# SENATE—*Tuesday, February 11, 1997*

The Senate met at 2:15 p.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Eternal Father, You have told us that the things we can see are temporary, but the things which are unseen are eternal. We confess that what is seen captivates our attention. It is easy to get lost in the labyrinth of life's enigmas. The media constantly remind us of violence and vandalism, crimes and conflicts, and the spin we put on sin. Sometimes, the things which are seen blur our vision of the unseen, but indefatigable movement of Your Spirit in people and circumstances. You call us to experience the things which are unseen: Your eternal presence, the power of love, the healing of forgiveness, and Your guidance of leaders who open their minds to You.

In the on-going drama of secular life with all its sinister and alarming possibilities, also help us to see what You are doing to change people and enable them to change government and our society. We are not asking for a simplistic, "God is in His heaven and all is right with the world" nostrum. Rather, we need an "All is not right with the world but lo I am with you always," cure for our deepest needs.

Now it dawns on us with full force; only Your invisible power can transform our intractable problems. We yield ourselves to be agents of Your visible impact on our Nation at this strategic time of history. In the name of our Lord and Savior. Amen.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader is recognized.

SCHEDULE

Mr. LOTT. Mr. President, today the Senate will immediately resume consideration of Senate Joint Resolution 1, the constitutional amendment requiring a balanced budget. By unanimous consent, there will be 60 minutes remaining for debate on Senator WELLSTONE's amendment No. 3. Senators can expect a rollcall vote on or in relation to that Wellstone amendment at approximately 3:15 today, if all debate time is used.

Following that vote, it is my hope we will be able to begin consideration of the nomination of BILL RICHARDSON to be the U.N. Ambassador. The Foreign Relations Committee will be reporting out that nomination this afternoon, and we will attempt to reach an agreement limiting debate to approximately 20 minutes equally divided but we will, of course, wait until the committee has officially reported it and then bring it up as shortly thereafter as possible.

Following that vote, we will continue debate on the balanced budget amendment, and it is my understanding that Senator REID will be prepared to offer his amendment relative to Social Security. The amendment will be debated today and tomorrow, and we hope to set a vote on or in relation to the Reid amendment for tomorrow, late in the afternoon, probably around 5:30 or so. But we have to get a final agreement on the exact time. All Senators will be notified as the votes are scheduled.

I thank my colleagues for their cooperation as we approach the Presidents Day recess.

Mr. President, I yield the floor.

## RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. COATS). Under the previous order, the leadership time is reserved.

## BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of Senate Joint Resolution 1, which the clerk will report.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States to require a balanced budget.

The Senate resumed consideration of the joint resolution.

Pending:

Wellstone amendment No. 3, to state the policy of the United States that, in achieving a balanced budget, Federal outlays should not be reduced in a manner that disproportionately affects outlays for education, nutrition, and health programs for poor children.

AMENDMENT NO. 3

The PRESIDING OFFICER. Under the previous order, there will now be 60 minutes for debate, to be equally divided in the usual form, prior to a vote on or in relation to the Wellstone amendment No. 3.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, yesterday I had a chance to speak for some time about this amendment and then Senator HATCH and I had a very honest exchange of views. Let me one more time just make clear to colleagues what this amendment says. This amendment says that if we are going to make a commitment by way of a constitutional amendment to balance the budget, then we go on record that the Federal outlays, as we do this, should not be reduced in a manner that disproportionately affects outlays for education, nutrition, and health programs for poor children.

Yesterday my colleague, Senator HATCH, said I was asking for an exemption. There is no request for an exemption. This is just simply a request for fairness, and it just simply says let us not lock ourselves into a very harsh set of priorities.

I also pointed out yesterday that in the last Congress, 93 percent of the cuts in entitlement programs were entitlement programs that affected poor people in America, too many of them poor children. I also cited the Committee on Economic Development, representing really some of the largest corporations in America, saying that what we did last time, last Congress, was really disproportionate and really not based on a standard of fairness, because we cut a lot of programs that were important to the nutrition and health care and educational status of children.

I also quoted from the Concord Coalition, which has been a driving force for our balancing the budget, taking the same position. I also quoted from an editorial yesterday in the Washington Post.

I think the most important thing that I did yesterday, though, Mr. President—and I would like to start this way today, and then develop these points, and then listen very respectfully to my colleague from Utah, and then respond to some of what he has to say—was to try to translate this debate into human terms. Yesterday, my colleague from Utah said, and I appreciated it, "You know, I don't agree with Senator WELLSTONE but he is very sincere in his conviction." And I appreciated that. That's a tribute from another Senator.

But this is really not about me. This is an amendment that I think is substantive, I think it is important, and I wish there would be 100 votes for it. Because the fact of the matter is, all too often—and that was the record last Congress and I think it has been the record of too many Congresses—when we come down to the nitty-gritty, to the point where the rubber meets the road, we do deficit reduction based on the path of least political resistance.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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And usually, all too often, it is not the special interests or heavy hitters or well connected or big givers who are the ones that we target. And poor children have been, with the exception of some Senators, the Chair is one of them—you have shown a tremendous commitment to what we can do at a neighborhood level, at a community level, as has the Senator from Missouri, by way of commitment to children.

But all too often, poor children in America are faceless and voiceless in the U.S. Senate, and I just think that it is not at all inconsistent for Senators—even if they are for this amendment, to vote for the constitutional amendment to balance the budget—to at least vote for this proposition. As a matter of fact, we are going to make it clear we are going to do it on a standard of fairness, and we are not going to disproportionately make cuts in programs that so vitally affect the nutritional and the educational and the health care status of children.

Mr. HATCH. Will the Senator yield just for a second?

Mr. WELLSTONE. I will be pleased to yield on the time of the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized on his own time.

Mr. HATCH. Mr. President, the Senator indicated he would like 100 people to vote for his amendment. I will make a suggestion to the Senator, and that is, amend your amendment to put it in a sense-of-the-Senate resolution form, and I will work to get you 100 votes. But we are talking about amending the Constitution with language that really clutters up the Constitution with language that should not be in the balanced budget amendment.

If the Senator will do that, I will work to get him 100 votes in the Senate, because nobody wants to treat children or children's programs disproportionately, but it is not constitutional language, and it should not be in the Constitution. I have to be opposed to it, and I hope most of our fellow Senators will be opposed to it. Nobody is opposed to children.

I think that would be a reasonable way of resolving this. Put it in a sense-of-the-Senate resolution, so it is not incorporated in the Constitution, as a sense-of-the-Congress resolution in the Congress. It just is not the way we should amend the Constitution of the United States.

As chairman of the Judiciary Committee, I cannot let that happen, but if the Senator will change and do that, I would be happy to go to a vote, and I would work my side of the floor to get 100 people to vote to say we do not want children's programs to be treated disproportionately.

I hope the Senator will consider this kind offer. It is a sincere offer. I share his viewpoint with regard to children. I think virtually everybody in here does. The fact of the matter is, though, that all items have to be on the budget if we are going to have any kind of a balanced budget amendment work. I know the Senator is not going to vote for a balanced budget amendment to the Constitution no matter what we put into it. Even if we accepted his amendment as part of the balanced budget amendment, he would not vote for it.

That way, you are sending a message. That way, you would have your colleagues voting with you. Otherwise, I think people who love and revere the Constitution have to say this is not the way you amend the Constitution; we should not put this language into a constitutional amendment because it is not constitutional.

Frankly, I suggest to my distinguished colleague, I would like to help him do that if he wants to do that. If he doesn't, then I have to oppose this amendment, and I hope most Senators will oppose the amendment, because this type of language should not go into the Constitution, because although it is meaningful language, it is not constitutional language, and it will not guarantee the children's programs are going to be treated any differently than anything else under a balanced budget amendment.

I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, I appreciate the comments of the Senator from Utah. Actually, the language of this amendment is constitutional. It is designed that way. If there is going to be a constitutional amendment to balance the budget, I say to my good friend from Utah—and he has taken the leadership on this, he absolutely believes in it—if that is the direction we go in, then it is quite appropriate for me to have an amendment to this amendment to make sure that we do not lock ourselves into some very harsh and distorted priorities.

I tried the route of a sense of the Senate last Congress, and actually I lost a couple of times on a sense of the Senate that we would not take any action to create more hunger, malnutrition, and poverty among children. Finally, it was adopted on a voice vote. I wish there had been a recorded vote. Then I think we went ahead and, in fact, passed some legislation or provisions of some legislation that is going to create that.

Mr. HATCH. If the Senator will yield.

Mr. WELLSTONE. If I could just finish. I think this time around, given the track record of the last Congress and given the fact that the citizens that I am trying to represent today—poor children—do not seem to have much of a presence here, quite frankly, I do not think a sense-of-the-Senate amendment does the job.

Mr. HATCH. If the Senator will yield.

Mr. WELLSTONE. I will be pleased to yield on the Senator's time.

Mr. HATCH. On my time. I have to say that you did get a voice vote last time, not a recorded vote. I am offering you a recorded vote. I happen to believe sense-of-the-Senate resolutions mean a lot. But I certainly could not accept this language as part of a balanced budget constitutional amendment. If for no other reason, what does the term "disproportionate" mean? Which programs have to be preferred above others?

There are a thousand programs we are talking about here. I know, because I worked with most all of them when I was ranking member and chairman of the Labor and Human Resources Committee, on which the Senator from Minnesota now sits.

I will get you the votes. I will work my side to try to get 100 of these people to vote for it. I happen to believe when Senators in this body vote for a sense-of-the-Senate resolution, it means something, especially if you get 100 percent. I cannot guarantee it, but I would work to get 100 percent. It would be adopted, because I think virtually everybody here would like to have children's programs treated fairly.

The distinguished Senator makes a tremendous point. We treat seniors very well. They get about 20 times the help from the Federal Government that individual children get, and we are not doing what we should do for children in our country. There are a lot of children in poverty who are in serious straits who do not have the health care that they need.

On the other hand, the question is, how do we best solve that problem? I do not think you single it out, because once you do that in this amendment, there must be a thousand other things that do not want to be treated disproportionately.

Frankly, it just makes the amendment a nullity. I would be happy to work for a significant up-or-down vote for the Senator, no motion to table, up-or-down vote if he would make it a sense-of-the-Senate resolution that does not go into this constitutional amendment.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair and, again, I thank my colleague. I appreciate his kind words. I know he is very sincere in the offer. Again, what happened last time was we went ahead and adopted an amendment saying we would not take any action to create more malnutrition, hunger, or poverty among children, and then we went ahead and did budget cuts that, in fact, disproportionately affected poor people in America, many of them children.

Mr. President, I really do view this amendment as a litmus test. I think I

do want to draw a line in the sand here. If Senators put children first, and Senators believe we ought to invest in the health and skills and intellect and character of our children, and Senators understand—and they do—that what happens before kindergarten is so important, then I do not know why in the world we cannot make a commitment that when it comes to programs like Head Start and WIC and health care programs that affect poor children in America, that we at least make a commitment that we not disproportionately cut those programs.

As to which programs, listen, with a lot of what is in this amendment, we are going to be writing implementing language, that is all going to be made specific. So I just do not think that critique really does any damage to this amendment. I would like to speak, again, about what is at stake.

Yesterday, I read from some examples, just some stories of some families as we kind of reach out and talk to people around the country, not just Minnesota. Marlene is a lot like many women. She went from her parent's home to her husband's. With the exception of a waitressing job in high school, she never had worked outside the home, and had no job skills. After 9 years of marriage, Marlene's husband left her with two children and pregnant with a third.

At 27, she found herself alone with no job skills or means of support. With the help of a neighbor, she enrolled in her local WIC Program. "I knew about nutrition, child care and how to take care of myself. I just didn't have the money to. I knew that I needed to have a healthy baby. I just did not know how to get it."

WIC provided Marlene with vouchers to purchase the basics for a healthy baby—milk, cheese, eggs, et cetera.

> To this day, I believe that the food from WIC saved me and my baby. Emotionally, I was so distraught and inept, I didn't know if I was coming or going. Thankfully for WIC, for that part of my life, I could just go on auto pilot. I knew that I was taking care of my baby. I could go on with taking care of the rest of the issues I was facing.

It has been 10 years since Marlene received help from WIC. Now she works full time and supports her children. She says,

> WIC was crucial for me. WIC was like a bridge to help me go from being dependent on someone to learning how to take care of myself and my kids. It's like they took care of me so I could take care of the rest of my life. I cringe to think of how things would have been without it.

Mr. President, Danielle is 8 years old. She looks closer to 6. Though a spirited and cheerful little girl, Danielle struggles in life. She was born at a low birth weight and has endured its effects. She will for a long time.

As with many children born at a low birth weight, she has a limited immunity system and she catches a lot of colds and flus. She misses a lot of school. Like many children born at low birth weight, it takes Danielle a bit longer to figure things out in school. Says her teacher, "I see her little brain trying to figure things out. She works hard and struggles. She's always a few steps behind us." While pregnant with Danielle, her mother had no prenatal care or guidance.

Every 2 minutes a baby is born to a woman, a mother who had no prenatal care in our country. Her diet of chips, fast food, soda, and candy did not change during the 8½ months of pregnancy. Danielle's mother did not participate in the Women, Infants, and Children Program.

At 5, Danielle's sister Alfrieda is healthy and active. While pregnant with Alfrieda, her mother participated in WIC. She had a healthy diet, checkups, and guidance. When she gave birth, she then gave birth to a fit and strong baby. She named her after the WIC nurse who mentored her.

Says their mother:

> I see how Danielle is not all there * * * how she's slow and kind of sick. They tell me it is 'cause of how it was when I was pregnant. I think they are right 'cause I really see a difference with my baby, Alfrieda. You would not know that Danielle is older.

In one family, in the case of two sisters, we see the impact and influence that WIC has. Danielle will always be a little behind, a little slow, and a little weak. Alfrieda will always be a bit smarter than her older sister, a bit ahead of her older sister, and a bit stronger than her older sister. One small family and one big difference.

Mr. President, I said this yesterday, the medical evidence is irrefutable and irreducible that the most important educational program for our country is to make sure that every woman expecting a child has a diet rich in vitamins, minerals, and protein; otherwise, that child at birth may not have the same chance as all of our children and grandchildren have. And that is wrong. The goodness of our country is for every child to have that chance.

Mr. President, we do not even fully fund the Women, Infants, and Children Program right now, a program for women during pregnancy, a program for infants, and a program for small children who, by definition, do not have enough income to be able to purchase the food to have an adequate diet.

We know the WIC Program has made an enormous difference. It saves us dollars. It enables children to have a head start. It enables children to go on and do well in school. We know all of that. The only thing this amendment says is, let us make a commitment if we are going to balance this budget that in this constitutional amendment to balance the budget we make a commitment we will not, as we move forward, disproportionately cut programs that affect the nutritional status of children. That is what this amendment is all about.

It is not a sense-of-the-Senate amendment. I do want to draw a line on this. I believe I should be able to get a strong vote for this. I do not think it should be tabled. This is all about, as we go forward with deficit reduction, who is going to decide and who is going to benefit, and who is going to be asked to sacrifice.

Are we going to decide, as we did last Congress, that we are going to disproportionately cut programs that affect the quality of life for children, poor children in America? Who will decide to cut the nutrition programs and whose children will be hurt? They will not be our children, but they are all of God's children. I think we all agree on that.

So I am really hopeful that I will get support for this amendment. This is about values. We talk about values. This is about values. This is about Minnesota values.

If you asked people, are they in favor of a constitutional amendment to balance the budget, they say yes. I have been in disagreement. I wish we would separate the capital investment part of the budget from on operating budget. I worry about it on political economic grounds. But forgetting that, most people say yes. But if you ask people, are you in favor of balancing the budget by making cuts in educational programs or nutritional programs or health care programs that affect children, they say no. So I am hoping that this will not be tabled and that Senators will vote for it.

Arel is only 14 years old but has the responsibility of someone much older. He has two sisters. Even though they are at the right age and eligible for Head Start, they do not participate because the program near their home is full. I forget—I do not have the numbers right before me—but something like only 17 percent of the eligible 3-year-olds are participating and only 40 percent of the eligible 4-year-olds are participating. Really, we should work Head Start back, Mr. President, to age 1 and 2 as well.

By the way, it should be decentralized. This is a parent-participation program. It should happen at the local level. It should happen at the neighborhood level. It can be done through nonprofits and it can be done through nongovernmental organizations. But when we know something works, when we know these kinds of programs give children a head start, why can't we make a commitment that we will not disproportionately cut these programs? Because if we do not make that commitment, I really fear that is what is going to happen.

While we know how no Head Start will affect Arel's sisters, do we know how it is going to affect Arel? Their

mother leaves for work as a bus driver at 4 a.m. She is working. This means Arel is responsible for the morning ritual with his sisters. After he gets them fed and dressed, Arel puts one sister on the handlebars of his bike and rides 5 miles to drop her off at affordable day care. He returns home and gets his second sister to drop her off. Since he cannot drop them off early, he is late for school every day.

Because of tardiness, he failed his first-period class twice. Though a talented athlete and a popular kid, Arel does not stay after school for any activities. He would probably make the football team. He is interested in track. He would love to be in a dance troupe. Instead, Arel gets on his bike, rain or shine, to pick up his sisters one at a time. I will not reveal to you what no Head Start means for his sisters. We know that. Unfortunately, so does their brother, a boy who has no childhood.

Finally, Mr. President, Marcus is a shy and quiet first-grader who finds himself in the principal's office for the third time in a week. I gave this example yesterday. According to his teacher, Marcus is either overagitated, annoying other students in class, or listless and disinterested in the class at hand. Marcus does not usually know what is happening in class and he does not know yet his colors, numbers, or alphabet.

Though many of his class attends a Head Start program and learns the initial steps toward understanding school and learning, Marcus does not. He represents 1 of the 1.2 million children that, though eligible, could not participate in Head Start when he was younger. The program near his home was full. Not only were they full, but there was a year waiting list when Marcus's grandmother tried to sign him up. Though there was room at another program, it was too far for his grandmother to take him.

Marcus stayed alone sometimes at home while his grandmother worked. Marcus is conspicuously behind his classmates. While his classmates scurry around the teacher to be read to, he had not yet held a book or ever been read to. While his classmates—I am going to repeat this—while his classmates scurry around the teacher to be read to, he has not yet held a book or ever been read to.

Marcus does not know how to write his name, nor can he recite the alphabet. In a phrase, Marcus is not part of the culture of the school. Marcus' teacher is concerned and anxious about him. He is far behind his classmates, and she has little, if any, time to help him catch up. As each week progresses, he falls further behind and more frustrated.

Already Marcus hates school and learning, counting the days until summer vacation. He knows he is different. He knows he does not understand. But he also knows there is not much he can do about it.

Said his teacher: "I just don't know what can be done for him. I know that he needs a lot of one-on-one attention and love, but I just don't have the time or the resources. Every day, I feel him slipping and, frankly, it breaks my heart. He is a good boy and a smart boy. I feel as if he is being punished for what we did not do for him. I am worried that he will always hate school and suffer until he can leave. He tries so hard, sometimes," says his teacher, "I want to cry."

Mr. President, I do not want Senators to make this amendment out to be what it is not. There is an amendment on the floor. It is a constitutional amendment to balance the budget. This amendment says, as a part of that constitutional amendment to balance the budget—if that is what we are going to do—we make a commitment that we are not going to disproportionately cut programs that affect the educational and nutrition and health care status of children. It is that simple.

This is about values. This is about fairness. I think we should make that commitment. I think we should make that commitment.

Mr. President, we can no longer give speeches about children and no longer have photo opportunities with children unless we are willing—unless we are willing—to invest in the health and skills and intellect and character of our children. Mr. President, that includes poor children, and that means we are part of local communities, but we are part of a national community. The U.S. Senate ought to go on record that these are our priorities. These poor children are a part of our priorities. That is appropriate, and it is the right thing to do.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Minnesota has 8 minutes, 25 seconds.

Mr. WELLSTONE. Mr. President, I reserve the balance of my time.

Mr. HATCH. Mr. President, I appreciate my colleague from Minnesota. I believe he is devoted to children. But he is not alone. There are 99 others in this body who are devoted to children. Frankly, children's programs can compete very successfully with other programs, just like Social Security can. To do a risky gimmick of putting this type of language into the Constitution, like those who want to take Social Security out of the Constitution, the purview of the balanced budget, I think would be highly risky and very, very dangerous.

