem, likes to tell the story about Gladys Holm. Ms. Holm was a secretary who in her whole life never earned more than \$15,000 a year. When she died last year at 86, she was worth over \$18 million. Her secret? She just put aside a little bit of money each month throughout her working life and put it in private investment. Through compound interest—and unusually wise investments—Gladys Holm had become a millionaire.

Though that example is probably atypical, we could do similar things with our Social Security system. By allowing private investment—as England does with great success—every American could actually have a strong safety net when they reach old age. Even better, the money you would invest and save would be your own—not the Government's. It

is yours to invest, yours to spend, yours to pass on to your kids and grandkids or charities or whatever else you like. Private investment means more power to you.

If we enact these needed reforms, Social Security may finally create the retirement security President Franklin Roosevelt envisioned in 1935. This year, a Federal memorial opened in Washington honoring FDR. I think the better tribute to Roosevelt would be if we worked this year to preserve his most important legacy for his great-grandchildren, our great-grandchildren, and many generations to come.

"PAKISTAN SHOULD CONDUCT A FULL INVESTIGATION INTO THE MURDER OF UNION TEXAS PETROLEUM EMPLOYEES"

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. GREEN. Mr. Speaker, earlier this morning, I was saddened to learn of the murder of four Americans in Pakistan who were employed by Houston-based Union Texas Petroleum. In addition, their Pakistani driver was also murdered. Although no direct link has been found, many suspect that this deliberate act of cold-hearted murder may be revenge for the murder conviction of a Pakistani in Virginia. I would like to express my heart-felt condolences to the families and friends of Ephraim Egbu, Joel Enlow, Larry Jennings and Tracy Ritchie. You are in our thoughts and prayers.

The murder of these courageous Americans is an outrage, and I call on the Pakistani Government to conduct a full and exhaustive investigation into this tragedy and to punish all those responsible. Justice delayed is, truly, justice denied. We must always remember, in the words of Dr. Martin Luther King, Jr., an injustice anywhere is an affront to justice everywhere.

This is a terrible and tragic loss. In Congress, we speak of the many tragedies that occur all over the world, especially to Americans. Although Americans continue to be at risk in many parts of the world, they faithfully carry out their duties and are not deterred by senseless instances, such as this one. The Union Texas employees stationed in Pakistan are no exception. Union Texas Petroleum has been active in exploring for, developing and producing oil and gas in Pakistan for over 20 years. The company has approximately 600 employees in Pakistan, 21 of whom are American citizens.

The management and employees of Union Texas have been leaders in supporting the communities in Pakistan where Union Texas operations exist and have funded the construction of numerous schools, colleges for young women and young men, medical clinics, and mosques, and have provided relief during natural disasters and other emergencies in Pakistan. Union Texas has been a good corporate citizen in Pakistan, and it is sad that such a needless and tragic event has been targeted at a company dedicated to sharing its resources with their host country.

This is a terrible loss for the families and friends of the victims, and for Union Texas.

CONCERN ABOUT FEDERAL SUBSIDIES

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, I rise today to share with you the thoughts of a fellow Coloradan who is concerned, like all of us, about Federal subsidies. As the proposal to privatize Amtrak proceeds, Mr. Scott Slusher of Colorado has composed sensible views on this subject which I now submit for the RECORD.

Congress is currently working to reauthorize the Intermodal Surface Transportation Efficiency Act which lays out the federal government's plan for the nation's transportation infrastructure. The legislation affects everything from highways and interstates to airports and waterways. One of the more contentious topics is the future of railroad policy and more specifically, Amtrak and passenger rail service.

On one side of the argument are train enthusiasts and boosters of the rail service, and on the other side are critics such as Sen. John McCain who argue it is time for the federal government to get out of the railroad business.

What is ignored is that the free market, individual citizens, and American industry have already made their choice. The truth is that the country's railroad industry can be divided into two parts—one healthy and competitive, the other perennially on the brink of bankruptcy. The privately owned and operated freight rail companies continue to make a substantial contribution to the nation's economy, and their future as a mode of freight transportation is secure well into the next century. On the other hand, passenger rail service, though heavily subsidized by the government, continues to lose passengers to faster and more cost-effective means of travel.

The numbers themselves make this contrast clear (statistics from 1993). Measured by the volume of freight transported, railroads accounted for 38.1 percent of domestic transport and were the number one method for transporting goods. Truck accounted for 28.1 percent of goods transported and were the second most common method of transporting freight. The private rail freight companies are clearly an essential part of our economy, and their continued success is a result of adapting to the modern economy and providing a competitive and cost effective service.

Passenger rail service, however, has been less successful. In 1993, intercity railways accounted for approximately 0.4 percent of the total number of passenger-miles traveled in the United States. Comparatively, private automobiles on the nation's highways and interstates accounted for 80.8 percent, and domestic air travel was responsible for 17.4 percent. Even intercity bus travel, with 1.1 percent, was more successful at attracting passengers.

The relative inability of Amtrak to attract passengers comes in spite of the \$18 billion in subsidies the federal government has given the railroad since its creation in 1971. While the initial plan was for Amtrak to be self-

EXTENSIONS OF REMARKS

supporting in two years, it has consistently lost money for the last 25, and as it is currently managed, is not expected to ever be profitable.

While there was a time in which intercity railways carried the bulk of people across the country, the advent of cheap, fast airline travel, and the construction of the vast interstate highway network, has given Americans many more choices. They have responded by relying on the convenience of their automobiles, or availing themselves of the ability to travel from coast-to-coast in a few hours, as opposed to a few days.

The relative measure of passenger miles bears this fact out, but it also points out an opportunity to strengthen the vibrant portion of the railway industry. By allowing private freight companies the freedom to compete without undue government interference, and by encouraging innovation in the railway freight industry, we can assure a place for America's railroads in the 21st century.

Clearly, passenger rail service will continue where it is economically viable. Capital assets could be sold to private companies all along the Northeast corridor between Boston and Baltimore. The commuter railroads in major urban centers would continue uninterrupted. However, spending scarce tax dollars on a service that the traveling public has rejected clearly must come to an end.

Mr. Speaker, as we continue the debate on the Federal funding of Amtrak I ask my colleagues to keep these comments in mind as we search for solutions.

PROVIDING RELIEF TO THE AMERICAN VICTIMS OF THE APRIL 1994 BLACK HAWK FRATRICIDE INCIDENT

HON. MAC COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. COLLINS. Mr. Speaker, on Monday, I introduced legislation that would equalize the treatment of United States and foreign personnel killed in the April 14, 1994, shootdown of two U.S. Army Black Hawk helicopters by two U.S. Air Force F-15 fighters over Iraq. Following the incident, U.S. Secretary of Defense William Perry found it inappropriate to compensate the families of the Americans who were killed in the tragedy citing the Feres doctrine—a legal principle denying compensation for death or injury incident to military service.

However, Secretary Perry provided payments of \$100,000 to the families of each of the foreign nationals involved in the accident, in spite of the Feres doctrine. These voluntary payments, made under the Secretary's emergency and extraordinary expense authority were characterized as humanitarian gestures offered in recognition of the unique circumstances surrounding the incident.

It is time that we offer the same gesture to our own citizens who were involved. In the interest of fairness and justice, the law must be applied in an equal fashion. If it was appropriate to pay the foreign nationals involved, then it is also appropriate to pay the Americans. It is outrageous that the United States Government would treat British, French, and Turkish soldiers better than our own.

November 12, 1997

If enacted, H.R. 2986 will require the Secretary of the Treasury to make \$100,000 payments to the families of each of the Americans killed in the April 1994 Black Hawk fratricide incident. I urge my colleagues to support our troops and families by supporting this important relief measure.

CAMPAIGN FINANCE REFORM

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. KIND. Mr. Speaker, another week and still no campaign finance reform. We are now down to the final days before we adjourn for the year, if we don't take action now on campaign finance reform next year will be too late.

On Monday of this week, I spent the day on several university campuses in my district. I had an opportunity to meet with students who are concerned about a variety of issues, including student financial aid, the environment and their future job prospects. I was struck, however, by the feeling among students that their voice doesn't matter. They believe that the influence of money on the political process means only the rich and powerful special interests have access to Members of Congress. I have tried to do my part, through meetings like the ones I held Monday, to change that perception. But, we will not be able to completely change that image until we adopt comprehensive campaign finance reform.

These students represent the future. If we expect them to be the leaders in the next century, we must give them hope that they can make a difference. To achieve that goal we must pass campaign finance reform, and we must do it now.