I was talking with the junior Senator from Wyoming, Senator ENZI. He indicated to me, he said, you know, if you use the language "not disproportionate," which is what this language is, it can force proportionate reductions in all parts of the budget in order to comply with this amendment, because this would be an amendment to this amendment to the Constitution. The worst budgeting for kids could come from across-the-board budget cuts. That is how the courts could easily interpret the amendment. Mr. President, for the information of every Senator, I have offered to give the Senator an up-or-down vote on a true sense-of-the-Senate resolution saying the same thing which he did not get last year and which I will get him today, and I have offered to try to get him 100 percent of the Senators to vote for this so we would be on record as not wanting to have children's programs reduced disproportionately.

However, to put this into the Constitution is the wrong thing to do. This is not language that you would normally see in the Constitution. The Wellstone amendment is not an appropriate amendment for inclusion in the Constitution. I want to point out to my colleagues that the Wellstone amendment would place in the text of the Constitution itself a statement of "policy." I put policy in quotes because I think there is a lot of room to disagree with the Senator. It would put a statement of policy of the United States with regard to the budget priorities into the Constitution, the first time in history to do that. Mr. President, I do not believe that it is appropriate to put what is essentially a sense-of-the-Senate resolution in the actual text of the Constitution. That is why I am suggesting that our colleagues vote against this amendment because that is not what should be done. I believe that such a policy statement would either be surplusage or produce confusion and difficulties if it became part of the Constitution.

Now, the distinguished Senator from Minnesota sincerely said we are not locking ourselves into a harsh set of priorities if we take this amendment. I think you are. Let me paraphrase that better. He said if we take the amendment as it is we are locking ourselves into a harsh set of priorities. I think it makes it more harsh if you put his amendment in because, first of all, nobody knows what the word disproportionate means vis-a-vis constitutional language or interpretation; and, second, you are referring one item in the budget for one group of people in the Constitution over everybody else and there are a lot of people in this country who would like to not be treated in a disproportionate way. So we are not locking ourselves into a harsh set of priorities by having this balanced budget amendment passed. We are simply saying everything in the unified budget must be on the table. These programs for children are totally capable of competing with all other programs in the budget, as they should be. The

fact is we have to have everything on the table because we are going to hit some very, very difficult times in the future and it will be difficult to know what to do to balance this budget.

As we begin today's debate on Senate Joint Resolution 1, I do welcome the discussion of this amendment, because after all what this debate and the balanced budget amendment are all about is the legacy we intend to pass on to our children and our children's children. Unfortunately, as it stands today, the legacy is not one of health and prosperity, as has been the American tradition for the past two centuries; rather, the legacy we are imposing on our children is one of fiscal servitude. The debt, Mr. President, is a real threat to our children's future and to their well-being.

As I emphasized before, with our national debt standing at $5.3 trillion and going to $5.4 trillion, every child born today is born into this world trapped into a $20,000 debt. This new baby owes $20,000—$20,000. Think about that for a minute. In essence, what we are doing is handing every child who comes into the world an unsolicited and undeserved $20,000 liability. Unfortunately for our children, they are given nothing to show for that liability.

Every one of the 28 years represented by these unbalanced budgets, every one of those 28 years these unbalanced budgets in this pile, in all but one of the last 36 years what we have done is finance our own exorbitant spending habits by mortgaging our children's future. In my view, this is taxation without representation in its purest form. What is worse, unlike you or me who may take out a loan to buy a house or a car and begin to pay that loan off, not only do we not pay down any of our children's debt, we continue to refinance and finance again our children's mortgages, adding more and more debt to pay for our own protracted fiscal irresponsibility.

Let me illustrate this point, Mr. President. According to the Congressional Budget Office, by the time a child born today is 5 years old, the national debt would have risen to $6.8 trillion and his or her share of that debt will have increased from $20,000 to $24,000. By age 10, that debt will stand at $8.5 trillion, with that child shouldering approximately $29,000 of that burden. Just think about it. That is nearly a 50-percent increase of his or her debt burden in just 10 years. At that rate, by the time a child graduated from college, he or she would owe in the neighborhood of $50,000 as their share of the Nation's debt. Now that, in my view, is no way to send a young man or young woman into the world to make a living. As sincere as my good friend from Minnesota is, the fact is even if we accepted this amendment he would not vote for the balanced budget amendment, which is the only hope of helping these young children in the future, the only hope of stopping us from spending their future away and saddling them with an irresponsible debt burden.

Now our former colleague, Senator Simon, who led the fight for a balanced budget amendment on the Democrat side for many years, shared with us the words of another of our former colleagues, Senator Cohen, now Secretary of Defense, when he testified before the Judiciary Committee a few weeks ago. Senator Cohen was at one time opposed to a balanced budget amendment. And I remember those days because I have been responsible for bringing every balanced budget amendment to the floor of the U.S. Senate from the first one right on up until today. After serving in Congress for 18 years, Senator Cohen had this to say, and he was against it initially, but after 18 years, this is what he said:

> Today the ethic of self-sacrifice has been perversely inverted. Parents and grandparents borrow from their heirs so they might enjoy the comforts and pleasantries of the moment. The practice of handing our children trillions of dollars of debt with little more than a good luck wish can only be considered an unconscionable and criminal act.

Secretary Cohen is exactly right.

As I have repeatedly said, the mortgaging of our children's future is nothing short of fiscal child abuse and it must end.

As a result of our failure to exhibit fiscal restraints in setting budget priorities our children are faced with not only the looming burden of our enormous debt but also with massive annual interest payments required just to maintain the standard. This year we will pay $360 billion in gross interest to service our existing debt. That means we will spend nearly $1 billion every day of this year just on interest on the debt. Now to put this in perspective, if we take just the net interest, meaning we ignore interest paid by the Government to the various trust funds and subtract interest income received by the Government, our annual interest payment would amount to $935 for every man, woman, and child in America. Just look at this. Interest on the national debt, we could pay $340 to every man, woman, and child in Utah every day. Think about it. That is in my own State, and the interest on the debt is the fastest growing item in the Federal budget.

According to the CBO, interest on the debt will continue to rise substantially over the next 5 years, to $412 billion by the year 2002. My gosh, that is more than the total Federal budget was 20 years ago. That represents half of all projected individual income tax receipts for that year and nearly two times all corporate income taxes. By 2007, the interest on the debt is projected to reach a whopping $493 billion. That is just the interest we owe. That is not the debt. That $493 billion is just $50 billion shy of our entire discretionary budget for the current fiscal year.

Mr. President, it is outrageous to me that we would consider subjecting our children to a future where 50 percent of their hard-earned tax dollars would go to service the debt incurred by us, their parents. Just think what we could do for our children and our children's children if this money were available to be put to more productive use.

We have talked a lot about the WIC Program, Women, Infants, and Children Program. I know a lot about that. As a newly elected conservative, one of my counties said they did not want WIC funds because they did not want Federal Government strings. I thought WIC funds were pretty important because they helped lactating mothers to be able to bring the best nutritional needs to their children, and even though this was a county that really supported me I stood up and said I think the WIC Program is a good program. Today, that county and the mothers that are poor benefit from that WIC Program. It is a highly effective program and works to improve the health of the mothers and the newborn children, and also serves to reduce our Nation's overall health care costs. I have long supported the WIC Program, as has just about every Senator. We are constantly struggling to come up with the money to fully fund participation in the WIC Program. With the $360 billion we spend on interest on the debt this year not only could we fully fund participation in the WIC Program, we could afford to pay recipients nearly 100 times what they received last year.

I could go through every program affecting children in our country today and we can talk about not allowing them to be disproportionately reduced. The best way to not allow children's programs to go down the drain is to pass the balanced budget amendment and put some fiscal responsibility into the Constitution, so we have to live within our means and we do not barter away our children's future, we do not mortgage it away, so we have the money to be able to help children. These gimmicks that some on the other side want to put into the Constitution are dangerous. In the end, they will wind up hurting children and not balancing the budget. The best thing we can do for our country is to get that budget balanced and keep it balanced and start paring down the national debt, as well. If we do not start doing that, we are going to pay the price and it will be a heavy, heavy price.

Mr. President, I am very concerned about this because if we are going to have a balanced budget amendment everybody in the world knows and everybody in Congress knows this is it. This

is the last chance. This has been developed over 20 years. It is a balanced budget amendment that has been developed by Democrats and Republicans. I do not believe any single person can say they wrote it. It is an attempt by all of us to get together and do what is right. It is supported by an overwhelming majority in this body. Sixty-eight people have guaranteed to their constituents they will vote for it. We need 67. We should have one more than 67 if everybody lives up to their word. Frankly, if we pass this balanced budget amendment, it has a very excellent chance of going through the House.

Head Start is another program we have heard a lot about. I strongly support the Head Start Program. As chairman and ranking member of the Labor Committee, I was deeply involved in fighting to provide increased authorizations for Head Start, and I am proud of the fact that since I first came to the Senate, the number of children served by federally funded Head Start programs has more than doubled. And yet, given the budget constraints we face, we are still working toward the goal of fully funding the Head Start Program—a result I believe every one of my colleagues favors.

If we could recoup just a small portion of the money we will pay in interest on the debt this year, we could fully fund Head Start in a heartbeat. Not only could we fully fund the entire Head Start Program, including the new Head Start Program for infants and toddlers that was established in 1994, with this year's interest expenditures we could increase Head Start funding for every one of those children by more than 10 times what we currently spend.

There are plenty of other important programs we could improve if we were to free up the resources currently dedicated to servicing the debt. In fact, with the money we will spend in gross interest on the debt just this year, we could cover the costs of all food and nutrition assistance programs, including food stamps, for the last 14 years—$346.9 billion. This same interest payment would cover the costs of all payments for WIC and other supplemental feeding programs, child nutrition and milk programs, student assistance, and low income home energy assistance for the last 20 years—$348.2 billion.

Even in the current fiscal year, as this chart shows, with the money we will spend on gross interest payments, we could afford to double projected spending for elementary, secondary, and vocational education, higher education, research and general education aids, training and employment, housing assistance, food and nutrition assistance, social services, unemployment compensation, all health care services, and pollution control and abatement—and still increase Medicare spending by 50 percent.

Now obviously we cannot simply pay off $5.3 trillion of debt and recoup our $360 billion in annual gross interest payments overnight. But, according to CBO, moving toward a balanced budget in 2002 would reduce projected net interest costs by some $46 billion and improve economic performance enough to produce a total fiscal dividend of $77 billion over the next 5 years. This represents real savings of nearly twice the amount we spent on all food and nutrition assistance programs last year, and is nearly 10 times all earned income tax credit payments for the past 10 years combined. This is real savings we can bring about to benefit our children now just by balancing the budget.

But, if we continue to deficit spend, as we have in all but 8 of the last 66 years, we will only continue to compound our existing debt, increasing the interest payments necessary to service that debt and further exacerbating the tax burdens our children will face in future years. According to OMB and CBO, such tax burdens may equate to a lifetime net tax rate of about 82 percent for future generations in order to finance the cost of government at all levels. The 82 percent figure for our children stands in stark contrast to the 29 percent net tax rate for the generation of Americans born in the 1920's and the 34.4 percent net tax rate for the generation born in the 1960's.

But the mammoth costs of financing both the Government and our enormous national debt are not the only burdens we are creating for our children by not balancing the budget. We should also recognize the significant economic benefits that our children stand to inherit from recurring balanced budgets, but which we are withholding from future generations by failing to exercise fiscal restraint today.

As CBO reaffirms in its January report, balancing the budget in 2002 and subsequent years will lead to increased real economic growth, reduced interest rates, higher corporate profits, and increased revenues to the Federal Government. As a result, the Joint Economic Committee has estimated that a typical middle class family could easily save $1,500 each year; $1,500 every single year, Mr. President. That is like a built-in $500-per-child tax credit for a family of five—at no cost to the Government—just for passing the balanced budget amendment. I know a lot of families in Utah that could use an extra $1,500 each year to pay for food or clothing for their children, to pay for college tuition, to pay down credit card debts, or even to take a vacation and spend time with their kids.

Even a college student could save an estimated $120 each year on a $10,000 student loan if we were to pass the balanced budget amendment. And it is not the Government that must pay for that savings. It is simply the real benefit generated by the economy's reaction to long-term balanced budgets.

Mr. President, it is time for us to face reality. The single largest threat to our children's well-being is not that the Republicans and Democrats will be forced to live within their means when funding any given program. The real threat is that we will continue down the path of the last 66 years and mortgage our children's future earnings to pay for what we consider to be spending priorities today. If we do, our children will be left with no choice but to cut the very programs my colleague is talking about in ways that are unthinkable today, or drastically increase taxes on every American family to pay for the continued existence of those important programs. The balanced budget amendment is the only real assurance we have that our children will not be forced to make those choices.

Now Mr. President, it doesn't take a rocket scientist to figure out the solution to this problem. In fact, Grant Anderson, a 13-year-old young man in my home State of Utah, took the time to write a letter to me outlining how it can be done. Let me share with my colleagues what he had to say:

> Dear Orrin Hatch, I think we have a huge problem with the national budget. I have the easiest way to fix it. Do you want to hear it? Okay. Stop buying things if you don't have the money.

That about says it all, Mr. President. It's just that simple. Yet, without a balanced budget amendment, there appears to be no real end in sight to Congress' abdication of its responsibility to people like Grant Anderson and to future generations.

The fact is that after 4 years of declining deficits we have not reduced our staggering $5.3 trillion debt one penny. We have only slowed the growth in the national debt. More importantly, as my Republican colleagues and I predicted would happen during the debate on the President's 1993 budget package, CBO now predicts that annual deficits will resume their upward climb beginning this year—from an annual deficit of $124 billion in 1997, to $188 billion in 2002, and reaching a near-record $278 billion in 2007. Even OMB's estimates from the President's newly proposed budget, which predict lower deficit totals than CBO, project that gross Federal debt will top $6.6 trillion, exceeding 66 percent of our gross domestic product, by 2002.

Now I know that there are those who will say that we can solve this problem without the constraints of a balanced budget amendment—that Congress and the President are committed to balancing the budget and to putting an end to the era of deficit spending. While I can only pray that they are right, our history of deficit reduction efforts in Congress should give the American people reason to be skeptical.

Since 1978 we have adopted no fewer than five statutory regimes which

promised to bring about balanced budgets. Every single one of them has failed. As this chart shows, time after time statutory fixes have been met with increased deficits. In fact, nearly 85 percent of our current national debt has accumulated while Congress has operated within statutory budget frameworks designed to ensure balanced budgets. Now, we are told, things are different. But will they really be all that different without the discipline of a constitutional amendment?

A quick look at the President's budget shows that under his plan, we will continue to have deficits that are higher than last year's budget deficit until the year 2000. Only in the last 2 years of this budget do we see the dramatic cuts necessary to bring us into balance. That's right, Mr. President, a full 75 percent of the deficit reduction planned in President Clinton's recent budget submission comes in the 2 years after President Clinton leaves office. This is reminiscent to me of the 1985 Gramm-Rudman-Hollings law, wherein we committed ourselves to balancing the budget by 1991, only to see the law slowly amended, circumvented, and the requirement for a balanced budget finally eliminated just 1 year prior to the year in which we were to achieve balance under the original law.

While I commend the President for his avowed commitment to balancing the budget and appreciate the dedication expressed by leaders of both political parties to reaching a balanced budget, I seriously doubt whether, without the weight of a constitutional requirement to balance the budget, we will achieve balance by 2002. Even if we did—and I intend to work to that end—there is nothing to prevent future Congresses from yielding to the political pressures that would lead to renewed deficit spending. We need a constitutional amendment if we are truly committed to solving this problem.

Mr. President, passing the balanced budget amendment, free of exemptions and loopholes that can be exploited by those who might not be fully dedicated to balancing the budget, is the most important thing we can do in this Congress to protect our children and the future generations that will follow. I urge my colleagues to join me in this effort by supporting the balanced budget amendment. If that happens, we will protect children like never before. To me that is worth it all. And in the end it will accomplish what the distinguished Senator from Minnesota would like to do. But if we put amendments like this in everybody and their dog will be in here with some sort of a program they want to protect because they think it is the most important program in the world. No. Let us put everything in the budget on budget. Let us have everything subject to the balanced budget amendment and let us have them compete for the available funds as it should be. Then let us make the right priority choices. And I guarantee my friend from Minnesota that ORRIN HATCH will be there with him trying to help the children of this country so that they don't suffer a disproportionate reduction in their programs. And I do not think they will as long as both he and I are here, and others as well.

Mr. President, I reserve the remainder of my time.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, when Senators vote on this they should not confuse two different issues. There is not anybody on the floor of the Senate that I know of who is opposed to balancing the budget. There are Senators who oppose this amendment.

My colleague keeps talking about balancing the budget or passing the constitutional amendment to balance the budget is the best thing that we can do for our children. My amendment speaks to the concerns and circumstances of the lives of poor children. Close to one out of every four children in America is poor. One out of every two children of color is poor. Every 30 seconds a child is born into poverty in our country. Every 2 minutes a child is born to a mother who has had no prenatal care. Every 12 or 13 seconds a child drops out of school, many of them children from poor families. And there is a higher correlation between high school dropout and winding up in prison than there is between cigarette smoking and lung cancer.

Mr. President, all too many of our children are rushing into the arms of the police and not into parents' arms, or teachers' arms.

My colleague used the word "gimmick." This is no gimmick. This is a very serious amendment because for these children they don't have any future. How can you argue that a child who is born severely underweight and damaged and who can't do well in school is going to benefit by deficit reduction and balancing the budget 7 years from now? What about that child right now? How can you argue that the 50 percent of children or the 60 percent of children who could be given a head start but come to school without a head start not ready to learn are going to do well, if we do not make a commitment that we are going to invest in them? Balancing the budget 7 years from now does not help those children right now.

There are 10 million children who have no health care coverage, most of them from working poor families, many of them with ear infections who have lost hearing; too many. Many can't read well because they should have had an eye examination. They can't afford it. Many of them should have dental care, and they come to school with an infected tooth and abscess. They can't learn well. It is difficult for children who are in pain and discomfort to learn well.

If we do not make a commitment that in balancing this budget we will not balance this budget on the backs of those children and we proceed to do what we did in the last Congress, which is disproportionately cut programs that affect poor people and poor children in America, they don't have any future. What good does it do those children if we are going to balance the budget 6 years from now if we are going to savage them right now?

This is all about values. And if my colleague means or is sincere—and he always is. I guess it is just an honest difference that we have—that surely we are not going to make these cuts, that is what we have done in the past because these children don't hire the lobbyists. They don't march on Washington every day, and one more time they are not the big givers. Maybe there is a connection with all that we are reading about money and politics.

Mr. President, I ask all of my colleagues whether you are against this constitutional amendment to balance the budget or whether you are for it to vote for this amendment. It is all about fairness. We ought to go on record. We ought to make it clear that in our effort to balance the budget with a constitutional amendment—or the way I prefer to do it, not a constitutional amendment—that we go on record that we will not do what we have all too often done in the past—unfortunately, the evidence is clear—that we will not disproportionately cut the programs that benefit and affect the health and the nutrition and education of children.

What is the definition? Just pick out the percentage of low-income programs that are part of the entitlement programs. Pick out the low-income programs for children that are part of the discretionary spending. Pick out the percentage, and in our overall cuts, don't cut them any higher. It is simple. It does not take a rocket scientist to figure it out. Let us not weave and dodge on this question.

I hope that I can get a strong vote. It is a difficult debate because the Senator from Utah is one of the Senators whom I like the most and whom I respect the most. It is an honest disagreement.

But I hope Senators will vote for this. It is the right thing to do. This does not say we are not going to balance the budget. This does not say we should not do what the Senator from Utah believes we should do. It just says that if we are going to lock ourselves into a constitutional amendment, or, if we do not do that, we are still going to make the commitment to balance the budget, that we will not balance the

budget on the backs of poor children; that we will invest in the skills, health, and character of children in America, including poor children. These are all God's children. I am telling you something, and I could argue this for 24 straight hours, the history of the way we have done deficit reduction is that they come out on the short end of the stick.

This amendment I think is the right thing to do. It puts us on record and it makes it clear that we are going to balance this budget based upon the Minnesota standard of fairness.

Mr. President, how much time do I have left?

The PRESIDING OFFICER. The Senator from Minnesota has 1 minute remaining.

Mr. WELLSTONE. I reserve the remainder of my time.

Mr. President, I yield the rest of my time.

Mr. HATCH. Mr. President, I will not take long.

I know my colleague is sincere. I know he is a very good person and that he feels very deeply about children. And I have a great regard for him. He knows that. Children have the love in this town. One of the most effective lobbyists in this town is Marian Wright Edelman. I know. She and I worked hard to get the child care bill through. That has helped millions of children all over this country.

I do not take a second seat to anybody with regard to taking care of children. In fact, Elaine and I have six. We are expecting our 16th and 17th grandchild within 2 weeks. I want them to have a future. I want them to have the care. I want there to be some money to help them. I want our country to be solvent. I do not want their futures bartered away and mortgaged away. The reason child care programs are being cut every year is because we are spending it all on interest on the national debt.

The only thing that will give children protection in the future is if we pass this balanced budget amendment. We have here 28 years of unbalanced budgets. I do not know about others, but this pile is very significant to me. Every year we have people who are of the more liberal persuasion saying we should spend more, we should just get the will to balance the budget but we should spend more. They are inconsistent.

Let me just tell you something. I think out of the mouths of children comes the greatest truths sometimes. This is a letter I received from Grant Anderson, a young boy. Here is what he said, August 5, 1996:

> Dear ORRIN HATCH. I think we have a huge problem with the national budget. I have the easiest way to fix it. Do you want to hear it? OK—

With an exclamation mark. And then he writes in big print the letters. He said:

> Stop buying things if you don't have money—

And a bigger exclamation mark. And then he said:

> Thanks for your time. Grant S. Anderson. P.S. My mom and dad voted for you.

A particularly good letter, I thought.

But the fact of the matter is Grant is right on the money. My friend Grant Anderson really calls it the way it should be. If we are going to stop spending money we do not have, we have got to get rid of all these years of unbalanced budgets. And since we have proven that we are not going to get rid of them without a balanced budget amendment to the Constitution, then, by gosh, I suggest we pass the balanced budget amendment so by the year 2002 we have the true budget that will be balanced so kids like Grant Anderson and all the kids my colleague is fighting for and I am fighting for will have a future.

Now, to me out of the mouths of young people sometimes comes the greatest truth.

> Dear ORRIN HATCH. I think we have a huge problem with the national budget. I have the easiest way to fix it. Do you want to hear it? OK. Stop buying things if you don't have money. Thanks for your time. Grant S. Anderson.

I am grateful to Grant. I am grateful that he took the time to write to me, and there are thousands of others who are writing to us who want us to try to put some fiscal sanity into the system. We have tried five different balance-the-budget methodologies and not one of them has worked. The distinguished Senator said his amendment is not a gimmick, but his amendment reads:

> It is the policy of the United States that in achieving a balanced budget amendment—

"It is the policy of the United States." He is writing policy into the Constitution—

> Federal outlays must not be reduced in a manner that disproportionately affects outlays for education, nutrition and health programs for poor children.

I agree with him; it is not a gimmick. It is a risky gimmick. If you start putting language into the Constitution that the distinguished Senator thinks can be easily interpreted, he does not know much about the Supreme Court if he takes that attitude. I have to tell you, we are making a great mistake. So I hope our colleagues will realize it is important to keep this amendment intact. It is the only amendment that has a chance of passing. It is a bipartisan amendment, and I hope we will support it here today.

I move to table the Senator's amendment and ask for the yeas and nays.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the Wellstone amendment No. 3. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 64, nays 36, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—64

| | | |
|---|---|---|
| Abraham | Faircloth | Mack |
| Allard | Feingold | McCain |
| Ashcroft | Frist | McConnell |
| Baucus | Gorton | Murkowski |
| Bennett | Graham | Nickles |
| Biden | Gramm | Reid |
| Bingaman | Grams | Robb |
| Bond | Grassley | Roberts |
| Brownback | Gregg | Roth |
| Bryan | Hagel | Santorum |
| Burns | Hatch | Sessions |
| Campbell | Helms | Shelby |
| Chafee | Hollings | Smith (NH) |
| Coats | Hutchinson | Smith (OR) |
| Cochran | Hutchison | Snowe |
| Collins | Inhofe | Stevens |
| Coverdell | Jeffords | Thomas |
| Craig | Kempthorne | Thompson |
| D'Amato | Kohl | Thurmond |
| DeWine | Kyl | Warner |
| Domenici | Lott | |
| Enzi | Lugar | |

NAYS—36

| | | |
|---|---|---|
| Akaka | Ford | Lieberman |
| Boxer | Glenn | Mikulski |
| Breaux | Harkin | Moseley-Braun |
| Bumpers | Inouye | Moynihan |
| Byrd | Johnson | Murray |
| Cleland | Kennedy | Reed |
| Conrad | Kerrey | Rockefeller |
| Daschle | Kerry | Sarbanes |
| Dodd | Landrieu | Specter |
| Dorgan | Lautenberg | Torricelli |
| Durbin | Leahy | Wellstone |
| Feinstein | Levin | Wyden |

The motion to table the amendment (No. 3) was agreed to.

Mr. CRAIG. Mr. President, I move to reconsider the vote by which the motion was agreed to, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SPECTER addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

## CURRENT MILK CRISIS

Mr. SPECTER. Mr. President, I send a resolution to the desk.

The PRESIDING OFFICER. The Senator from Pennsylvania has sent a resolution to the desk which will require a unanimous-consent request at this time.

Mr. SPECTER. I understand that. I want to make a comment or two about it, and then I will make that unanimous-consent request.

Mr. President, this resolution relates to a very urgent problem on milk pricing in the country, but especially in Pennsylvania, where Senator SANTORUM and I have been working with our farmers to try to find something to grant some immediate relief. This is a problem which exists nationwide, and we believe that we have found a way to deal with this issue in the short run as it relates to the price of cheese, which is an ingredient in establishing the price of milk.

Yesterday, Secretary of Agriculture Glickman accompanied me to northeastern Pennsylvania. We have found that the Secretary has the authority unilaterally to change the price of milk if there is a different price for cheese other than that which has been established by the National Cheese Exchange in Wisconsin.

This is a matter of some urgency, Mr. President, which is why I have discussed with the leadership the prospect of offering this resolution at this time.

I ask unanimous consent that this resolution be taken up on a 20-minute time limit, 10 minutes equally divided, with the yeas and nays on the vote. I submit this resolution on behalf of myself, Mr. SANTORUM, Mr. FEINGOLD, Mr. KOHL, Mr. JEFFORDS, and Mr. LEAHY.

The PRESIDING OFFICER. Is there objection?

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, on advice, I must object to the Senator's request——

The PRESIDING OFFICER. Objection is heard.

Mr. FORD. But I want to say why. We are attempting to clear it, and it is not something that I am objecting to lightly. So we are in the process of trying to get it cleared, and as soon as we do, we will lift the objection. So I must object at this time, Mr. President.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The resolution will go over——

Mr. BYRD. Reserving the right to object.

The PRESIDING OFFICER. Would the Senator withhold, please?

Mr. BYRD. Yes.

The PRESIDING OFFICER. The Senate will please come to order. All of the conversations should stop. The Senator from West Virginia has been recognized.

Mr. BYRD. Mr. President, I realize that the objection has already been heard. May I say, I have no objection to the resolution. But I hope the Senator, when he propounds his request again, will not include that provision in the request that states that there be a rollcall vote. That has to be done by a show of hands. I do not want us to get started with having rollcall votes by unanimous consent.

Mr. SPECTER. Mr. President, I thank my distinguished colleague from West Virginia for that suggestion. I shall incorporate that in my next unanimous-consent request.

I understand the reasoning of my colleague from Kentucky. We had circulated this yesterday, so I thought there had been ample time for clearance. It is my understanding that this is an issue which will not cause regional friction, as do so many issues on milk pricing. It is an adjustment on price which will benefit all regions. So it would not customarily draw the objection. I understand it has not been cleared.

I ask unanimous consent that the resolution be printed in the CONGRESSIONAL RECORD. And, the objection having been heard, I will reinstate the resolution at a time when it has been cleared.

(The text of S. Res. 52 is printed in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. SPECTER. I thank the Chair and yield the floor.

The PRESIDING OFFICER. Is the Senator asking that all action be vitiated on this resolution?

Mr. SPECTER. I am not asking that all action be vitiated to the extent that the resolution has been sent to the desk, and that the discussion has been held. I understand that I may not proceed now except with unanimous consent, and unanimous consent has not been granted. I understand why unanimous consent has not been granted. So I do not think I can do anything further, but I do not want to withdraw anything either.

Mr. President, the fact is, I have submitted the resolution for the RECORD. I do not know that I need to do anything else since an objection was heard and I cannot proceed unless there is unanimous consent, which there is not.

The PRESIDING OFFICER. The Senator from Pennsylvania is advised this resolution will go to that section of the calendar that is entitled, "Resolutions and Motions Over, Under the Rule."

Mr. SPECTER. A point of information, Mr. President. Does that in any way prejudice my bringing it back to the floor when it has been cleared on both sides?

The PRESIDING OFFICER. It would require a unanimous-consent request again at that time.

Mr. SPECTER. I understand that. It requires a unanimous-consent now. It would require a unanimous-consent at that time. I just do not want to prejudice my position on bringing it back up. Whatever is the appropriate procedural call, I am prepared to accept the ruling of the Chair.

The PRESIDING OFFICER. That is understood.

## BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The Senate continued with consideration of the resolution.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BURNS. Mr. President, what is the order of business?

The PRESIDING OFFICER. The pending question is Senate Joint Resolution 1.

Mr. BURNS. Mr. President, I rise today to express my support for the balanced budget amendment, the constitutional amendment. I think it is properly named Senate Joint Resolution 1 because it is one of the most important acts that this Congress, I think anyway, will achieve.

My home State of Montana has had that balanced budget amendment law since its inception when it joined the Union in 1889. So, living with fiscal prudence has always been our way of life. Even though there are times when we strayed from this, and had our ups and downs, we always produced a little bit of a surplus, which we had this last time, and the State returned it to the taxpayers. The Federal Government could learn a lot just looking at the example of the States.

For example, according to the Congressional Budget Office, if we do not pass this legislation and we stay with the present trend, it has been pointed out that the deficit will be over 2½ times in 10 years what it was in the year of 1996. Using CBO's numbers, our national debt will rise from $3.7 trillion to over $6 trillion by the year 2007. Every day that goes by without a balanced budget is another step closer to financial calamity for the United States. Around 40 cents of every tax dollar you send to us goes to pay the interest on the national debt, $344 billion last year alone. That is as much as we have spent on law enforcement, education, environment, energy, transportation, agriculture, and technology combined.

I guess in order to understand what we are doing here you have to boil it down to where the average American family can make sense of it and how it relates to them. Over the life of a 30-year mortgage on a $75,000 home, it means a savings of around $71,000; savings of $1,000 on the life of a 4-year loan on an automobile worth $15,000; savings of $1,800 over the life of a 10-year student loan at $11,000. By the way, I am experiencing some of that, and that means quite a lot to this Senator. The grand total of all the savings of these loans will be around $74,000 over the lifetime. I think that is something that we cannot just overlook or ignore as a consumer.

A small State like Montana—we are small businesses, ranching, farming—uses these savings to expand our businesses, thus expanding the economy of Montana.

That is one thing that we have to do in this country. We have to continually expand the economy. If you want to do something for people to ensure jobs, job opportunity, and work opportunity, we cannot stand at the same trough and at the same side of the pie. We have to grow the pie.

In the legislative branch we have to enact this amendment because it seems that we can't rely on the current administration to furnish or enact policies that will provide for further deficit-reduction measures. Sometimes we

can't even do it ourselves. The President vetoed the Balanced Budget Act of 1995, which would have led to a balanced budget by the year 2002. All told, this year the omnibus appropriations for fiscal year 1997 added back $70 billion of Federal spending because of pressure from the White House.

Finally, the President has publicly stated that he would like to see the legislation fail. In fact, the President, Secretary Rubin, and Members of this Chamber have been working overtime to ensure that this amendment does not pass.

What is wrong with passing an amendment, sending it to the States, and letting the States decide, getting closer to the people? Unfortunately, some of these individuals have been trying to undermine the balanced budget constitutional amendment by suggesting that if we include Social Security in the equation, this would cause future harm to the Social Security trust fund and thereby the next generation of seniors. I would like to state flatly that that is exactly the opposite of what we are trying to do here. We are trying to save and strengthen Social Security.

The President has even admitted that no one could balance the budget without the Social Security funds. The President said that.

This is a false argument. It is a risky gimmick that causes undue anxiety among our people.

So my fellow Members believe that Social Security will have to fight it out with other programs if tied to the amendment. This is not the case. Money has already been allocated, and it will remain in these trust funds. We should not be needlessly scaring people into believing that their futures are uncertain. We would never cut Social Security to balance this budget.

So it is a risky business whenever you start talking about setting the Social Security trust fund off to the side and not being included in the budget process.

If you do not include Social Security in this amendment, our deficit will immediately increase by an additional $465 billion during fiscal year 1998 through the year 2002, and by another $602 billion during fiscal year 2003 to the year 2007, for a total of $1.067 trillion over a 10-year period. Excluding this provision will actually make it more difficult to choose which programs will stay and which will be cut away.

So why would anybody suggest anything different? As we know, the balanced budget constitutional amendment will force lawmakers to make some tough decisions. That is the way it should be. We have always lived in a life of priorities.

If we are to save our Nation from future heavy debt and uncertainty, hopefully we will follow the course of what the States do every day. We would hope at least to have a surplus.

I come out of county government. We maintain surpluses in every line item. We always maintain reserves. There is a reason for that because of the tax collection. It makes you maintain reserves. It is prudent to do it.

Nobody knows what the future holds. The American people look to us to provide those funds in the event of emergencies. You cannot do it without maintaining reserves.

So I maintain that to keep safe and secure the future programs like those which are meant to protect our senior citizens and our children, that we have to pass a balanced budget amendment to the Constitution of the United States. It just makes good sense.

Mr. President, I yield the floor.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER (Mr. GORTON). The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I would appreciate it if the desk would inform me when I have spoken for 7 minutes.

Mr. President, when I speak with Rhode Islanders I often find it very difficult to put the budget problems in perspective. Few, if any, of us understand what a billion dollars is, never mind what $1 trillion is. But the current national debt of the United States is $5.3 trillion—not billion dollars, not million dollars—trillion dollars.

So we try to figure how can we put this in some form of perspective and what the national debt is. This is what we owe our children. And the national debt amounts to $20,000 for every American in our Nation, or a bill for a family of four of $80,000.

Let me give you some idea of what $5 trillion is: $5 trillion is enough money to purchase every automobile ever sold in the United States and have enough money left over to purchase every airline ticket ever sold for travel in the United States. You buy all the automobiles that have been made in the history of the United States, and then you have money left over to buy every airline ticket that has ever been sold in the United States, and then you will have used up $5.3 trillion; $5 trillion is equal to the asset value of all the U.S. stocks held by Americans. If we went out to spend a dollar every second of every day to reach the goal of $5 trillion, it would take 158,000 years at a dollar per second.

When the Federal Government spends more than it collects in tax revenue, it borrows the difference. This debt, obviously, is a liability for future generations. My children, your children, these young people here, the young people all over America are going to have to pick up the bill for what we spent that we didn't collect taxes for. And those who support a balanced budget constitutional amendment such as we have before us believe the Federal Government should do just like a family does. All families in America have to pay their bills. If they don't, they go into bankruptcy and go through a lot of extreme difficulties. But the Federal Government does not pay its bills. It does not collect enough in taxes to pay what we are buying.

The Governor of California, Earl Warren, once said—I never forgot it—the people of California can have anything they want, anything they want, as long as they are willing to pay for it. And that should be the guiding rule for us in the United States.

People might say, "Well, sometimes you have to borrow some money." Sure you do. Thomas Jefferson borrowed $15 million to finance the Louisiana Purchase. And our Nation, obviously, had to borrow money during World War II in the 1940's to pay for that war. No one would argue with those decisions. But when we borrow money, we ought to pay it back and pay it back promptly. That isn't the way the Federal Government works today.

Mr. President, what this balanced budget amendment is attempting to do is to say if we want something in the United States, then we ought to levy taxes to pay for it. And if we are not willing to levy the taxes to pay for it, whether it is better parks or better education or better health care or better protective services or a stronger FBI or better facilities for our Ambassadors and officials of our Foreign Service serving abroad, all of those things, maybe they are fine. And if they are and if the decision is that they are fine, then let us levy the taxes to pay for it. That is what this amendment is all about.

Mr. President, I hope that this first step on a long road to balancing our budget will be undertaken. This, of course, does not say we are going to pay off that $5.3 trillion debt. But we will get started on it. First, we will not be adding to it every day of every year. Certainly, for the last 40 years we have spent more than we have taken in. That is why we have the $5.3 trillion deficit.

Mr. President, I think that this balanced budget amendment is a good start. I hope it will be approved.

I thank the Chair.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

## UNANIMOUS-CONSENT AGREEMENT—NOMINATION OF BILL RICHARDSON TO BE U.N. AMBASSADOR

Mr. HELMS. Mr. President, as in executive session, I ask unanimous consent that the majority leader, after consultation with the Democratic leader, may proceed to executive session to consider the nomination of BILL RICHARDSON to be U.N. Ambassador. I further ask that there be 30 minutes for

debate on the nomination equally divided between the chairman and ranking member of the Foreign Relations Committee, and following the conclusion or yielding back of time the Senate proceed to a vote on the confirmation of the nomination. I finally ask that following the vote, the President be immediately notified of the Senate's actions, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. HELMS. Mr. President, are the papers on the nomination at the desk?

The PRESIDING OFFICER. The papers are at the desk.

The Senator from North Carolina is informed that under the unanimous-consent agreement, the nomination can be brought up by the majority leader after consultation with the minority leader, and therefore the nomination is not yet before the Senate.

Mr. HELMS. My understanding is that that consultation has occurred because I was handed this unanimous-consent request.

The PRESIDING OFFICER. Does the Senator from North Carolina ask unanimous consent that the Senate take up the nomination?

Mr. HELMS. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF BILL RICHARDSON, OF NEW MEXICO, TO BE THE U.S. REPRESENTATIVE TO THE UNITED NATIONS

The legislative clerk read the nomination of BILL RICHARDSON, of New Mexico, to be the representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

Mr. HELMS addressed the Chair.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. I thank the Chair.

Mr. President, today the Senate fulfills its constitutional duty on the nomination of Congressman BILL RICHARDSON to serve as our country's Permanent Representative to the United Nations.

The Senate Committee on Foreign Relations met for almost 3 hours on Wednesday, January 29, to consider the Richardson nomination. During that hearing, the committee also heard from a bipartisan group of six Members of Congress who introduced Congressman RICHARDSON.

That group included the distinguished chairman of the Senate Budget Committee, Senator DOMENICI, the junior Senator from New Mexico, Senator BINGAMAN, the distinguished chairman of the Senate Judiciary Committee, Senator HATCH, the chairman and ranking member of the House International Relations Committee, Congressmen GILMAN and HAMILTON, and Congressman ROBERT MENENDEZ of New Jersey.

During the hearing, Congressman RICHARDSON was questioned extensively by many members of the committee on a broad range of issues related to the United Nations, and other foreign policy matters.

At the conclusion of the hearing, it was agreed to keep the record open until close of business on January 31, so that Senators could submit written questions to the nominee. Five Senators submitted 135 such questions, all of which were answered in writing by Congressman RICHARDSON. The administration also complied with a document request concerning State Department involvement with negotiations to free certain hostages in Southern Sudan.

Earlier today, after members had spent several days examining the written replies, the committee met in a business meeting to consider this nomination. By a vote of 17 to 0, the Committee on Foreign Relations reported favorably the Richardson nomination.

Mr. President, Congressman RICHARDSON has been nominated to one of the Nation's top foreign policy posts. He has been nominated at a critical time in the history of the United Nations. I believe that he could very well make history as the U.S. Permanent Representative who rolled up his sleeves and worked with Congress to bring true and lasting reform to that dysfunctional institution.