Mr. Speaker, the people of western Wisconsin refuse to accept "no" as an answer. Please do not let them down, schedule a vote on campaign finance reform.

THE FURTHER POLITICIZATION OF THE NOBEL PEACE PRIZE

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BEREUTER. Mr. Speaker, this Member hopes that his colleagues might read and they remember the following editorial from the October 11, 1997, edition of the Omaha World-Herald next month when the Nobel Peace Prize is formally awarded. It will be used as an unreasonable and irresponsible point of pressure or attack on the American use of landmines in the demilitarized zone on the Korean peninsula by both domestic and foreign critics.

[From the Omaha World-Herald, Oct. 11, 1997]

NOBEL DECISION RAISES QUESTION: WHAT ABOUT PEACE IN KOREA?

The Nobel committee awarded the Nobel Peace Prize to the international committee promoting a treaty to halt the use of anti-personnel land mines. A more appropriate recipient, in our opinion, would have been the

U.S. government for its 44 years of preventing war along the demilitarized zone that separates North and South Korea.

Mention of Korea is appropriate in connection with the Nobel committee's decision. By honoring the anti-mine campaign, the Nobel people have implicitly condemned one of the tools used by U.S. forces to prevent invasion or infiltration of South Korea by troops, saboteurs or assassins from the north.

President Clinton had asked treaty sponsors to exempt Korea, allowing the U.S. to sign the treaty and still maintain the option of using mines along the DMZ. When his request was refused, he said the United States could not sign the treaty.

So the awarding of this year's Nobel prize to the anti-mine campaign is a slap at Clinton, too, and a slap at the hundreds of thousands of American troops who have rotated through the U.S. divisions in Korea since the 1950s. (During part of that time, the head of the anti-mine committee, Jody Williams of Putney, Vt., was campaigning against U.S. efforts to keep Central America from going communist.)

The United States, of course, is not the cause of the land-mine problem to which Princess Diana called attention. She went to Angola and hugged children who had been maimed by exploding mines left over from that country's civil war.

U.S. forces don't scatter land mines at random, leaving them to be exploded years later by grazing animals or playing children. That's the behavior of terrorists, dictators and guerrilla groups. Iraqi military units. The Viet Cong. East African warlords. Balkan terrorists.

By contrast, America, like most other western nations, is pledged to follow the 1947 Geneva Convention, which requires armies to record the placement of mines and remove the devices when no longer needed.

The United States halted exports of land mines years ago, even to its allies. U.S.-made mines are manufactured to defuse themselves after a certain time, usually 60 days. Older mines in the U.S. inventory are being destroyed. Fewer mines are being used in Korea, although the United States wants to keep the right to use them.

In Korea, 35,000 U.S. troops augment the South Korean army in holding back the million-man army of the north. They guard a 487-square-mile demilitarized zone that stretches more than 100 miles through rugged mountains, steep valleys and forested hills.

Many times over the past four decades, infiltrators from the north have tried to slip across the DMZ into the south. Minefields stand in their way. Some people say that the United States must give up such defenses to persuade outlaw nations and terrorists not to scatter mines across the countryside. This argument fails to account for the fact that the United States is a superpower to which other nations, often by default, have entrusted certain responsibilities. Giving up a tool for carrying them out is more difficult for a superpower than for nations that have fewer international obligations.

Our suggestion that the United States receive a Nobel prize was only half-serious. The award is generally reserved for individuals and institutions.

In terms of contributions to the peace of the world, however, America's role on the Korean peninsula has few parallels. Because South Korea was kept out of a Soviet or Chinese orbit, democracy and free enterprise took root there. Because Japan didn't need to arm itself against a Soviet or Chinese

threat based in South Korea, Japan emerged from its post-war recovery as a peaceful industrial democracy. Other nations around the Pacific rim took inspiration from the economic success of South Korea and Japan. Much of the region is now prosperous, non-communist and free.

The careful use of mines played a role in that success. It's unfortunate that the anti-mine people will now have yet another forum, the Nobel ceremonies in December, from which to paint the U.S. position as irresponsible.