We have heard a lot of rhetoric from the administration and the international community about the need to pay arrearages to the United Nations. U.S. contributions to the United Nations have been withheld by Congress for a valid reason: to cause the U.N. bureaucracy to wake up and smell the coffee. As I told Congressman RICHARDSON, I believe Congress may be willing to pay those arrears, but only—and I repeat emphatically, only—if payments are tied to concrete reform.

Last month, the members of the Senate Foreign Relations Committee had a long and productive meeting with the new U.N. Secretary General, Kofi Annan. I believe Mr. Annan genuinely wants to reform the United Nations, and I genuinely want to help him. But like Ronald Reagan used to say: "trust but verify."

That is why I told Mr. Annan that I intend to introduce legislation shortly that sets benchmarks for U.N. reform, and that rewards reform with payment of the U.S. arrearage. As each benchmark is met, money will be dispensed, thus ensuring U.S. contributions will be linked to concrete accomplishments.

I have asked the Secretary General for his ideas and input, as I work with Senator GRAMS, who will chair the international operations subcommittee during this Congress, and as I work with other Senate colleagues to prepare this legislation.

Mr. President, Congressman RICHARDSON has pledged to work with the Senate Foreign Relations Committee and with the Congress as a whole, in implementing concrete reforms at the United Nations. We welcome his input.

I believe that on balance, he is well qualified for the post of U.S. Permanent Representative to the United Nations. I look forward to working with him in moving our agenda forward.

I yield the floor.

Mr. GREGG addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Who controls the time?

The PRESIDING OFFICER. The Senator from North Carolina controls the time on his side.

Mr. HELMS. I yield 5 minutes to the Senator.

Mr. GREGG. I thank the chairman of the Foreign Relations Committee for yielding me time on this nomination. I rise in support of this nomination of Congressman RICHARDSON to be America's Ambassador to the United Nations. I had the pleasure of serving with BILL RICHARDSON while he was in the House. We arrived at nearly the same time.

He was a joy to serve with, and I have a lot of respect for what he has done since that time, especially in the area of international affairs where he has in a number of instances been able to extricate Americans from very difficult situations.

However, on this issue of the nomination, I think we also need to address the question of the status of the United Nations and especially the relationship of this Government to the United Nations, and a few caveats need to be pointed out.

Specifically, my concern, and I think the concern of a number of Members of Congress, is with the payment of arrearages to the United Nations. The administration, we hear by rumor, is going to send to this Congress a supplemental, which supplemental will include in it a $900 million plus request for payment of arrearages to the United Nations.

There are two major issues raised by this. First, the question of whether $900 million is the correct number. There is some serious concern by those of us who have looked at this issue that that number may be too high and that the proper number should be less because we as a government have not received proper credit for costs of peacekeeping which we have incurred and should have been credited for.

Second, independent of what the right number is relative to arrearages,

there is the question of what the money will be spent for in the future. The United Nations has some very serious problems in its management.

The new Secretary General, Kofi Annan, has made a commitment to try to address those problems, and we respect that commitment. But we need to go beyond verbiage. We need to go beyond language, and we need to have specifics, and we need to have enforceable and identifiable and ascertainable standards we can look to.

Specifically, we need to have from the United Nations a system to review where the money is spent. There is not now available to those who wish to review, those member countries that wish to review, an effective accounting procedure for where the money goes once it arrives at the United Nations, and we need to have that.

Second, we need to have an effective process for determining the personnel policies of the United Nations. There is not now a structure for adequately reviewing how personnel decisions are made at the United Nations. There is a legitimate concern that there are a significant number of political appointees at the United Nations, patronage, for lack of a better word, and that these appointees do vote in many instances. That is the representation. It may or may not be correct. But because there is no system to be able to review the personnel policies of the United Nations, because they do not have a systematic personnel policy system, it is impossible to evaluate the accuracy of these representations.

Third, we need to have the process for evaluating the full services delivered by the United Nations, the programmatic initiatives taken by the United Nations and whether or not they are being efficiently and effectively handled. This is a very genuine concern because there is a very significant amount of anecdotal evidence, at least, that many of the activities and dollars that have been spent to support those activities may not have produced the results sought, or in many instances the dollars may have just been misplaced in at least a few cases that have been found by the present inspector general, even misappropriated.

So until we get in place these three major accounting processes, which are typical of any major structure of government or of the private sector, an accounting structure for knowing where the money goes, an accounting structure for knowing what the personnel policies are, and an accounting structure that allows you to follow programmatic activity as to its efficiency and effectiveness, until we get something in place that shows us we are going to have those types of systems in place that allow us to review and know whether or not our dollars are being spent effectively, it is very hard for us as the fiduciaries of our citizens' dollars, as the managers of our taxpayers' hard-earned income that is sent here as taxes, to say to the United Nations you shall have this money in a carte blanche type of approach.

So there will be a significant debate in the Senate, and I suspect in the Congress generally, as to how we structure any payment on arrearages, and it is going to be my position, which I intend to aggressively pursue—and it really is a position where I follow the lead of the chairman of the committee—that we have effective accounting procedures in place and that they be ascertainable and that they be structured in a way that we are sure we are getting our dollar's worth of effective administration, personnel management and services.

The PRESIDING OFFICER. The 5 minutes yielded the Senator have expired.

Mr. GREGG. I thank the Presiding Officer for his courtesy and the chairman for his courtesy.

Mr. BIDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I rise in support of our colleague, Congressman RICHARDSON, to become our Ambassador to the United Nations.

Mr. President, I will very shortly yield back the remainder of the time. I understand I have 15 minutes under my control.

Mr. President, I take this opportunity to thank the chairman, Senator HELMS, for his willingness to bring this important nomination to the floor so expeditiously.

I join Chairman HELMS in endorsing the nomination of Representative BILL RICHARDSON to be the Permanent Representative of the United States of America to the United Nations, with rank of Ambassador.

I commend President Clinton for having nominated him, and I strongly urge my colleagues here today to vote to confirm this distinguished Member of Congress who already has a long list of diplomatic accomplishments to his name.

Congressman RICHARDSON has ably represented the Third District of New Mexico for 14 years, but it is his experience in successfully negotiating the release of Americans and others in some of the world's least hospitable locales that has brought his formidable diplomatic skills to light. This diplomatic experience will serve him well at the United Nations as he seeks to advance American interests in contacts with 185 other nations.

Likewise, Congressman RICHARDSON's personal background and political experience have prepared him well to represent the United States in the world body.

BILL RICHARDSON was born in California and grew up in Mexico City. He attended high school in Boston and remained there to attend Tufts University, where he earned a bachelor's degree and a Master of Arts in Law and Diplomacy.

BILL RICHARDSON then came to Washington, working in the Legislative Affairs Office at the State Department and as a staffer on the Senate Foreign Relations Committee, where, like his predecessor, Secretary of State Albright, he gained an appreciation for the role of the Senate in helping craft American foreign policy.

In 1978, BILL RICHARDSON moved to Santa Fe, and in 1982 he won election to this first term as a Member of Congress. His vast district has been described by one writer as a "mini-U.N.," with a diverse population that is 35 percent Hispanic and 25 percent Native American, including members of 28 different tribes.

As a Congressman, he served on the Intelligence Committee and was a fervent advocate of the North American Free Trade Agreement.

Mr. President, I ask unanimous consent to have printed in the RECORD the official biography of BILL RICHARDSON.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REPORT FOR THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE

Subject: Ambassadorial Nomination: Certificate of Demonstrated Competence—Foreign Service Act, Section 304(a)(4).

Post: U.S. Mission to the United Nations.

Candidate: Bill Richardson.

Bill Richardson has served as a member of the U.S. House of Representatives, representing the state of New Mexico since 1983. He serves on the Commerce, Resources and Intelligence Committees. Mr. Richardson is active on the North Atlantic Assembly, the Helsinki Commission on Human Rights, the Congressional Hispanic Caucus, and the House Democratic Steering Committee. In addition, Congressman Richardson serves as Chief Deputy Minority Whip.

Congressman Richardson has been active in hostage negotiations in a number of countries which include the Sudan, North Korea, Cuba, and Iraq. His diplomatic skills have been instrumental in the release of a number of American hostages.

Prior to his election to the U.S. House of Representatives, Mr. Richardson served as a Staff Member of the U.S. Senate Foreign Relations Committee, a Congressional Liaison Officer as the Department of State, and a Staff Member of the Wednesday Group of the U.S. House of Representatives.

Mr. Richardson received a B.A. from Tufts University and an M.A. from the Fletcher School of Law and Diplomacy at Tufts. He is the recipient of honorary degrees from the University of the Americas in Mexico, the College of Santa Fe, and the Fletcher School of Law and Diplomacy. Mr. Richardson has published a number of articles dealing with U.S.-Mexico relations.

Born November 15, 1947, Mr. Richardson speaks Spanish and French. He has won numerous awards including the Aztec Eagle Award from Mexico Government in 1994. In 1995, he was nominated for the Nobel Peace Prize.

Mr. Richardson's dedication to public service and his strong diplomatic and leadership

skills make him an excellent candidate as U.S. Representative to the United Nations.

Mr. BIDEN. Mr. President, BILL RICHARDSON has engaged in successful diplomacy with some of the world's most recalcitrant regimes and rebels. His humanitarian concern for individuals and his commitment to advance this country's interests have led him to countries like North Korea, Cuba, Iraq, Serbia, Nigeria, Burma, Haiti, and Sudan. My colleagues will recall that he negotiated the release of an American helicopter pilot in North Korea, three Red Cross workers in Sudan, and two Americans imprisoned in Iraq.

Two weeks ago, Congressman RICHARDSON came before the Senate Foreign Relations Committee and outlined how the United Nations should be used to advance American interests, while streamlining its bureaucracy and reforming its structure. I ask unanimous consent that his statement before the committee be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT BY REPRESENTATIVE WILLIAM RICHARDSON BEFORE SENATE FOREIGN RELATIONS COMMITTEE

Mr. Chairman, distinguished Members of the Committee, it is a pleasure to meet with you this morning. I would like to begin by expressing my gratitude to President Clinton for nominating me to this important and challenging position. I am deeply honored by his trust and deeply conscious of the fact that, if confirmed, I will be representing the United States, and the interests and values of its people to the world. This is a heavy responsibility that I do not undertake lightly. But I assure you that, if I am confirmed, America will have no more forceful advocate of its views and no more forceful defender of its sovereign interests.

I would also like to thank you, Mr. Chairman, as well as Senator Biden, for moving forward so expeditiously with my nomination. I was very encouraged by the calls for bi-partisan cooperation on U.S. foreign policy at Secretary Albright's confirmation hearing, and I look forward, if confirmed, to working with you in the same spirit.

I also extend my appreciation to Senators Domenici and Bingaman, and Representatives Gilman, Hamilton and Menendez, for their kind introductions. It has been my privilege to work with these distinguished individuals. In my tenure in the Congress, I have also come to know a number of the members of this Committee. I have seen how deeply committed you are to advancing the interests of the America people. I thank all of the members of the Committee for the courtesies you have extended to me during the last few weeks.

I would like as well to express my great admiration and respect for the work of my predecessor, whose resolve, frankness, and just plain good sense made her four years at the U.N. such a resounding success. If confirmed, I hope to profit from her example and to work closely with her as a member of the President's foreign policy team.

Finally, I wonder if I might take a brief moment to introduce my wife Barbara.

Mr. Chairman, I am proud of my longstanding commitment to public service. For seven terms in the House of Representatives, I have sought to demonstrate that commitment by serving my constituents and my country to the best of my abilities. Those fourteen years of service, I believe, provide me with a perspective and a sensitivity to issues that will strengthen my working relationship with you, this Committee, and the Congress.

We share a love for our nation and a determination to preserve and strengthen America's global leadership, to promote our goals of world peace and security. We want a better world for our generation, our children's generation and all those who follow.

The good news is that we live at a time of remarkable promise. Our nation is at peace. Our economy is strong. And our most fundamental beliefs are ascendant, as more countries and peoples than ever before enjoy the advantages of open societies and open markets. But we also face a host of threats—from rogue states and the spread of weapons of mass destruction to terrorism, drug trafficking and environmental degradation—that can all too easily undermine our hard-won gains and our hopes for the next century.

I believe the U.N. is at a crossroads—and so is America's leadership in the institution. Both the U.N. and the U.S. face fundamental choices: for the United Nations, to adapt fully to new demands and changing times, or to suffer the erosion of support from nations and peoples. For the United States, the choice is to sustain our leadership in a reformed, effective U.N. or lose our voice in an institution that has helped us advance American interests for half a century. The U.N. must do its part. But we too must make the right choice. Let me explain why:

As a global power with global interests, the United States must lead in seizing the opportunities and meeting the challenges of this new era. And to lead, we must have all the tools of leadership at our disposal. Sometimes, when our vital interests are at stake, we have to be willing and able to act alone. That's why we are determined to maintain a strong military, and an assertive, well-funded diplomacy.

But the U.S. can't do everything; nor should we try. As President Clinton has put it, "we cannot sustain our leadership or our goals for a better world alone." That is why the U.N. is essential: not as an independent actor on the world stage, but as an instrument that helps us mobilize the support of other nations for goals the American people support. Without it, we would face, more and more often, the stark choice between acting alone and doing nothing.

I know there are some who question whether our participation in the U.N. serves American interests. The question is a fair one—but the answer is clear: America's most fundamental interests are best served by our active, hard-headed leadership in the U.N.; they will be set back if we drop out—either in the literal sense or by failing to shoulder our fair share of responsibilities.

The values that inform the U.N. Charter are also American values; the Charter's sentiments and, in many ways, its very words echo the ideals so familiar to generations of Americans: "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women." This should be no surprise given the role that Americans played in conceiving and drafting the U.N. Charter.

But U.S. participation in the U.N. is not merely a question of values. U.S. participation has made a positive difference in meeting an extraordinary range of challenges around the world. It enables us to build international support for our foreign policy goals at a lower price; during the Gulf War, this multiplier effect meant that the international community shared the costs and responsibility of defeating Iraq. We see peace in Cambodia, El Salvador, Angola, Namibia and Mozambique thanks in no small part to the powerful combination of effective U.S. leadership and sustained U.N. engagement.

Mr. Chairman, I have seen for myself how the United Nations can help us further America's interests: today, IAEA inspectors help to verify that North Korea is living up to its commitment not to produce nuclear weapons; in remote parts of Sudan to which Americans have little or no access, I have seen how U.N. affiliated organizations help protect and feed the innocent victims of a terrible humanitarian disaster. In Burma, I have seen how the nations of the world at the U.N. General Assembly and led by the United States, have brought hope to embattled democrats by justly condemning a repressive regime.

As the President said last week, "our well-being at home depends on our engagement around the world." U.N. agencies contribute to the safety and security of Americans; they even protect U.S. jobs: the ICAO's aviation safety and security standards disproportionately benefit Americans (who make up 40 percent of all international air travelers); labor standards set by the ILO help ensure that U.S. exports remain competitive overseas; trademark and copyright protections overseen by the World Intellectual Property Organization protect billions of dollars in U.S. exports of movies, software, music, books, and industrial inventions; the FAO and the WHO set international food product safety and quality standards that benefit our agricultural exporters as well as our consumers.

Increasingly, we use U.N. bodies to gain international support for addressing such dangerous transnational scourges as terrorism, crime, and narcotics trafficking. We work with and through the U.N. to achieve our objectives on human rights, the environment, and child labor—all issues of great importance to the American people. The U.N. has helped bring the world together in caring for refugees, feeding starving children, eradicating smallpox and battling AIDS. If we can maintain our leadership within the organization, this will continue to be so.

During the last several years, Secretary Albright worked tirelessly on U.N. reform, and she produced results: a new Secretary General was appointed, committed to accelerate the pace and widen the scope of reform; the U.N. was persuaded to adopt no-growth budgets—both currently and for the foreseeable future—and to reduce the number of people working in the U.N. Secretariat by several hundred. Furthermore, we have persuaded the regional economic commissions to begin initial re-prioritizing, and we have taken at least the first steps toward streamlining the specialized agencies.

Make no mistake, the U.N. has serious problems to surmount. There should, for example, be better coordination of its activities, consolidation of related programs and bodies, and elimination of redundancies and low-priority activities. The specialized agencies must learn to live within their means. And the whole U.N. system must take a page from the business community's handbook and learn to do more with less. The High-

Level Working Group on U.N. reform proposed by President Clinton at the 49th General Assembly to address key economic, social and administrative issues has made little progress, and changes so far at the specialized agencies have been ad hoc and tentative.

Secretary General Kofi Annan has publicly committed himself to achieving the kind of reform that will make the U.N. more effective. His appointment presents us with an opportunity to push for reform and solve our arrears problems. He appears receptive to changing the way the U.N. operates; in his public remarks since being appointed he has stressed the need to make the U.N. "leaner, more efficient and more effective." I know his words have been applauded up here on the Hill and I was very encouraged by the series of meetings he held last week here in Washington—in particular by his meeting with you, Mr. Chairman, and members of the committee. His job will be a difficult one, but with will and effort, it can be done. If confirmed, I will press relentlessly to make sure that reforms are undertaken, both in the U.N. and the specialized agencies, and that our priorities are key factors in U.N. decision-making. At the same time, I'll ask your support for America's leadership in the U.N.—and for fulfilling the commitments that will enable us to lead.

Mr. Chairman, as a member of Congress, I know perfectly well that while our constituents want to see America involved in the world, they are not interested in seeing tax dollars wasted on programs that are inconsistent with American interests or values. A central part of my job will be to make this reality absolutely clear to the U.N. and its 184 other members.

In four years, I hope this Administration will be able to say that by working with you and other key committees in Congress we: Helped the U.N. and its specialized agencies make the transition to smaller and more efficient organizations; put our U.N. assessments on a sustainable financial footing that preserves U.S. influence within the U.N. system; paid America's debt to the U.N.; and rebuilt bipartisan support in the United States for continued American leadership within and through the U.N.

To accomplish these far-reaching changes, we envision a reform package consisting of five elements: Maintaining at least zero growth in the U.N. budget, streamlining the U.N. Secretariat in terms of personnel and organizational structure, streamlining the U.N.'s "big three" affiliated agencies: the Food and Agriculture Organization, the International Labor Organization, and the World Health Organization, negotiating lower U.S. scales of assessment for the U.N. regular budget, the budgets of affiliated agencies, and the U.N. peacekeeping budget, and negotiating the kind of Security Council reform that preserves its efficiency and protects the prerogatives of the current Permanent Members, while adding Germany and Japan.

To see these reforms implemented, however, I will need the help of the Congress. The administration is prepared—even eager—to work with you to help achieve our U.N. goals. But our efforts are increasingly hampered by international resentment over our arrears. As the U.N. cleans its house, we must do our part. Our U.N. debt continues to hurt our efforts to press for reform and damages our influence in the U.N. and its affiliated agencies. The United States needs to get out of debt and stay out of debt. As the President said just last week "We cannot expect to lead through the United Nations unless we pay what we owe."

For that reason, at the same time as I make America's case at the U.N. I will be making the case to the Congress and the American people that a reformed, effective U.N. serves our interests in concrete ways and that our arrears have harmed our ability to press for reform. As Secretary Christopher used to say, "we can't reform and retreat at the same time."

Clearly, the Administration and the Congress must work together on a bipartisan basis to advance U.S. interests through a reformed United Nations. In addition to my commitment to pressing for U.N. reform, I also pledge to you to make every effort to reinforce the unfailing commitment of the American people to democracy and human rights around the world.

I believe that one of my highest responsibilities will be to confer, cooperate, and consult with the Congress across the board on the widest range of U.N.-related issues, both in Washington and in New York. If confirmed, I will welcome your advice, Mr. Chairman, and that of every member of this Committee and of the Congress. I extend to you individually and collectively a standing invitation to come to New York and see for yourselves what we are doing there. My door will always be open.

On one thing we can all agree: the U.N. can and must do better and since we are part of the U.N. we must together be part of the solution. If, with your consent, I am confirmed, I can pledge to you that you will find no one more committed to getting the job done.

Thank you very much.

Mr. BIDEN. Mr. President, Congressman RICHARDSON reminded us that while U.N. reform is important, we must never lose sight of the fundamental value of the United Nations for our national interests. We rely on the United Nations to provide humanitarian assistance to millions who otherwise would have no source of food or shelter. We rely on the United Nations to eradicate disease and improve health. We rely on the United Nations to prevent nuclear proliferation. We rely on the United Nations to facilitate and maintain peace. The United Nations allows us to combine our resources with those of others to bring about outcomes that are in our national interest.

We must pursue reform, but we should not use reform as a stalking horse to undermine the United Nations' ability to carry out tasks that serve our fundamental interests.

We must maintain our leadership in the United Nations. Doing so entails meeting our commitments to the United Nations; specifically, it means paying our back dues. We cannot expect others to fulfill their international obligations if we do not fulfill our own.

The President's request for a $921 million supplemental appropriation, to be disbursed 2 years from now, is a good place to begin a bipartisan effort to pay off our debt and encourage meaningful U.N. reform.

Mr. President, I look forward to working with Congressman RICHARDSON over the next 4 years to ensure that the United States continues to play a leading role at the United Nations so that the United Nations continues to work in America's interests.

Let me just suggest that I think since I have been here—and it has been 24 years—we have not had anyone who by temperament, experience, background, and education is any more qualified to be our Ambassador to the United Nations than Ambassador RICHARDSON. We, all of us who have served here, at least for 2 years or more, have come to know him personally or have become acquainted with his incredible record of special missions, where he has not gone off on his own but gone off under the aegis and umbrella, at least, and being told by informing administrations what he has been doing, and the remarkable negotiations that he has undertaken with such remarkable results.

The reason I mention that is not that that qualifies a man or woman to be the Ambassador to the United Nations in and of itself, but it indicates that this is a man who understands how to assess his opposition's interests and how to try to meet that interest without yielding on any principle that is important to this country. I think Madeleine Albright did that job well, as others have, and I think that BILL will do it equally as well.

I also think that he goes there equipped with a firsthand knowledge of the concerns expressed by the chairman of the committee, the Senator from North Carolina, and our distinguished colleague from New Hampshire, who just spoke. This is not something he has to divine or guess about. This is not just in terms of our arrearages. Our involvement with the United Nations—and the future relationship the United States will have with the United Nations—is something that he is personally aware of, in terms of the intensity, the extent to which the concern exists, and the detail of the concern as emanated from the U.S. Congress, both in the House and the Senate.

So, he is a man who will arrive on the scene fully aware of both sides of this equation. He is not just a very gifted academic or diplomat who will serve us there. He is not someone who has just learned academically of the concern of the Congress and the simple, basic, legitimate political concerns that we have. I don't mean partisan political, I mean political in the sense that we have to answer to our constituencies as to what we are going to do about paying arrearages, if we pay arrearages, and how we pay them. And I think that is a particularly useful background for a man to have at this moment, going to that job.

He is, as I said, academically qualified. He is qualified by temperament. He is qualified by experience. And he is

qualified, uniquely qualified in what is probably the single most significant issue that has faced our relations with the United Nations, probably since the United Nations has come into existence. That is: What is the relationship and role of the President's authority to make commitments relative to the use of American dollars and forces in other parts of the world, and how does that interrelate with the Congress and the Senate, in particular, and how and under what circumstances should we be making up our arrearages and looking out for our longer term interests at the United Nations?

So for those reasons and many others which I have not mentioned here today, I think BILL RICHARDSON is the right man for the job at this moment, although I suspect he would be qualified for the job at any moment. But I think he is particularly qualified to take over this job at this time.

Mr. GRAMS. Mr. President, as the new chairman of the Subcommittee on International Operations, I am pleased to offer my support for the nomination of BILL RICHARDSON to serve as the U.S. Ambassador to the United Nations.

Many of us have followed Congressman RICHARDSON's globe-trotting missions to assist captured Americans in hostile circumstances. I want to express my personal appreciation for the successful effort he made 2 years ago to obtain the release of Bill Barloon in Iraq, since Mr. Barloon's brother lives in my home State of Minnesota.

We were very grateful. I have no doubt that the lessons BILL RICHARDSON has learned from these missions, which one newspaper dubbed "daredevil diplomacy," will serve him well at the United Nations. Often, it seems the United States must use just the right mix of aggressive persuasion and diplomatic negotiations to convince the other 184 member states at the United Nations to go along with even minor reforms.

As a member of the Foreign Relations Committee, I have long had an interest in the reform and revitalization of the United Nations. But late last year, I was given the opportunity to become personally involved in some of the controversial issues surrounding this body when President Clinton appointed me to be a congressional delegate to the U.N. General Assembly.

From October to December, I made three trips to the United Nations to participate in its activities. These included not only meeting with a wide range of U.N. officials and representatives from other nations, but also speaking before the U.N. budget committee—known as the Fifth Committee—and also the General Assembly itself.

This experience reinforced my two key beliefs about the United Nations. First, that a properly structured United Nations can be a useful international forum and a vital tool for American foreign policy. And second, that it is also an unbelievably complex and bureaucratic organization which is crying out for an overhaul.

Last month, I was encouraged by the visit to Washington of the new U.N. Secretary-General, Kofi Annan, and by his assertions to Congress that additional reforms are in the offing. I know many of us look forward to reviewing the reform package he has promised to develop by September of this year.

During both his public testimony and in a private meeting with me, BILL RICHARDSON pledged unprecedented consultations with Congress on U.N. issues. I deeply appreciated that promise and know that Mr. RICHARDSON, as a member of Congress himself, understands the importance of genuine interaction between the executive and legislative branches on foreign policy.

In that vein, there are some matters at the United Nations that I believe require immediate attention and I hope to begin working promptly with soon-to-be Ambassador RICHARDSON to address them.

To begin with, I am alarmed by the lack of resources currently being made available to the U.N. Inspector General, known as the Office of Internal Oversight Services, or the OIOS. This office is one that would not exist without American advocacy and, I might add, without the pressure of legislation mandating that some United States contributions to the United Nations be withheld until it was created.

The OIOS is charged with rooting out waste, fraud, abuse, and mismanagement at the United Nations. According to the Undersecretary-General who runs the office, it does not always receive the cooperation it needs from all U.N. staff and member states.

This is unfortunate because the purpose of the OIOS is to save money and make more effective use of U.N. resources. All member states should remember that money wasted is money that will not help meet the goals of programs that they themselves mandated the U.N. undertake.

My immediate concern is that the budget of the OIOS has been cut dramatically this biennium, including a reduction of $700,000 just in 1997. It also has 12 posts which have not been filled, giving it an especially high vacancy rate for U.N. offices. In fact, my understanding is that the OIOS has only about 10 trained investigators to handle the massive job of U.N. oversight.

Not only is this simply unacceptable, but it causes us to question whether the U.N. Inspector General's office is truly independent.

Now I hope one of Mr. RICHARDSON's first priorities will be to sit down with Secretary-General Annan and figure out how to bring the OIOS up to full strength.

This means not only filling vacant posts for 1997, but making sure there is funding in the 1998–99 budget outline to continue those posts into the next biennium. It also means making sure the OIOS has sufficient resources to support the activities of its investigators.

We have heard enough excuses on this issue and it's time for it to be resolved. The United States has declared that one of its reform goals is to expand the U.N. Inspector General's authority to all agencies and programs throughout the U.N. system. I strongly support this reform goal, but question how it can be accomplished when the OIOS is having great difficulty meeting its current responsibilities.

Another issue which has caused deep congressional concern is the loss of the U.S. seat on the U.N. Advisory Committee on Administrative and Budgetary Questions, known as the ACABQ.

This is the first year since the founding of the United Nations that the United States has not had a position on this crucial budget committee. Without this seat, it will be even more difficult for the United States to get access to important technical budget information at the very time we are trying to enforce fiscal restraint and a no-growth budget at the United Nations.

I would recommend Mr. RICHARDSON take three important steps with regard to the ACABQ: First, he must make sure the U.S. mission to the United Nations and Congress will continue to have access to important budget information whenever necessary.

Second, he should ensure that any matters involving the commitment or reprogramming of U.N. funds are considered in the General Assembly's Fifth Committee, on which the United States still has a seat, rather than only by the ACABQ.

Now third, it is clear the United States must regain its seat during the next elections for the ACABQ in 1998. Given the stunning loss of the last U.S. candidate, Mr. RICHARDSON and the State Department need to fully consult with Congress before nominating our next ACABQ candidate.

Mr. President, before I close, I want to say a few words about the major U.N. issue facing Congress this year, which is the President's request for $1 billion to pay United States arrears to the United Nations.

Given what I understand so far of the President's plan—and I still have yet to see anything on paper from the administration—I must express my disappointment with his U.N. reform proposal.

First of all, I am dismayed by the reluctance, if not outright refusal, of the administration to link incremental payment of U.S. arrears to specific U.N. reforms mandated by law. Clearly, this general approach has been successful on a series of reforms ranging from the creation of the U.N. Inspector General to the ongoing implementation of a no-growth budget.

Second, I am concerned the administration is focusing narrowly on simply reducing U.N. budgets and assessments to the United States. While I agree that mandating budget reductions can force U.N. bureaucrats to prioritize funding and programs, this is only part of the picture.

There are a whole series of management reforms that also deserve to have the leverage of U.S. arrears behind them. The point is that we don't just want a less expensive United Nations, but one that is more manageable and efficient.

Third, I have reservations about the President's request for $921 million as an advance appropriation for fiscal year 1999. These reservations are heightened if such funding will not be legislatively conditioned on mandatory reforms.

My personal view is that this appropriation should not be rushed through Congress just so the President can have it in his pocket for safekeeping. We should consider this funding in the normal authorization and appropriations process so that it can be examined in the context of all budget priorities.

I understand that Secretary Albright will be coming to Congress tomorrow to discuss the President's proposal so I will defer other comments until after that meeting. However, as an opening bid in the negotiations over how to resolve U.S. arrears and guarantee U.N. reform, the administration's plan seems to be falling short.

Therefore, Mr. President, I hope negotiations between Congress and the administration can proceed quickly so that we can begin discussing a serious, comprehensive U.N. reform agenda. To that end, I look forward to working with our next United States Ambassador to the United Nations, BILL RICHARDSON, on a close and productive basis to strengthen the relationship between the United States and the United Nations.

Mr. FAIRCLOTH. Mr. President, I rise in support of the nomination of BILL RICHARDSON to be U.S. Ambassador to the United Nations.

But, Mr. President, I must express my concern about the United Nations, particularly the imminent discussion about a multibillion-dollar bailout of this body.

My thoughts can best be summed up by an article which I will ask to have printed in the RECORD. This excellent opinion piece, written by Cliff Kincaid, raises serious questions about the United Nations that need to be answered.

In addition to the wasteful spending practices of the United Nations, in my opinion, the organization in recent years has begun to pose a threat to U.S. foreign policy and the command and control of the U.S. Armed Forces. It needlessly delayed the conflict in Bosnia and was partly responsible for the debacle in Somalia.

The role of the United Nations in dictating the foreign policy of this country, and its role in the military affairs must be confronted and stopped.

I hope that Mr. RICHARDSON could address these and other issues during his coming tenure as our Ambassador.

I ask unanimous consent that the article by Mr. Cliff Kincaid be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 19, 1997]

WHO'S SOAKING WHOM?

(By Cliff Kincaid)

Kofi Annan is coming to town. Unlike Santa Claus, who gives gifts, Annan wants them. The new secretary general of the United Nations is scheduled to be in Washington this week to ask members of Congress to provide another $1 billion or more for the world organization. Members of Congress may wish to ask him some tough questions about U.N. finances.

First: Why has the position of U.N. secretary general enjoyed a 70 percent increase in pay over the past six years while the United Nations has been going broke? U.N. figures show the position was paid $156,429 in gross salary in 1991, with an entertainment budget of $22,500. By May 1995, the secretary general's gross salary had risen to $280,075, with $25,000 for entertainment. If Annan is sincere about reform, he should set an example by taking a pay cut.

Second: Why is former U.N. secretary general Kurt Waldheim still getting a $102,000 annual pension? In 1986 journalists exposed his collaboration in the Nazi extermination campaign in southern Europe during World War II, and he was barred from the United States. Since Waldheim got his U.N. job under false pretenses, why is the United Nations still obligated to pay him out of its $15 billion pension fund? Moreover, doesn't it look bad for the U.N. to prosecute suspected war criminals in Bosnia and Rwanda while continuing to pay Waldheim?

Third: What is the real U.S. "debt" to the United Nations? The General Assembly came up with the requirement that the United States pay 25 percent of the U.N. operating budget and 31 percent of the peacekeeping budget. Over the course of the past decade, congressional appropriations for the U.N. have fallen short of these "requirements," which are based on national wealth and responsibilities in world affairs. If we don't pay what the U.N. wants, its only option is to deny us a vote in the General Assembly. Members of the assembly haven't done this because they know we're still the biggest contributor to the U.N. regardless of the "debt" talk.

The United States makes many contributions to the world organization for which it receives no credit or reimbursement. A March 1996 General Accounting Office (GAO) report on peace operations found that, during fiscal years 1992–95, U.S. government costs in support of U.N.-backed peacekeeping operations amounted to $6.6 billion. About $4.8 billion of this amount was never counted as part of our official U.N. assessment, according to the GAO. The United Nations did reimburse the United States for about $79 million of these expenses, leaving $4.7 billion that has effectively been provided as a gift. If this sum is applied to our $1 billion-plus "debt," as seems logical, then the United Nations owes us money, not the reverse.

U.N. supporters may argue that the United States is obligated to appropriate money directly to the United Nations, not just to direct U.S. agencies to support U.N. operations. But U.S. support, including housing, humanitarian supplies and other goods and services, is paid for by congressional appropriations and directly enables the United Nations to carry on its work. Why shouldn't these contributions count?

Fourth: Why are U.N. officials continuing to push global taxation? The U.S. Congress was shocked when former U.N. secretary general Boutros Boutros-Ghali endorsed international taxation schemes to fund the United Nations. Legislation to derail these plans was voted on by the Senate last year. Not surprisingly, global taxes for the United Nations went down by a 70–28 margin.

Nevertheless, officials at the United Nations Development Programme have now edited a 300-page book, titled "The Tobin Tax," on how to implement a global tax on international currency transactions. (James Tobin is the Yale University economist who came up with the idea.) This tax could affect IRAs, pension funds, mutual funds and other investments of ordinary Americans. Will Annan make sure that work on these schemes stops immediately?

If the new U.N. secretary general wants to make a convincing case on Capitol Hill, he should answer these questions to the satisfaction of the U.S. Congress.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, our Nation has been very fortunate over the years to have had distinguished, capable representatives serving as our Ambassadors to the United Nations. It is my honor today to speak on behalf of yet another distinguished American, BILL RICHARDSON, who has been nominated by the President to serve in that capacity.

Let me offer a few words of strong endorsement for my colleague. BILL RICHARDSON and I first campaigned together in 1982, when he was running for the House of Representatives and I was running for the Senate.

Starting with that 1982 campaign, and in the 15 years since then, I have continued to be impressed by his resourcefulness, by his energy, by his talent for winning the trust and respect from people of diverse backgrounds with widely varied points of view.

Much has been made of the successful diplomatic efforts that he has engaged in in the last few years, but I would like to say just a few words about his performance on his so-called day job, that is, his job as Congressman for the State of New Mexico.

As you know, Mr. President, New Mexico is a State of many cultures. We have a very large native American population, a very large Hispanic population, a community such as Los Alamos, which has the largest number of Ph.D.'s per capita of any city in the world.

BILL RICHARDSON has managed to gain the trust and support of each of these as well as many other groups and

has been a very effective and successful Congressman receiving very large majorities each of the eight elections that he has stood for in our State.

BILL will demonstrate the same resourcefulness, energy, and skill in building trust and rapport in the United Nations that he has demonstrated in New Mexico. We in New Mexico will be losing a very capable and effective Representative in Congress, but the country will be well served by having BILL in this key position of advocacy in the world's key international institution.

Mr. President, I strongly recommend to my colleagues that they vote to confirm the nomination of BILL RICHARDSON for the U.N. Ambassador position.

Mr. BIDEN. Mr. President, I do not see any other of my colleagues seeking to speak on this nomination. Therefore, I am prepared to yield back the remainder of my time and am prepared to vote anytime the chairman deems it appropriate.

The PRESIDING OFFICER. Does the Senator from North Carolina yield back his time?

Mr. HELMS. Mr. President, the yeas and nays have not been obtained for this nomination, have they?

The PRESIDING OFFICER. They have not.

Mr. HELMS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. HELMS. Mr. President, the Cloakroom would do well to advise Senators that there shortly will be a rollcall vote. I will explain to the Chair, while we are delaying just a little bit, Senator DOMENICI, who is a New Mexican, as is Mr. RICHARDSON, is on his way to the floor and he wants to say a few kind words about his fellow New Mexican. So, pending the arrival of Senator DOMENICI, I suggest the absence of a quorum.

The PRESIDING OFFICER. Will time be equally divided?

Mr. HELMS. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DOMENICI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Does the Senator from North Carolina yield time to the Senator from New Mexico?

Mr. HELMS. Yes.

Mr. DOMENICI. Mr. President, I rise just to say a few words in behalf of my good friend, the U.S. Representative from the State of New Mexico, BILL RICHARDSON. I think I would have been remiss if I did not come to the floor today and say to soon-to-be Ambassador RICHARDSON in behalf of New Mexicans, we wish you the very best good fortune. We know that whatever you have tried, you have succeeded at it in your life. And now, through that achievement and because New Mexicans have sent you to the U.S. House in numerous elections and for a number of years, we all think you are ready for a much bigger role and a much bigger mission in behalf of our country.

Most of us who know you, and most New Mexicans who have observed you, are confident you are going to do a splendid job in behalf of our country. The fact that you came from a State that has multiple cultures, that clearly accepts the diversity that no other State in the Union has like ours, bodes well for your work with people from all over the world.

While I could stand here and speak for a long time in your behalf, it is not necessary today because you are clearly going to be confirmed and your name is going to be sent to the President as the next Ambassador to the United Nations. But I believe I will close with just a couple of words in Spanish. Buena suerte, BILL. That's the simplest way of saying good luck and good fortune in Spanish. I have been privileged to work with you. I hope you will continue to work with those of us in the U.S. Senate and House who are interested in the United Nations succeeding. We think you have a big mission. We hope you can establish some inroads, in terms of the United Nations being a more effective and efficient body, so that the United States can truly continue to support its efforts and your efforts in behalf of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. HELMS. Mr. President, I yield the remainder of my time. I suggest we go to a vote.

The PRESIDING OFFICER. All time having been yielded back, the question is, Will the Senate advise and consent to the nomination of BILL RICHARDSON, of New Mexico, to be U.S. Ambassador to the United Nations? The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 9 Ex.]

YEAS—100

| | | |
|---|---|---|
| Abraham | Boxer | Cleland |
| Akaka | Breaux | Coats |
| Allard | Brownback | Cochran |
| Ashcroft | Bryan | Collins |
| Baucus | Bumpers | Conrad |
| Bennett | Burns | Coverdell |
| Biden | Byrd | Craig |
| Bingaman | Campbell | D'Amato |
| Bond | Chafee | Daschle |
| DeWine | Inhofe | Nickles |
| Dodd | Inouye | Reed |
| Domenici | Jeffords | Reid |
| Dorgan | Johnson | Robb |
| Durbin | Kempthorne | Roberts |
| Enzi | Kennedy | Rockefeller |
| Faircloth | Kerrey | Roth |
| Feingold | Kerry | Santorum |
| Feinstein | Kohl | Sarbanes |
| Ford | Kyl | Sessions |
| Frist | Landrieu | Shelby |
| Glenn | Lautenberg | Smith (NH) |
| Gorton | Leahy | Smith (OR) |
| Graham | Levin | Snowe |
| Gramm | Lieberman | Specter |
| Grams | Lott | Stevens |
| Grassley | Lugar | Thomas |
| Gregg | Mack | Thompson |
| Hagel | McCain | Thurmond |
| Harkin | McConnell | Torricelli |
| Hatch | Mikulski | Warner |
| Helms | Moseley-Braun | Wellstone |
| Hollings | Moynihan | Wyden |
| Hutchinson | Murkowski | |
| Hutchison | Murray | |

The nomination was confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified of the action of the Senate.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to the consideration of legislative business.