TWENTIETH ANNIVERSARY OF
THE HOSPICE OF SAINT JOHN,
LAKEWOOD, CO

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. McINNIS. Mr. Speaker, it is a high honor and privilege to allow my colleagues to know of the wonderful work being done by the Hospice of Saint John in Lakewood, Colorado. Twenty years ago, in 1977, this program was founded by Fr. Paul von Lobkowitz, a priest of the Sovereign Order of Saint John of Jerusalem, Knights of Malta, to serve the sick and the dying. This month the Hospice of Saint John celebrates twenty years of caring. In those years its staff of professionals have cared for more than 12,000 dying patients and their families.

The Hospice of Saint John was only the second in-patient hospice program to be opened in the United States. It has stood the test of time in a medical environment that favors the bigger corporations. The Hospice of Saint John continues to be independently run and directed by the Order of Saint John of Jerusalem and its professed and lay members.

The Hospice of Saint John was the first hospice program in the state to provide care for AIDS patients when many other programs of the day refused to care for them. Today the Hospice's commitment to AIDS patients and their families and friends remains as strong as ever, as does its care for every one of its patients. Many of its patients include young men and women whose lives are cut short by ravaging diseases. In its twenty years the Hospice of Saint John has never turned away a single patient for a lack of financial means. Remarkably, it has never received a dime of Federal money other than Medicare and Medicaid funds.

This program is worthy of our collective recognition. For the past 20 years Fr. Paul and his staff at the Hospice of St. John have cared for those who we sometimes tend to forget. They have toiled in the trenches for all humanity. They deserve our respect and support and on this occasion of their 20 years of dedicated service to my State I ask you to join with me in saluting them and their service to us all.

AMERICA NEEDS THE PAYCHECK
PROTECTION ACT

HON. BOB SCHAFFER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, during a recent weekend of site visits, in the eastern Colorado congressional district I represent, a constituent approached me and posed a sensible question, "Why am I forced to contribute my hard-earned dollars to my union's political activities?" He went on to explain that for him, every paycheck includes a deduction for union dues. These dues pay for legal services and collective bargaining costs. Dues, he agrees, are useful to promote his trade. He has no problem with union dues so long as they are used for their intended purpose.

He objects, however, to the millions of dollars his union puts toward political causes he does not support and at the expense of thousands of union members like him. Most union members disagree with giving their wages to political activities because they are excluded in deciding how their money is spent.

Something needs to change.

In 1947 Congress passed the Labor-Management Relations Act, also known as the Taft-Hartley Act. This legislation prohibited so-called closed shop workplaces, where one could not be hired without first joining a union.

Calling the act a "slave labor bill," President Harry Truman vetoed the measure. Subsequently, Congress voted to override the veto, thereby enacting Taft-Hartley into law.

Convinced the bill would destroy the labor movement, union members felt justified in circumventing the legislation. Rather than require workers to join the union prior to employment, labor bosses instead required union membership after the worker was hired.

The Taft-Hartley Act challenged the unions' ability to maintain membership which no longer rested upon the utility of their collectivism, but upon the ability to lobby Congress. Thus, unions became proficient political machines.

Union bosses recruited and supported candidates who would pledge allegiance to the unions. In return for loyalty, unions produced money and manpower to aid political campaigns. The tactic proved decisive. For many years, Congress operated in lockstep with the unions.

Workers who opposed the unions' political antics turned to the Supreme Court. In 1988, the Court ruled in *Communications Workers v. Beck*, 487 U.S. 735, that nonunion members can only be required to pay for the costs of collective bargaining, contract administration, and grievance adjustment but not political activities. Unions made little effort to educate their members about *Beck*, and found ways to keep workers from exercising their *Beck* rights.

Today, many union members continue to pay for more than just collective bargaining. They are also paying for politics. During the 1996 congressional and Presidential campaigns, for example, labor unions spent more than \$400 million on political activities. A recent poll indicated that 68 percent of union members are unaware of the *Beck* decision.

Testimony before Congress confirms the difficulty workers have had exercising their *Beck* rights. This past spring, worker after worker told Congress of the near-impossible task of actually recovering hard-earned wages.

Under current laws, the only way some union members can refuse contributions to political activities is to quit the union, which also means quitting their jobs and risking their livelihoods.

Saying "no" should not come at such a high price. That is why I introduced H.R. 2608, the Paycheck Protection Act. The Paycheck Protection Act protects workers who are forced to contribute to political activities by way of their union dues. The Paycheck Protection Act requires separate, prior, written, voluntary authorization before any money can be deducted from a wage earner's paycheck for political activity. By requiring prior approval, the wage-earner is given a choice. Furthermore, the bill applies to corporations just as it does unions.