Mr. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. I ask unanimous consent I be allowed to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

## AMERICAN AIRLINES STRIKE

Mrs. HUTCHISON. Mr. President, I am going to submit a resolution this afternoon and ask it be considered. It has not yet been cleared. I hope it will be cleared so we will be able to vote on this resolution on Thursday if we do not have a settlement of the American Airlines strike.

Mr. President, I am submitting this resolution on behalf of myself, and Senator GRAMM. Perhaps others will want to come forward as well.

But, Mr. President, we have a very serious economic crisis pending Friday about midnight. If we do not have some agreement by the two parties, American Airlines and its pilots union, we could hold up about one-fourth of the traveling public at the beginning of a holiday weekend. We could cause 75,000 other employees of American Airlines all over our country to be laid off without pay. We are causing, if that happens, other employees of rental car companies—people who sell food to airports and to airlines—all of these people who have livelihoods, who have

families, to possibly be totally deprived of their ability——

Mr. CRAIG. Mr. President, the Senate is not in order.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, we are talking about the livelihoods of hundreds of thousands of Americans, and we are talking about even international travel and commerce and goods that are going into international commerce.

Mr. President, the effects of this strike are going to be so far reaching that it will have an economic impact on this country that will be quite severe.

The pilots union is meeting with the company as we speak. The deadline before a strike is midnight this Friday. We have the opportunity with the resolution that I am introducing to have a sense of the Senate that the President would use all of his persuasive powers to get these parties to sit down, and that the President would be able to use his powers to appoint an emergency board which would automatically keep the contract in place for 30 days and then provide for another 30-day cooling-off period. This will give 60 days to these people to be able to work out their differences.

I think that the pilots union and the airline company, American Airlines, are certainly big enough people to be able to work out their differences and not cause the disruption of so many lives in our country and the economies of so many States in our country.

So I am asking that the Senate vote on this on Thursday, if nothing has happened in between. I hope the President will use all of his persuasive powers between now and Thursday to make sure that everything is being done to settle this strike. But if nothing has happened by Thursday, we want the President to use the powers that Congress has given him to call an emergency board together to give a 60-day cooling-off period so that the negotiations can continue.

This is something that Congress and the President have worked out in the past. This is the process, Mr. President. Let us step up to the line, and we hopefully will be able to work with the President to make sure that he has all of the tools necessary to do what is necessary to save this country from a real economic hit that could come within the next 3 or 4 days.

We can do something about it. The President can do something about it. And we are going to ask him to do that in this resolution.

As I said, I am going to submit this later. I am going to ask for unanimous consent to be able to vote on this on Thursday. I hope it is a moot point by that time. It is very important that the President address right away this impending crisis that can affect the lives of so many people and the families of so many people in this country and the economies of so many States in this country. The ripple effect is devastating. We can do something about it.

I hope that the President will use the powers that he has for that very purpose.

Thank you, Mr. President, and I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. I thank the Chair.

## BALANCED BUDGET AMENDMENT TO THE CONSTITUTION

The Senate continued with the consideration of the joint resolution.

Mr. MURKOWSKI. Mr. President, I counted it up the other day. This is my 17th year of having the honor to represent my State of Alaska in this body. During that period I participated in seven separate debates on this floor on this very singular issue, and that is the amendment of our Constitution to require that the budget be balanced.

A number of years ago, several of us unloaded a big van on the steps of the U.S. Senate. In that van were mailbags. And in those mailbags were letters from our constituents in overwhelming support of an amendment to the Constitution that would mandate a balanced budget.

Mr. President, in 1982 the Senate adopted the amendment but it failed in the House. Since then, the amendment has failed in every year that we have engaged in this debate. In the intervening decade and a half annual Federal spending has increased nearly $1 trillion and our national debt has quadrupled.

Mr. President, through this debate, my colleagues on both sides of the aisle have amply demonstrated the billions and trillions that we have been spending, and the meteoric rise of our national debt. I do not intend to repeat those numbers. As the 10-foot stack of budgets standing before me on the floor clearly show, for the past 28 years the Federal Government has been living on debt. I find that rather ironic, Mr. President, in view of the fact that you and I and our constituents back home have to balance, if you will, our checkbooks. But the Government goes through a process of lengthy debate and budgetary process of seeing what its revenues are, seeing what its expenditures are, and then whatever else it seems to need it is simply added to the national debt.

Mr. President, I want to talk about the awesome responsibility that we have as stewards of this Nation to face up to the enormity of the challenge that we are facing in changing the way we govern and have been governing.

Mr. President, American Government was transformed by the Great Depression. In response to this crisis, our then President Franklin Roosevelt in 1933 ushered in the age of social activist government, one of whose tenets was that in times of economic stress the Government would actively intervene to restart the economy. Thus was born the age of peacetime deficit spending.

Unfortunately, what has ensued in the intervening 64 years is that the Federal Government has become incapable of weaning itself from this addiction to deficit spending. Whether in periods of strong growth or modest growth, the Federal Government runs deficits. In fact, in only 8 years since the Depression has the Federal Government operated with a surplus.

But even that fact is somewhat misleading for I would note that the Federal surplus in those 8 years was a mere $33 billion. Compare that with 56 years of deficits cumulating in a national debt of more than $5.2 trillion.

Let me refer to the chart here on my left. I hope that the President can view this. It covers the next 4 years of the current administration with outlays in 1997 of $1.6 trillion to the year 2000 at $1.84 trillion.

The significance of what is occurring here is we are having to pay interest on this accumulated debt. The interest is running $247 billion in 1997, $250 billion in 1998, $252 billion in 1999, and $248 billion in the year 2000.

I used to be in the banking business and I can tell you that interest is like owning a horse that eats while you are asleep. It goes on and on, night and day and holidays. No day is exempt from the accumulation of interest.

Here is our deficit, Mr. President: $125 billion, $120 billion, $117 billion, $87 billion. One can say that is good news. The deficit is declining. Let us look a little further.

But I would note that if we did not have to pay interest on this accumulated debt, if we hadn't accumulated all of these deficits, we would not have to pay nearly a trillion dollars in interest in the next 4 years and instead of running deficits for the next 4 years, we would have a surplus. We would have a surplus of $122 billion this year, $130 billion in 1998, $135 billion in 1999, and $161 billion in the year 2000.

My point is that at the end of this timeframe of 1997, through the year 2000, our outlays will have been a little over $7 trillion, our interest will have been just under $1 trillion—$997 billion. Our deficit that we are adding would be $450 billion.

So, if you look at where we are today, at the end of this year our national debt is at $5.4 trillion. By the end of the year 2000, the national debt will be $6.3 trillion.

So the increase in the national debt in the Clinton administration for roughly 8 years is projected to be $2.2 trillion.

The significance of these figures is a bit startling, but the reality is if we were not strangled by $1 trillion in interest on the national debt in the next 4 years, we could run a surplus and we could give every American family a $2,500-per-child tax credit, not the $500 that is in the Republican proposal but $2,500. Or we could give every American family a $1,500-per-child tax credit and every American citizen a 10 percent across-the-board tax cut. Or give every American a 20 percent across-the-board tax cut.

That is the significance of the necessity of this legislation which will take away deficit financing and allow us to develop a surplus, do away with the interest and get a hold of this continuing national debt which does not go away until we reduce the deficit.

Some say, well, why do we need a constitutional amendment to do it? My answer is rather simplistic, Mr. President. We have not had the self-discipline to do it ourselves. We could do it ourselves, but it has not been done.

I say to my colleagues who have any doubt about the wisdom of this amendment: The evidence is overwhelming that without the discipline of a constitutional amendment, elected officials are incapable of fiscal management of the people's business, and it has taken the last 64 years to demonstrate this fact.

Some say we can balance the budget without this amendment. I say, OK, prove it. There is nothing within our post-Depression experience to suggest that this is even remotely possible. Eight years out of 64 years with surpluses totaling $33 billion is hardly evidence that convinces me. Quite the contrary. It proves to me that we must have this amendment if we are ever going to end deficit spending as business as usual in Washington, DC.

Mr. President, the first 10 amendments to our Constitution, collectively known as the Bill of Rights, are the seminal protections afforded citizens in a free society. They were adopted against the backdrop of the 17th and 18th century tyranny that the kings arbitrarily exercised over their subjects.

The Founders knew that these rights—the freedom of speech, religion, and assembly—would not be guaranteed simply by congressional statute, for what one Congress grants, another can easily take away. That is why these fundamental rights are enshrined within our Constitution. That is why the concept of a balanced budget must also be added to the Constitution, for the evidence shows without any doubt that in this modern era of government, the President and Congress are simply incapable of balancing the budget except perhaps in rare and unique circumstances.

When future historians review the history of 20th century American Government, I fear that the legacy we will leave behind will be an enormous debt that we have passed on to the citizens of the 21st century. When this new century opens in just 3 years, we will have accumulated a debt of more than $6 trillion, the carrying costs, as I have indicated, of which will be a quarter trillion dollars annually.

Who is going to pay off that debt? Well, consider, Mr. President, that the largest surplus this Government has ever run was a mere $11 billion in 1948. In inflation adjusted dollars, that is equivalent to a surplus today of approximately $84 billion.

If, starting in the year 2000, we could replicate our 1948 experience and have an annual surplus of $84 billion, the national debt of the United States would not be eliminated until the year 2073. That gives you some idea of the legacy we are passing on.

In other words, under the most optimistic circumstances, the citizens who are alive for the first 75 years of the next century will be shackled with paying the debts their parents and grandparents and great-grandparents accumulated. And we all know it is unlikely we will sustain such large surpluses throughout the next century. More likely, it will take 100 years or more to pay off this debt, only if we start now.

Can there be anyone in this Chamber who believes that the citizens in America who will be alive in the year 2097 ought to be saddled with paying the interest on the debt that we are accumulating today—money, I might add, that is not being used to finance long-term investments or jobs or inventory in this country but money that is being used to pay interest on the national debt.

That is right; that is what we are doing.

In my view, this amendment is an economic bill of rights for future generations of this country. It is equally as important as the Bill of Rights we now take for granted as the foundation for this great Nation.

It finally will force Government to learn that it cannot borrow indefinitely. It rearranges the rules of Government as never before in our history, for it requires us to face up to the fact that we can only spend as much as we take in in revenues, as we dictate to our private citizens. And it stands for the proposition that building debt on top of debt is morally and fiscally irresponsible to Americans who have not even been born yet. That is what we are doing.

The legacy of the 105th Congress must be that we, at the end of this century, have recognized the responsibility we have to future generations, that we will no longer buy now and put off paying indefinitely. The time is now to finally stand up and change the way we have been governing for the past 60 years.

I thank the Chair for its attention.

I yield the floor.

The PRESIDING OFFICER [Mr. ALLARD]. Who seeks recognition?

The Senator from Idaho.

Mr. CRAIG. Mr. President, we are under no specific time restraints per side, are we, at this moment?

The PRESIDING OFFICER. The Senator is correct.

Mr. CRAIG. I thank the Chair. I thank my colleague, the Senator from Alaska, for making a very clear statement of what happens when a country creates the kind of debt which our country has over the last 30 years and the kind of priorities we have to shift to in funding simply to service debt.

The Senator from Alaska talked about the impact of interest on debt. Standing here or sitting here or stacked here beside me are 28 budgets, 28 consecutive budgets of the last 28 fiscal years of our Government that have been out of balance. In other words, that have had deficits that got spun into debt that have created the $5.3 trillion debt we have today.

As a result of that, in the last fiscal cycle and the one we are currently in and the one we are currently examining, this Senate and the Congress at large is going to have to consider outlays of upwards of $250 billion to $260 billion to pay the interest on this stack of books or, more clearly spoken, on the debt that was generated by the budgets that are housed in this stack of budgets.

Of these 28 budgets, 14 of them were intended to be deficit budgets, with no excuse or no apology on the part of the Congress that passed them. But there were the other 14 you would find in the language of the book that would suggest the intent was to balance in the future, or it was designed as a sequence of budgets to balance.

Interestingly enough, that is the very debate this Congress and our President are involved in at this moment. In fact, the President was here today in the President's Room just behind the Chamber discussing his budget proposal and the leaders of our Senate were there along with the leaders of the House comparing notes and deciding where they might work together to bridge the gap of the kind of impasse we have had and get to a balanced budget. But it is not a balanced budget. It is one budget of a series of budgets that promises to bring balance by a given time, in this case by the year 2002, as did 14 of these budgets.

Mr. President, 28 years later, 14 budgets in deficit and 14 intended to be balanced, we now are faced with the circumstance the Senator from Alaska has spoken about, a $5.3 trillion debt, $250 to $260 billion of interest paid on debt depending on the rate of interest and the amount our notes are negotiated under, under the 3-year cycle under which our notes get renegotiated, and here is the rest of the story.

The President, and I do not question his sincerity, presents a budget for fiscal year 1998, of the U.S. Government, that will have about 250 billion dollars' worth of net interest costs, which is about 14.8 percent of the entire Federal budget. Here is what happens in a Government like ours when we have to commit such a phenomenal amount of our resource to interest on debt. Let me give these comparatives. This is work that has been done by our policy committee as an examination of reality because, when we talk about 250 billion dollars' worth of interest on debt, to serve debt, that means that creditors, people who buy our bonds, are owed money. A fair amount of that flows to foreign countries and foreign interest, but a fair amount of it flows to our own citizens and to their stocks and to their trust accounts.

But 250 billion dollars' worth of net interest in the President's 1998 fiscal budget is something like this. It is 21 times as much on interest as we are spending on agricultural programs. In other words, our priority in budgeting today is to spend 21 times more on interest than we do on agriculture. So our priority is not agriculture, it is paying our debt. Better spoken, I should say paying our creditors who have loaned us their money to service the debt.

What about international affairs? We are the last great superpower of the cold war period. We play an important role in the decisions of the world and our presence oftentimes causes other nations to think differently about how they would conduct their business, both internally and externally. Yet, today, 17 times as much on interest is paid as on international affairs. So, for those of our constituents who say you are spending too much on foreign aid, I would say we are spending 17 times more on debt, interest on debt. Again, clearly spelling out the priorities that we have forced ourselves into as a great nation, simply because we could not control our spending appetite.

We pay 11 times as much on interest as on natural resources and the environment. This President, this administration, likes to call itself the environmental administration. And there is not a Senator on this floor who does not want to make sure that Government policy in cooperation with the private sector promotes a positive, cleaner environment. And yet, today, when it comes to priorities of dollars and cents, we pay 11 times more to service the debt created by these 28 budgets as we do on interest rates. Where are our priorities? They are to pay our creditors so we can continue to have debt.

We spend 10 times as much on interest as on the administration of justice. That is the Justice Department, that is the FBI, that is our engagement in the war on drugs, that is trying to curtail illicit activities that flow across our borders that somehow damage our citizenry. Yet, if you looked at our budget today, you would say that Congress is more preoccupied with paying interest on debt than they are with protecting our citizens against drugs, if you were to look at the actual expenditure of money. Why? Because 30 years worth of fiscal irresponsibilities have forced us to pay more attention to servicing our debt than the flow of drugs across our borders and the kind of impact they have on our citizens and our children.

We pay six times as much on interest as on benefits and services for veterans. A very large veterans group is now visiting our community, this Nation's Capitol. I was just visited by a nice contingent of Veterans of Foreign Wars. This evening, there is a large gathering of hundreds of Veterans of Foreign Wars in this city, men and women who put their lives on the line to protect our freedom. Many of them are concerned about the future of the Veterans Administration and the veterans health care delivery system, and will we honor our commitment to them and to the World War II veterans who are now reaching a peak in their need for health care services? Yet, today, this Government, by the nature of its fiscal irresponsibility of the last 28 years, is going to pay six times more on interest as on the benefits and services to veterans. Is it our priority? It has to be our priority if we are to maintain our fiscal solvency as a nation. We must progressively ignore the true interests and priorities of our country in light of paying our creditors.

Four times as much on interest as on education, training, and employment programs; yet our President, in his State of the Union, just this past week prioritized for our Nation and for the decade ahead the issue of our involvement in education at all levels. None of us disputes that priority. All of us recognize that our public schools are in need and, in many instances, they are failing. Yet, today, as we wrestle with the 1998 budget, what will be the first priority? Funding interest on debt created by irresponsible Congresses of the past that generated 5.3 trillion dollars' worth of debt. So where in all of these priorities will education fall? It is not going to be first. It cannot be first. What is first? Paying interest on debt. It has to be taken right off the top. It has to be taken right off the top of Government expenditures, just the way interest on serving the debt in the private sector is taken right off the top of all the money coming in. Because if you do not take it off the top, and you do not pay your debts or your interest on debts, if you do not service your debt you do not borrow any money. You are busted. You are bankrupt. And that, of course, is exactly what has happened to this country.

Now, nearing the largest single item in the Federal budget is interest on debt. So when our colleagues stand on the floor and say, as the President said the other night, "Oh, gee whiz, you guys have the votes and I have the signature. You pass a balanced budget and I will sign it," what this President knows and what he clearly has demonstrated in the budget that he has sent to the Hill, is that it is not in balance. It is about $120 to $130 to $140 to $150 billion out of balance for the next 5 years. Then, if he really honors the tax cuts—which he does not, because he agrees in his budget that he takes them back to fund the deficit to create the balance in the outyears, because he needs more money—what he is really saying is that his budget is not in balance. Why? Partly because of interest on debt.

Where does the National Government get $250 billion to pay its interest costs? By adding together all corporate income taxes, that is only $190 billion. Believe it or not, if we choose to double corporate income tax in this country we would just get enough and a little more to pay interest on debt. And all Federal excise taxes—that is $61 billion. I think the point I am making, and the point the Senator from Alaska made, is we do not believe the Congress truly has the will. We do not believe any President, Republican or Democrat, can find the total will to work for, make the tough choices, and get to a balanced budget in the kind of timeframe and with the kind of reasonableness that the American people have demanded of us. That is why I and others so strongly believe we need the kind of constitutional framework to operate within, that creates the kind of political discipline and fiscal discipline to produce a balanced budget.

Who do we owe it to? We owe it to a lot of people. But most important, we owe it to future generations, because it is our children and our grandchildren who will pay off the debt. More important, if we continue to create debt without servicing debt, without bringing debt down in the future, more and more of the resources of our young, when they grow to maturity, will have to go to pay the creditor instead of fund the kind of Government they want, or to fund the kind of services they want from Government; but, more important, to keep some of their own money so they can have their own lives and their own families, and have their part of the American dream as our generation has had it.

There need not be any pointed finger or accusation as to whose fault these budgets have been, because, while most of them in the 28-year period could be, arguably, Democratic budgets, a fair number of them were Republican budgets.

A fair number of them were created under Republican Presidents. All of

them were out of balance, and all of them had deficits, and all of them created the $5.3 trillion debt that this country experiences today.

So I really think we ought to quit chasing our tail. The arguments that we have heard for the last decade are the same arguments, and the President makes the argument today that is certainly not original that a few Presidents before him have made but all who oppose a balanced budget amendment to our Constitution make. And that is that you cannot tie the hands of Government, that this would be much too rigid, that it would cause conflict within the economy, that it might cause us to not have the priorities in Government that we want.

What they are really all saying is that nobody is willing to make the tough choices, and 28 years of budgets clearly demonstrate that. That is why I think it is important that we reflect on the words of Thomas Jefferson who said that if there is 1 more amendment to the 10, the 11th amendment he would have added was to disallow the ability of Government to borrow, because he was fearful of a representative republic being able to vote itself money, and we have done that year in and year out.

As a result of that, we are now here wrestling, as all Presidents and Congresses do, with what do we do with the debt, what do we do with the deficit, and where do we find the money to spend on some of these critical programs.

The Senator from Alaska is right. When a nation overspends itself, when a Congress no longer prioritizes as to where the limited resources of the tax dollars go, but takes $250 billion right off the top and says that has to go to interest on debt, Mr. President, it is time we change, and that is why many of us have stood on this floor and argued for years that this is the mechanism to bring that change, this is the mechanism to bring the kind of political and fiscal discipline and responsibility that this Congress must have, because there isn't a Senator on this floor who can just vote it without the real discipline that a Constitution brings.

So this is why I hope that, in the ensuing days, all of our colleagues join together to support the balanced budget amendment to our Constitution and to give the citizens of this country the right, under the Constitution, to debate the issue in the capitals of their States to determine whether they want to change the organic law of this country to discipline this Government to cause this Government to react in a way that they perceive, as I, to be a much healthier action on behalf of the economy, the citizens and future generations.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

Mr. DODD addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, at some point, I believe a unanimous-consent request will be entered into, and we will set out the agenda for tomorrow's business, including an allocation of time for morning business, as well as an allocation of time for an amendment, which I will shortly propose, to be considered.

I gather the respective leaders are working on that. In anticipation, Mr. President, I have been asked, in order to move the process along and make sure we have some business to conduct tomorrow, to submit an amendment. I will briefly describe the amendment this afternoon and then yield the floor. Based on the allocation of time the leaders are able to agree upon, we will engage more fully in the debate tomorrow.

AMENDMENT NO. 4

(Purpose: To simplify the conditions for a declaration of an imminent and serious threat to national security)

Mr. DODD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD] proposes an amendment numbered 4.

On page 3, line 7, strike beginning with "is" through line 11 and insert "faces an imminent and serious military threat to national security as declared by a joint resolution.".

Mr. DODD. Mr. President, that is the sum and substance of the amendment.

Very briefly, the proposed language on the balanced budget constitutional amendment, section 5, reads as follows:

The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

My concerns with this provision, Mr. President, are addressed, I believe, by the amendment that we will consider tomorrow. Very briefly, if one reads this section very carefully, word for word, and I emphasize in my reading of this section the language that is of particular concern to me, and that is "is engaged in military conflict"—now the earlier language, "a declaration of war," troubles me as well—it seems to mean we would have to be in the midst of a conflict before we can waive the provisions of the amendment. There have been numerous examples throughout our history in which we were very much aware that an imminent danger was on the horizon and we, in preparation of that imminent danger, were able to respond, utilizing deficit financing to do it.

If you wait until we are actually engaged in that conflict, it seems to me you are running the risk of leaving this country very, very vulnerable, particularly with weapons of mass destruction that have the capability of causing great harm to our Nation.

This amendment attempts to address that issue. If there is an imminent threat to our national security—and then allowing for the different provision here—we would have a resolution adopted by both Houses where a majority of those present and voting would be necessary in case of some emergency circumstance—I see, for example, my good friend and colleague from Idaho who has some distance to travel to get to Washington—where something may happen and Members are not able to get back here as quickly as they may need to.

We would not be able to meet that constitutional requirement if the underlying balanced budget amendment is adopted, because you would need 51 Senators. The amendment that I offer addresses both points; that is, enables a response prior to actually being engaged in military conflict and allows for a joint resolution to be adopted with less than the whole number of each House.

Again, I will wait until tomorrow, Mr. President, to discuss this further. This is an amendment, I remind my colleagues, which has been raised in very similar form on previous occasions. Regardless of whether one is for the balanced budget amendment or not, it seems to me we do not want to place ourselves in the position, obviously, of restricting our ability, particularly where our national security is in imminent danger and our Nation is in jeopardy and not able to respond.

I cannot think of a single Member who would want to be put in a position, as important as balancing the budget is, where we would be willing to risk a threat to this country on that particular altar.

So I hope Members, this evening and tomorrow, before we have time to debate this amendment, will look at it carefully and consider it in hopes that I might garner their support when we vote on this tomorrow afternoon. Again, this will depend on when the leaders are able to agree on a time for debate and a vote.

With that, Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—AMENDMENT NO. 4

Mr. CRAIG. Mr. President, I ask unanimous consent the Senate resume

consideration of Senator DODD's amendment regarding national security beginning at 1:30 on Wednesday with the time between 1:30 and 5:30 equally divided in the usual form. I further ask unanimous consent that at 5:30 the Senate proceed to a vote on or in relation to the Dodd amendment and, finally, no amendment be in order to the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. No objection.

The PRESIDING OFFICER. There being no objection, it is so ordered.

## ORDER OF PROCEDURE

Mr. CRAIG. Mr. President, for the information of all Senators, the leadership has decided there will be no further votes this evening. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAIG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

(During today's session of the Senate, the following morning business was transacted.)

## THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, February 10, the Federal debt stood at $5,302,292,166,231.47.

Five years ago, February 10, 1992, the Federal debt stood at $3,794,592,000,000.

Ten years ago, February 10, 1987, the Federal debt stood at $2,225,440,000,000.

Fifteen years ago, February 10, 1982, the Federal debt stood at $1,033,575,000,000.

Twenty-five years ago, February 10, 1972, the Federal debt stood at $424,269,000,000 which reflects a debt increase of more than $4 trillion ($4,878,023,166,231.47) during the past 25 years.

## HONORING RALPH W. WRIGHT OF WEST POINT, KY, FOR 50 YEARS OF SERVICE TO FIREFIGHTING

Mr. FORD. Mr. President, on Saturday, February 8, 1997, the community of West Point, KY held its annual Volunteer Fire Department and EMS Appreciation Banquet. Each year, this banquet honors and celebrates those in the community who have been instrumental in supporting the mission of the volunteer fire department and EMS services. This year, the community honored one man, Ralph W. Wright, who has given 50 years of his life to the safety of the citizens of West Point.

Mr. Wright has been a member of the fire department for the last 50 years. He began as a firefighter and worked his way up through the ranks to chief, a position he held for 27 years. After a long and distinguished career in the fire department, Mr. Wright did not let retirement prevent him from fighting fires. In fact, in his retirement, Mr. Wright continues to serve as a firefighter—who still makes the first truck out of the station. In addition, to his service as a firefighter, he was a volunteer EMT on the ambulance service for several years.

Because of his tireless efforts on behalf of the citizens of West Point, today's volunteer fire department is what it is today: dedicated to the safety of all its citizens; prepared to battle fires and hazardous material spills; responding to protect the community from floods and other natural disasters.

In addition to his work on behalf of the safety of the citizens of West Point, Mr. Wright has been a strong and active supporter of the Crusade for Children. The citizens of West Point have been well served by Ralph Wright. He is an outstanding citizen and a shining example to all. I know that the community of West Point holds Ralph Wright in the highest of esteem. This is an honor that is long overdue and I am delighted to share this event with my colleagues. I extend my heartfelt congratulations to Ralph Wright and to his family on this special occasion.

## HONORING THE WILLIAMS ON THEIR 50TH WEDDING ANNIVERSARY

Mr. ASHCROFT. Mr. President, families are the cornerstone of America. The data are undeniable: Individuals from strong families contribute to the society. In an era when nearly half of all couples married today will see their union dissolve into divorce, I believe it is both instructive and important to honor those who have taken the commitment of "till death us do part" seriously, demonstrating successfully the timeless principles of love, honor, and fidelity. These characteristics make our country strong.

For these important reasons, I rise today to honor Wade and Flo Williams of Springfield, MO who on February 10, 1997, will celebrate their 50th wedding anniversary. My wife, Janet, and I look forward to the day we can celebrate a similar milestone. Wade and Flo's commitment to the principles and values of their marriage deserves to be saluted and recognized.

## TRIBUTE TO PROCTOR JONES

Mr. KENNEDY. Mr. President, I join my colleagues in paying well-deserved tribute to Proctor Jones, who is leaving the Senate to continue working with our distinguished former colleague from Louisiana, Senator Bennett Johnston. Like Senator Johnston, Proctor will be greatly missed in the Senate.

Proctor Jones has been an outstanding staff member who has served the Senate and the American people well for almost four decades. With his vast experience on appropriations issues and his skill at weighing complex priorities, Proctor has earned the respect of the entire Senate over the years. He has also earned the deep appreciation of other staff members for his signature style—unerring graciousness and pleasantness, even under intense pressure. Proctor represents the best of Senate civility, and he will be long remembered by all of us.

It has been my particular pleasure to work closely with Proctor on a number of projects in Massachusetts which have been conducted by the U.S. Army Corps of Engineers, and which have significantly improved public safety, the environment, and the economy of our State. I am grateful for Proctor's leadership on these issues and many others. He represents the best in public service, and I wish him well in the years ahead.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

## REPORT CONCERNING THE INTERNATIONAL WHALING COMMISSION—MESSAGE FROM THE PRESIDENT—PM 13

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation.

*To the Congress of the United States:*

On December 12, 1996, Secretary of Commerce Michael Kantor certified under section 8 of the Fishermen's Protective Act of 1967, as amended (the "Pelly Amendment") (22 U.S.C. 1978), that Canada has conducted whaling activities that diminish the effectiveness of a conservation program of the International Whaling Commission (IWC). The certification was based on the

issuance of whaling licenses by the Government of Canada in 1996 and the subsequent killing of two bowhead whales under those licenses. This message constitutes my report to the Congress pursuant to subsection (b) of the Pelly Amendment.

In 1991, Canadian natives took a bowhead whale from the western Arctic stock, under a Canadian permit. In 1994, Canadian natives took another bowhead whale from one of the eastern Arctic stocks, without a permit.

In 1996, under Canadian permits, one bowhead whale was taken in the western Canadian Arctic on July 24 and one bowhead whale was taken in the eastern Canadian Arctic on August 17. The whale in the eastern Arctic was taken from a highly endangered stock. The IWC has expressed particular concern about whaling on this stock, which is not known to be recovering.

None of the Canadian whale hunts described above was authorized by the IWC. Canada withdrew from the IWC in 1982. In those instances where Canada issued whaling licenses, it did so without consulting the IWC. In fact, Canada's 1996 actions were directly contrary to IWC advice. At the 1996 Annual Meeting, the IWC passed a resolution encouraging Canada to refrain from issuing whaling licenses and to rejoin the IWC. However, Canada has recently advised the United States that it has no plans to rejoin the IWC and that it intends to continue granting licenses for the taking of endangered bowhead whales.

Canada's unilateral decision to authorize whaling outside of the IWC is unacceptable. Canada's conduct jeopardizes the international effort that has allowed whale stocks to begin to recover from the devastating effects of historic whaling.

I understand the importance of maintaining traditional native cultures, and I support aboriginal whaling that is managed through the IWC. The Canadian hunt, however, is problematic for two reasons.

First, the whaling took place outside the ICW. International law, as reflected in the 1982 United Nations Convention on the Law of the Sea, obligates countries to work through the appropriate international organization for the conservation and management of whales. Second, whaling in the eastern Canadian Arctic poses a particular conservation risk, and the decision to take this risk should not have been made unilaterally.

I believe that Canadian whaling on endangered whales warrants action at this time.

Accordingly, I have instructed the Department of State to oppose Canadian efforts to address takings of marine mammals within the newly formed Arctic Council. I have further instructed the Department of State to oppose Canadian efforts to address trade in marine mammal products within the Arctic Council. These actions grow from our concern about Canada's efforts to move whaling issues to fora other than the IWC and, more generally, about the taking of marine mammals in ways that are inconsistent with sound conservation practices.

Second, I have instructed the Department of Commerce, in implementing the Marine Mammal Protection Act, to withhold consideration of any Canadian requests for waivers to the existing moratorium on the importation of seals and/or seal products into the United States.

Finally, the United States will continue to urge Canada to reconsider its unilateral decision to authorize whaling on endangered stocks and to authorize whaling outside the IWC.

I believe the foregoing measures are more appropriate in addressing the problem of Canadian whaling than the imposition of import prohibitions at this time.

I have asked the Departments of Commerce and State to keep this situation under close review.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 1997.*

## REPORT OF PROPOSED RESCISSIONS OF BUDGETARY RESOURCES—MESSAGE FROM THE PRESIDENT—PM 14

The Presiding Officer laid before the Senate the following message from the President of the United States, together with an accompanying report; referred jointly, pursuant to the order of January 30, 1975, to the Committee on the Budget, to the Committee on Appropriations, to the Committee on Agriculture, Nutrition, and Forestry, to the Committee on Armed Services, to the Committee on Energy and Natural Resources, to the Committee on Banking, Housing, and Urban Affairs, to the Committee on the Judiciary, to the Committee on Governmental Affairs, and to the Committee on Finance.

*To the Congress of the United States:*

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report nine proposed rescissions of budgetary resources, totaling $397 million, and one revised deferral, totaling $7 million.

The proposed rescissions affect the Departments of Agriculture, Defense-Military, Energy, Housing and Urban Development, and Justice, and the General Services Administration. The deferral affects the Social Security Administration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 1997.*

## MESSAGES FROM THE HOUSE

At 2:17 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that pursuant to section 8002 of the Internal Revenue Code of 1986, the Committee on Ways and Means designated the following Members to serve on the Joint Committee on Taxation for the 105th Congress: Mr. ARCHER, Mr. CRANE, Mr. THOMAS, Mr. RANGEL, and Mr. STARK.

That pursuant to section 161 of the Trade Act of 1974, the Committee on Ways and Means recommended the following Members to serve as official advisors for international conference meetings and negotiating session on trade agreements: Mr. ARCHER, Mr. CRANE, Mr. THOMAS, Mr. RANGEL, and Mr. MATSUI.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–1045. A communication from the Director of the Defense Procurement, Under Secretary of Defense, transmitting, pursuant to law, a rule entitled "Defense Acquisition Regulation Supplement" received on February 10, 1997; to the Committee on Armed Services.

EC–1046. A communication from the Federal Register Liaison Officer, Office of Thrift Supervision, transmitting, pursuant to law, the report of a rule entitled "Expanded Examination Cycle for Certain Small Insured Institutions," (RIN1550–AB02) received on February 7, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1047. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule relative to disclosure requirements, (RIN3235–AF91) received on February 7, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1048. A communication from the Secretary of the U.S. Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule relative to net capital, (RIN3235–AG15) received on February 7, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–1049. A communication from the Administrator of the Food and Consumer Service, Department of Agriculture, transmitting, pursuant to law, a rule entitled "Child and Adult Care Food Program," (RIN0584–AC42) received on February 7, 1997; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1050. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report on Performance Goals for fiscal year 1996; to the Commerce, Science, and Transportation.

EC–1051. A message from the President of the United States, transmitting, pursuant to law, the report relative to radio frequency spectrum; to the Committee on Commerce, Science, and Transportation.

EC–1052. A communication from the Acting Deputy Assistant Administrator, National Ocean Service, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule relative to the Florida Keys National Marine Sanctuary, (RIN0648–AD85)

received on February 10, 1997; to the Committee on Commerce, Science, and Transportation.

EC–1053. A communication from the Chairman of the Surface Transportation Board, transmitting, pursuant to law, the report of a rule relative to Ex Parte No. 555, received on February 7, 1997; to the Committee on Commerce, Science, and Transportation.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive report of committee was submitted:

By Mr. HELMS, from the Committee on Foreign Relations:

Bill Richardson, of New Mexico, to be the Representative of the United States of America to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary, and the Representative of the United States of America in the Security Council of the United Nations.

Nominee: William Blaine Richardson.

Post: U.S. Representative to the United Nations.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

1. Self.—While I have not made any personal contributions, the following contributions were made with my concurrence from my principal campaign committee, New Mexicans for Bill Richardson:

| Amount | Date | Donee |
|---|---|---|
| $1,000 | 1–29–92 | Ron Coleman for Congress |
| 500 | 1–23–92 | Committee to Re-elect Charlie Hayes |
| 1,000 | 2–6–92 | David R. Nagle for Congress |
| 1,000 | 2–25–92 | Russo for Congress |
| 1,000 | 1–31–92 | Swett for Congress |
| 1,000 | 4–10–92 | Jim Moody for Senate |
| 500 | 5–5–92 | Oakar for Congress |
| 1,000 | 5–7–92 | Ben Reyes for Congress |
| 500 | 5–6–92 | Roybal Allard for Congress |
| 500 | 4–1–92 | Sikorski for Congress |
| 1,000 | 4–10–92 | Pat Williams Campaign Committee |
| 1,000 | 5–11–92 | Woman's Campaign Fund |
| 250 | 5–25–92 | Barbara Boxer for Senate |
| 1,000 | 6–28–92 | Ben Campbell for Senate |
| 1,000 | 5–25–92 | Mel Levine for Senate |
| 500 | 8–5–92 | Bonker for Senate |
| 250 | 8–5–92 | Carol Mosely Braun for Senate |
| 1,000 | 8–6–92 | Bob Carr for Senate |
| 1,000 | 7–11–92 | DNC Victory Fund |
| 5,000 | 9–6–92 | DCCC |
| 1,000 | 9–6–92 | Democratic Leadership Council |
| 1,000 | 7–13–92 | Luis Gutierrez for Congress |
| 1,000 | 8–5–92 | Hefner for Congress |
| 1,000 | 9–10–92 | Kosmayer for Congress |
| 1,000 | 8–4–92 | Phil Schiliro for Congress |
| 1,000 | 8–5–92 | Dan Sosa for Congress |
| 500 | 8–6–92 | Friends of Harley Staggers |
| 250 | 10–9–92 | Friends of Byron Dorgan |
| 500 | 10–9–92 | Luis Gutierrez for Congress |
| 250 | 10–9–92 | Lucille Roybal-Allard for Congress |
| 250 | 10–9–92 | Sarpalius for Congress |
| 250 | 10–9–92 | Jim Jontz for Congress |
| 300 | 10–9–92 | Friends of Rosa DeLauro |
| 500 | 10–9–92 | Les AuCoin for Senate |
| 500 | 10–6–92 | Bustamante for Congress |
| 1,000 | 10–23–92 | Les Aspin for Congress |
| 1,000 | 10–30–92 | Thomas Downey for Congress |
| 250 | 10–31–92 | Wayne Owens for Senate |
| 1,000 | 10–15–92 | Harry Reid for Senate |
| 250 | 4–29–93 | Peter Barca for Congress |
| 1,000 | 3–1–93 | David Bonior for Congress |
| 5,000 | 2–24–93 | DCCC |
| 500 | 3–29–93 | Friends of Jane Harmon |
| 500 | 3–4–94 | C. Washington for Congress |
| 1,000 | 4–1–94 | Leslie Byrne for Congress |
| 5,000 | 5–20–94 | DCCC |
| 1,000 | 10–14–96 | Art Trujillo for Senate |
| 1,000 | 10–7–96 | Dick Durbin Committee |
| 100 | 8–1–96 | Coopersmith for Congress |