More than one-third of the U.S. House is already cosponsoring the Paycheck Protection Act, and over 70 percent of working Americans express support for the Paycheck Protection Act. I believe we may finally have a chance to help American workers by protecting their paychecks.

TRIBUTE TO ROBERT PALMER
INGRAM

HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 12, 1997

Ms. MCCARTHY of Missouri. Mr. Speaker, my colleague, Mr. DREIER, and I, rise today to pay tribute to the life of a man who has touched so many lives and who has contributed so much to our community: Mr. Robert Palmer Ingram.

We submit into the RECORD an article in honor of Mr. Ingram's memory and contributions as recounted by Diane Stafford in my hometown newspaper, the Kansas City Star:

Robert Palmer Ingram, an indefatigable salesman and civic leader, died Tuesday in his sleep at his Kansas City home. He was 80 years old.

Since arriving in Kansas City in the mid-1940s, Ingram founded or led more than a dozen companies, was a director of at least seven others, served as a trustee or a governor of six major civic or educational organizations, was an honorary consul to Belgium and held offices or memberships in many other clubs, councils and committees.

Fueled by his voracious reading, Ingram brought curiosity and wise counsel to wide-ranging endeavors. He shunned the spotlight but left a public imprint as the former owner and publisher of Ingram's, the Kansas City monthly business magazine that continues to carry his name.

To classical music lovers, Ingram was known as the man who poured millions of dollars into classical music radio station KXTR, keeping it on the air for years despite unprofitability. He also owned KBEA, which had a "Music of Your Life" format. He sold those properties in 1996.

Henry Bloch, co-founder of H&R Block Inc., said that many times through the years, including Monday, he saw Ingram eat-

ing lunch alone and reading at the River Club.

"I've known him for a long time, and I can say he did a lot for Kansas City—in real estate, with the radio stations and the magazines," Bloch said. "He was a very nice person."

Quick-thinking, quick-moving and often slightly disheveled, Ingram whirled his thin frame from meeting to meeting, wedging in reading and note scribbling whenever time would allow. He and his wife, Beth Ingram, at one time said they subscribed to as many as 150 periodicals.

"He slowed down recently, but he stayed so upbeat about Kansas City," said Mike Morrissey, past chairman of the Greater Kansas City Chamber of Commerce, who sometimes ate lunch with Ingram at the Kansas City Club. "He was very supportive of anything you ever wanted him to help you with. He and Beth were very generous in the Kansas City community, not only financially but with their time."

Former Kansas City Mayor Richard L. Berkley said he admired Ingram "for remaining active and participating in so many civic, cultural and political activities. . . . It was impressive to see him still come to the Civic Council meetings and other events he was involved in, even when you knew it was getting more difficult for him to move around."

Ingram's energy left a brick-and-mortar legacy for the city. One project, TenMain Center, a downtown redevelopment effort in the 1960s, nearly ruined his wealth and his health after the intended prime tenant (the Kansas City Board of Trade) and fellow investors pulled out.

Ingram stuck with the office tower project, though, and saw it through to fruition.

At one time he owned 10 downtown buildings but in later years retained ownership only of the Argyle Building, a renovated tower that housed the offices of Ingram Properties and his publishing enterprises.

Ingram eschewed many outward trappings of wealth but admitted a fascination with high society. Even in failing health in recent months, he attended a swirl of benefits and functions.

His interest in wealth and society, in part, led to his ownership of *The Independent*, the area's society journal.

The Lyric Opera of Kansas City was a major beneficiary of the Ingram's philanthropy since it founding in 1958. Ingram money turned the old theater library into a luxurious gathering space for benefactors.

Ingram largess also created a new music library for the Kansas City Symphony.

He was born in Norfolk, Va., and grew up in a suburb of Pittsburgh, where, he said, he began selling door to door "anything he could" by age 8.

By age 10 he was following the stock market and buying his first stocks. And by age 12, he grandly noted later, he had learned to use rejection as a spur to do better.

He studied journalism at Washington and Lee University and at the University of Pittsburgh but left college without getting a degree because, he later said, he thought he needed a job more than he needed more education.

His first job was in sales at Anchor Hocking Glass Co. The company dispatched him to Pennsylvania, Ohio, Kentucky, Michigan and back to Pennsylvania before sending him to Kansas City.

He decided to plant roots and in 1947 founded Robert P. Ingram & Co., an independent manufacturers' representative specializing

in housewares and toys. Soon thereafter, he met and married Beth (Mary Elizabeth Renfro).

The Ingrams had two children, Marsha Jill Ingram Reynolds and Robert Palmer (Chip) Ingram III, both of whom live in the Kansas City area. There are four grandchildren.

Always spurred by the desire to do civic good, Ingram sometimes was thwarted. In the 1960s, for example, he was part of an investor group that was outbid by Charles O. Finley to buy the Kansas City Athletics baseball team.

In the 1970s he was unsuccessful in working for an ice hockey and convention center downtown.

On balance, Ingram's successes predominated. From operating the locker concession at Kansas City International Airport to becoming a major investor and director of Rubbermaid, Ingram earned notice for his entrepreneurship and intelligence.

"There are very few things in life that have given me the same pleasure I have received from starting and growing businesses," Ingram said in a promotional ad for Ingram's not long before his death.

Always, he told interviewers, he considered himself a salesman. In any setting Ingram might be seen thumbing through a wad of business cards, searching for the appropriate one among his many interests and passing it out to a prospective customer.

Ingram's sales acumen was acknowledged in 1969, when he received the Salesman of the Year award from the Advertising and Sales Executive Club of Kansas City.

In recent years Ingram made a few concessions to age. Once prone to getting speeding tickets, he hired a driver to shuttle him from appointment to appointment.

But despite increased frailty, he took pride in working in his office from 8:30 a.m. to 4:30 p.m. Every Monday through Friday he was in Kansas City, said Marie Brown, his executive assistant.

In recent years he and his wife split time between their residence in The Walnuts, near the Country Club Plaza, and their condo in Palm Beach, Fla. They also had an apartment in New York.

A lifelong Republican, Ingram relished his 1969 appointment by Richard Nixon as metro chairman of the National Alliance of Businessmen. He also was a member of the Points of Light Foundation.

A roundup of Ingram's business presidencies in addition to Robert P. Ingram & Co. includes Ingram Investment Co., Lasalle Leasing Co., KBEA Broadcasting Co., KXTR Broadcasting Co., Kansas City Bus Advertising Co., Security Locker Co., TenMain Center, Dow Research, Econo-Car Rental and the Argyle Building Co.

He was chairman of Ingram Media, Custom Publishing by Ingram's and Ingram Properties.

He was publisher emeritus of *The Independent* and the former publisher of Ingram's and its predecessor, *Corporate Report/Kansas City* magazine. He sold Ingram's this year.

He was a past director of Rubbermaid, Harzfelds, Gilbert/Robinson, Baltimore Bank & Trust Co. of Kansas City, American Cablevision of Kansas City and Country Club Bank.

At the time of his death he was a director of FLM Industries and the Housing Development Corporation and Information Center in Kansas City.

On the civic scene, Ingram's participation was wide and deep.

He was trustee of the University of Missouri-Kansas City, the UMKC Conservatory of Music and Midwest Research Institute.

November 12, 1997

EXTENSIONS OF REMARKS

26239

He was on the board of governors of the Straight Theatre Association, the American Royal Association and the Urban League of Kansas City.

He was a member of the business council of the Nelson-Atkins Museum of Art and the museum's Society of Fellows.

He was a member of the Lyric Opera Guild, the Fine Arts Guild of William Jewell College and the Friends of the Kansas City Symphony.

He was a member and director of the Civic Council of Greater Kansas City.

He was a past president of the Chamber of Commerce of Greater Kansas City and Downtown Inc.

Ingram was appointed to two significant public-service commissions in the late 1960s. He was one of five men on a six-month commission to study civil disorders in Kansas City in 1968, and a year later he accepted an appointment to the Capital Requirements for

Public Schools Committee for the Kansas City School District.

He held memberships in the 711 Club, the Man of the Month Fraternity, Alliance Francaise, the Friends of Vieilles Maisons Francaises, the Carriage Club, the Kansas City Club, the Vanguard Club and BENS.

Friends and family attended his funeral on October 24th at Country Club Christian Church, 6101 Ward Parkway.