In addition, my Leadership PAC, the Chief Deputy Whip's Fund, made the following contributions with my concurrence:

| Amount | Date | Donee |
|---|---|---|
| 1,000 | 12–5–96 | Ken Bentsen |
| 500 | 11–4–96 | Tom Allen |
| 500 | 11–4–96 | Rod Blagojevich |
| 500 | 11–4–96 | Leonard Boswell |
| 500 | 11–4–96 | Walter Capps |
| 500 | 11–4–96 | Jim Davis |
| 500 | 11–4–96 | Judy Hancock |
| 500 | 11–4–96 | Carolyn McCarthy |
| 500 | 11–4–96 | Loretta Sanchez |
| 500 | 11–4–96 | Vic Snyder |
| 500 | 11–4–96 | Dick Swett |
| 500 | 11–4–96 | Jim Turner |
| 500 | 11–4–96 | Bill Yellowtail |
| 500 | 10–31–96 | Brian Baird |
| 500 | 10–31–96 | Bob Coffin |
| 500 | 10–31–96 | Bob Etheridge |
| 500 | 10–31–96 | Lane Evans |
| 500 | 10–31–96 | Elizabeth Furse |
| 500 | 10–31–96 | Sam Gejdenson |
| 500 | 10–31–96 | Darlene Hooley |
| 500 | 10–31–96 | Eddie Bernice Johnson |
| 500 | 10–31–96 | Tim Johnson |
| 500 | 10–31–96 | Dale Kildee |
| 500 | 10–31–96 | Dennis Kucinich |
| 500 | 10–31–96 | Bill Orton |
| 500 | 10–31–96 | Steve Owens |
| 500 | 10–31–96 | Bill Pascrell |
| 500 | 10–31–96 | Steve Rothman |
| 500 | 10–31–96 | Adam Smith |
| 500 | 10–31–96 | Debbie Stabenow |
| 500 | 10–31–96 | Rick Weiland |
| 500 | 10–31–96 | Rick Zbur |
| 500 | 10–17–96 | John Wertheim |
| 1,000 | 10–14–96 | Art Trujillo |
| 1,000 | 10–7–96 | Dick Durbin |
| 500 | 10–3–96 | Julia Carson |
| 500 | 10–3–96 | Diana DeGette |
| 500 | 10–3–96 | Maurice Hinchey |
| 300 | 10–3–96 | Joe Keefe |
| 500 | 10–3–96 | Ted Little |
| 500 | 10–3–96 | Jim Maloney |
| 500 | 10–3–96 | Peter Navarro |
| 500 | 10–3–96 | David Price |
| 500 | 10–3–96 | Kevin Quigley |
| 500 | 10–3–96 | Loretta Sanchez |
| 500 | 10–3–96 | Ted Strickland |
| 500 | 10–3–96 | Dan Williams |
| 500 | 10–3–96 | Bob Wilson |
| 500 | 9–30–96 | George Brown |
| 500 | 9–20–96 | Ron Coleman |
| 500 | 8–3–96 | John Byron |
| 500 | 8–3–96 | Bill Yellowtail |
| 2,000 | 8–1–96 | Ed Pastor |
| 1,000 | 7–26–96 | Barbara Rose Collins |
| 500 | 7–9–96 | Sanford Bishop |
| 500 | 6–18–96 | Sylvester Reyes |
| 1,000 | 6–13–96 | Harold Ford Jr. |
| 500 | 6–13–96 | Bill Luther |
| 500 | 6–13–96 | Earl Pomeroy |
| 1,000 | 6–6–96 | Bart Gordon |
| 500 | 5–25–96 | Shirley Baca |
| 500 | 5–25–96 | Don Payne |
| 500 | 5–25–96 | Jack Reed |
| 500 | 5–25–96 | John Wertheim |
| 1,000 | 3–5–96 | Luis Gutierrez |
| 1,000 | 1–23–96 | Richard Durbin |
| 1,000 | 1–23–96 | Bob Filner |
| 2,000 | 1–23–96 | Richard Swett |
| 500 | 11–15–95 | Jerry Estruth |
| 500 | 11–15–95 | Jesse Jackson Jr. |
| 500 | 10–11–95 | Bill Luther |
| 500 | 10–11–95 | Karen McCarthy |
| 500 | 10–11–95 | Mike Ward |
| 500 | 2–3–95 | Mel Reynolds |
| 500 | 11–8–94 | Dan Glickman |
| 500 | 11–8–94 | Karen Thurman |
| 500 | 11–2–94 | Thomas Barlow |
| 500 | 11–2–94 | Chuck Blanchard |
| 250 | 11–2–94 | Gerry Brewster |
| 500 | 11–2–94 | Jack Brooks |
| 500 | 11–2–94 | John Bryant |
| 250 | 11–2–94 | Walter Capps |
| 500 | 11–2–94 | Dennis Dutremble |
| 500 | 11–2–94 | Elizabeth Furse |
| 500 | 11–2–94 | Dale Kildee |
| 250 | 11–2–94 | Bill Leavens |
| 250 | 11–2–94 | Craig Mathis |
| 500 | 11–2–94 | Harriet Spanel |
| 500 | 11–2–94 | Richard Swett |
| 250 | 11–2–94 | Catherine Webber |
| 250 | 11–1–94 | David Adkisson |
| 500 | 10–28–94 | Maria Cantwell |
| 500 | 10–28–94 | Ron Coleman |
| 500 | 10–28–94 | George Hochbrueckner |
| 500 | 10–28–94 | Joe Hogsett |
| 500 | 10–28–94 | Bill Luther |
| 500 | 10–28–94 | David Mann |
| 500 | 10–28–94 | Frank Mascara |
| 500 | 10–28–94 | Karen McCarthy |
| 500 | 10–28–94 | Frank McCloskey |
| 500 | 10–28–94 | Phil Schiliro |
| 500 | 10–28–94 | Jolene Unsoeld |
| 500 | 10–28–94 | Mike Ward |
| 500 | 10–28–94 | Jeff Whorley |
| 500 | 10–28–94 | Lynn Woolsey |
| 250 | 10–27–94 | Maggie Lauterer |
| 250 | 10–26–94 | John Galdacci |
| 250 | 10–26–94 | Ken Bentsen |
| 250 | 10–26–94 | Mike Doyle |
| 250 | 10–26–94 | Richard Moore |
| 250 | 10–26–94 | Dave Nagle |
| 500 | 10–25–94 | Sam Coppersmith |
| 500 | 10–25–94 | Alan Wheat |
| 500 | 10–21–94 | Lynn Rivers |
| 500 | 10–20–94 | James Bilbray |
| 500 | 10–20–94 | Bill Hefner |
| 500 | 10–12–94 | George Brown |
| 500 | 10–12–94 | Elaine Peterson |
| 500 | 9–30–94 | Martin Frost |
| 500 | 9–27–94 | Tom Foley |
| 500 | 9–27–94 | Steny Hoyer |
| 500 | 9–27–94 | Mark Tokano |
| 500 | 9–26–94 | Jimmy Hayes |
| 500 | 9–12–94 | Neal Smith |
| 500 | 8–4–94 | John Bryant |
| 500 | 8–4–94 | Gary Condit |
| 500 | 8–4–94 | Peter DeFazio |
| 500 | 8–4–94 | Norm Dicks |
| 500 | 8–4–94 | Chet Edwards |
| 500 | 8–4–94 | Harold Ford |
| 500 | 8–4–94 | Bart Gordon |
| 500 | 8–4–94 | Bill Hefner |
| 500 | 8–4–94 | Jim McDermott |
| 500 | 8–4–94 | Alan Mollohan |
| 500 | 8–4–94 | Jim Moran |
| 500 | 8–4–94 | Dave Obey |
| 500 | 8–4–94 | Lewis Payne |
| 500 | 8–4–94 | David Price |
| 500 | 8–4–94 | Louis Stokes |
| 500 | 8–4–94 | James Traficant |
| 500 | 8–4–94 | Charles Wilson |
| 500 | 8–4–94 | Bob Wise |
| 500 | 8–3–94 | Gerry Kleczka |
| 500 | 7–28–94 | Howard Berman |
| 500 | 7–28–94 | David Bonior |
| 500 | 7–28–94 | Cardiss Collins |
| 500 | 7–28–94 | Vic Fazio |
| 500 | 7–28–94 | Dan Glickman |
| 500 | 7–28–94 | William Lipinski |
| 500 | 7–28–94 | Nita Lowey |
| 500 | 7–28–94 | Michael McNulty |
| 500 | 7–28–94 | Kweisi Mfume |
| 500 | 7–28–94 | George Miller |
| 500 | 7–28–94 | Norm Mineta |
| 500 | 7–28–94 | Sonny Montgomery |
| 500 | 7–28–94 | Don Payne |
| 500 | 7–28–94 | Pete Peterson |
| 500 | 7–28–94 | Charles Schumer |
| 500 | 7–28–94 | Richard Swett |
| 500 | 7–28–94 | Gene Taylor |
| 500 | 7–28–94 | Walter Tucker |
| 500 | 7–28–94 | Bruce Vento |
| 500 | 7–20–94 | Lloyd Doggett |
| 500 | 7–20–94 | Sheila Jackson Lee |
| 500 | 7–20–94 | Zoe Lofgren |
| 500 | 7–20–94 | Charles Rangel |
| 500 | 7–12–94 | Chaka Fattah |
| 500 | 6–29–94 | Eliot Engel |
| 500 | 6–29–94 | Martin Lancaster |
| 500 | 6–29–94 | Sander Levin |
| 500 | 6–29–94 | Tom Sawyer |
| 500 | 6–29–94 | Louise Slaughter |
| 500 | 6–28–94 | Gary Ackerman |
| 500 | 6–28–94 | Sam Gejdenson |
| 500 | 6–28–94 | Peter Hoagland |
| 500 | 6–28–94 | Jill Long |
| 500 | 6–28–94 | Frank McCloskey |
| 500 | 6–28–94 | Frank Pallone |
| 500 | 6–28–94 | David Skaggs |
| 500 | 6–28–94 | Pat Williams |
| 500 | 6–27–94 | Patrick Kennedy |
| 250 | 6–23–94 | Ben Chavez |
| 500 | 6–23–94 | John Conyers |
| 500 | 6–17–94 | Bill Sarpalius |
| 500 | 6–15–94 | Larry Larocco |
| 500 | 6–13–94 | George Darden |
| 500 | 6–13–94 | Eric Fingerhut |
| 500 | 6–13–94 | Sam Gibbons |
| 500 | 6–13–94 | George Hochbrueckner |
| 500 | 6–13–94 | Richard Lehman |
| 500 | 6–13–94 | Collin Peterson |
| 500 | 6–13–94 | Jolene Unsoeld |
| 500 | 6–13–94 | Harold Volkmer |
| 500 | 6–1–94 | Bennie Thompson |
| 500 | 5–24–94 | Peter Barca |
| 500 | 5–24–94 | Sherrod Brown |
| 500 | 5–24–94 | Maria Cantwell |
| 500 | 5–24–94 | Pat Danner |
| 500 | 5–24–94 | Elizabeth Furse |
| 500 | 5–24–94 | Maurice Hinchey |
| 500 | 5–24–94 | Tim Holden |
| 500 | 5–24–94 | Jay Inslee |
| 500 | 5–24–94 | Herb Klein |
| 500 | 5–24–94 | Ron Klink |
| 500 | 5–24–94 | Mike Kreidler |
| 500 | 5–24–94 | Carolyn Maloney |
| 500 | 5–24–94 | M. Margolies-Mezvinsky |
| 500 | 5–24–94 | Paul McHale |
| 500 | 5–24–94 | David Minge |
| 500 | 5–24–94 | Earl Pomeroy |
| 500 | 5–24–94 | Karen Shepherd |
| 500 | 5–24–94 | Ted Strickland |

| Amount | Date | Donee |
|---|---|---|
| 500 ..... | 5-23-94 | James Barcia |
| 500 ..... | 5-23-94 | Nathan Deal |
| 500 ..... | 5-23-94 | Karan English |
| 500 ..... | 5-23-94 | Anna Eshoo |
| 500 ..... | 5-23-94 | Sam Farr |
| 500 ..... | 5-23-94 | Cleo Fields |
| 500 ..... | 5-23-94 | Bob Filner |
| 500 ..... | 5-23-94 | Dan Hamburg |
| 500 ..... | 5-23-94 | Jane Harman |
| 500 ..... | 5-23-94 | Don Johnson |
| 500 ..... | 5-23-94 | Lynn Schenk |
| 500 ..... | 5-23-94 | Bart Stupak |
| 500 ..... | 5-23-94 | Karen Thurman |
| 500 ..... | 5-20-94 | Dale Kildee |
| 500 ..... | 5-19-94 | Thomas Barlow |
| 500 ..... | 5-4-94 | David Mann |
| 500 ..... | 5-4-94 | Dan Webber |

Contributions, amount, date, donee:

2. Spouse: none.

3. Children and spouses names: none.

4. Parents names: William B. Richardson, deceased; Maria Luisa Zubiran, none.

5. Grandparents names: William Richardson and Vesta Richardson, Jorge Lopez Collada and Maria Marquez de Lopez Collada, all deceased.

6. Brothers and spouses names: none.

7. Sisters and spouses names: Vesta Richardson, none.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BRYAN (for himself and Mr. REID):

S. 296. A bill to amend the Nuclear Waste Policy Act of 1982 to allow commercial nuclear utilities that have contracts with the Secretary of Energy under section 302 of that act to receive credits to offset the cost of storing spent fuel that the Secretary is unable to accept for storage on and after January 31, 1998; to the Committee on Energy and Natural Resources.

S. 297. A bill to establish a Presidential commission on nuclear waste, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. D'AMATO (for himself, Mr. GRAMS, Mr. GRAMM, and Mr. BENNETT):

S. 298. A bill to enhance competition in the financial services sector, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LAUTENBERG (for himself, Mr. DEWINE, Mr. LEVIN, Mr. INOUYE, Mr. COVERDELL, and Mr. ABRAHAM):

S. 299. A bill to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the birth of Thomas Alva Edison, to redesign the half dollar circulating coin for 1997 to commemorate Thomas Edison, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 300. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 to encourage plant closings and the resultant relocation of employment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. McCAIN:

S. 301. A bill to authorize the Secretary of the Interior to set aside up to $2 per person from park entrance fees or assess up to $2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CHAFEE (for himself, Mr. ROCKEFELLER, Mr. FRIST, Mr. JEFFORDS, and Ms. COLLINS):

S. 302. A bill to amend title XVIII of the Social Security Act to provide additional consumer protections for medicare supplemental insurance; to the Committee on Finance.

By Mr. ABRAHAM (for himself and Mr. LEVIN):

S. 303. A bill to waive temporarily the Medicare enrollment composition rules for The Wellness Plan; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself, Mr. SANTORUM, Mr. FEINGOLD, Mr. KOHL, Mr. JEFFORDS, and Mr. LEAHY):

S. Res. 52. A resolution expressing the Sense of the Senate regarding the need to address immediately the current milk crisis; ordered to lie over, under the rule.

By Mrs. HUTCHISON (for herself, Mr. GRAMM, and Mr. D'AMATO):

S. Res. 53. A resolution to express the sense of the Senate concerning actions that the President of the United States should take to resolve the dispute between the Allied Pilots Association and American Airlines; to the Committee on Labor and Human Resources.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO (for himself, Mr. GRAMS, Mr. GRAMM and Mr. BENNETT):

S. 298. A bill to enhance competition in the financial services sector, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE DEPOSITORY INSTITUTION AFFILIATION ACT OF 1997

Mr. D'AMATO. Mr. President, today with the cosponsorship of my colleagues, Senators GRAMM, GRAMS, and BENNETT, I am introducing the "Depository Institutions Affiliation Act of 1997," to modernize the laws governing the financial services industry in a comprehensive, progressive fashion. I am pleased that Representative RICHARD BAKER, chairman of the Housing Banking Subcommittee on Capital Markets, Securities and Government Sponsored Enterprises, will introduce similar legislation, joined by Representatives MCCOLLUM, LAFALCE, and DREIER. This legislation will promote efficiency and fair competition between all financial service providers and make U.S. financial firms stronger in global competition.

Mr. President, Congress has been struggling to modernize the financial system since before I became a member of the Banking Committee in 1981. That effort must continue and should conclude successfully in this Congress. Our existing legal framework is fundamentally outdated. The Glass-Steagall and Bank Holding Company Acts impose regulatory structures that are inadequate for today's global marketplace and the financial needs of consumers.

Mr. President, our Nation's entire financial system—including traditional banks, insurance companies, and securities firms—faces a future that is somewhat unsettled. Competitive developments in the marketplace and the technological revolution that is well underway have brought about significant changes in the financial system, domestic and international. And these changes have already had a significant influence on all financial services providers and their customers.

Mr. President, there is widespread recognition that the United States must adopt a regulatory regime that recognizes market realities and assesses and controls risk. Our present patchwork of financial laws protects particular industries, restrains competition, prevents diversification that would limit risks, restricts potential sources of capital, and undermines the efficient delivery of financial services and the competitive position of our financial institutions in world markets.

Mr. President, Congress' reform effort in the 105th Congress must be forward-looking, not merely a reengineering of the legacy and laws from the New Deal. Our reform effort must not be limited in its design by unfounded fears and outdated philosophies. The far-reaching changes we are witnessing require a top-to-bottom examination of long-standing conventions about the way our financial system should be structured and regulated as we approach the 21st century. Already, banks and competitors from outside the conventional banking system are jockeying for position and advantage as competition heats up for control of market share and customers in a world of electronic commerce.

Existing institutions that fight for legislative restrictions to protect their markets are fighting the last war. Debate over financial modernization that focuses primarily on issues like the future of the banking franchise or gerrymandering markets through piecemeal legislation to protect a particular market segment is too narrow from a public policy standpoint. Such a narrow approach addresses questions and

solves problems that existed in the 1970's and 1980's; however, the year 2000 is quickly approaching and the policy debate in Congress and among industry leaders should be oriented toward the future. Technology and new financial competitors from outside the traditional arena will now provide an important and new catalyst for meaningful change and long overdue comprehensive financial modernization.

Mr. President, in its consideration of financial modernization, the new Congress will need to explore a number of new and important issues, including:

Given all the technological changes and new players in the market, what does it mean to be a bank? Does it make sense to maintain an artificial distinction between banks and nonbanks? Does it make sense to preserve the fiction that banking and commerce are somehow separate? Does it make sense to prohibit information-driven firms from owning or affiliating with banks now that financial services are in large part information processing activities?

How will the old system of deposit insurance fit into this environment? Should more complex institutions be required to give up deposit insurance, as was suggested by one of the Federal Reserve Bank presidents?

How do we ensure that technology results in greater choice, lower fees and fair, readily available access by consumers? The experience we are having with ATM's raises questions about whether consumers will share in the benefits of technology or whether the benefits will go primarily to the owners of that technology.

How can we protect individual privacy now that computers make it so easy to collect and disseminate personal information? This is such a sensitive concern that the Congress directed the Federal Reserve to conduct a study.

I do not know the answers, but these are provocative questions which require careful study and debate.

Others are studying these issues as well.

Last year, Congress directed the Treasury Department to conduct a study of all issues relating to a common charter for all federally insured depository institutions as part of the law stabilizing and eventually merging the two Federal deposit insurance funds (BIF and SAIF) (P.L. 104-208). The Treasury Department is expected to submit that study next month.

The Treasury Department appointed a consumer electronic payments task force which will include the principal Federal agencies involved in the payments system.

In addition, the Treasury Department is completing a study on the strengths and weaknesses of our financial services system in meeting the needs of the system's users.

Most recently, Federal Reserve Chairman Greenspan announced formation of a committee that will look at the Fed's role in the payments system of the future.

Mr. President, I introduce the Depository Institution Affiliation Act as a prelude to a vigorous debate about the future of our financial system. Let me explain how the Depository Institution Affiliation Act [DIAA] will make the financial system safer, more stable, and more competitive. I will submit a more detailed section-by-section explanation of the bill at the end of my remarks. The bill is virtually identical to legislation that I have previously sponsored or cosponsored in 1987 (S. 1905) and in 1989 (S. 530). In the previous Congress, it was S. 337. With the exception of technical and conforming changes to reflect the enactment of banking laws since its original introduction, the text of the bill is unchanged.

Mr. President, comprehensive financial modernization as proposed in this reform legislation would produce many beneficial changes for all financial intermediaries.

First, the legislation will enable all financial intermediaries—commercial banks, investment banks, thrifts, and so forth—to attract financial capital and managerial expertise by eliminating existing restrictions on ownership by and affiliations among depository and nondepository firms. However, the DIAA preserves all the safety-and-soundness and conflict-of-interest protections of the present system, while providing legal flexibility for a company to meet the financial needs of consumers, businesses, and others.

Mr. President, some detractors of DIAA describe it as too radical because it permits these affiliations. However, this type of common ownership is already allowed by our laws and has existed for decades without any evidence of problems. Federal law and public policy expressly allows commercial companies to own and affiliate with a variety of federally insured banks—for example, credit card banks, limited purpose banks, trust companies, and so forth—and savings and loans. For example, unitary thrift holding companies have proven that finance and commerce can be mixed safely. In fact, the lack of ownership restrictions on thrifts has worked to expand the capital and managerial talent available to thrifts. And the successful record of unitary holding companies demonstrates that broader ownership affiliations can actually strengthen depository institutions through greater diversification and financial strength. Moreover, the reality is that nonbank organizations, including telecommunications, cable companies, and software firms are designing and delivering banklike financial services and products over the Internet and World Wide Web without owning a bank.

Second, this bill will facilitate diversification and assure fair competition by creating a new charter alternative for all companies interested in entering or diversifying in the financial services field—a financial services holding company—FSHC. These FSHC's will be authorized to engage in any financial activity through separately regulated affiliates of the holding company. The bill would permit the merging of banking and commerce under carefully regulated circumstances by allowing a FSHC to own both a depository institution and companies engaged in both financial and nonfinancial activities.

Third, this legislation will insulate insured subsidiaries—for example, banks—from the more risky business activities of its affiliates, as well as the parent holding company. It would not authorize or allow these activities to be conducted in a bank's operating subsidiary.

Mr. President, by authorizing this alternative regulatory framework, the legislation would essentially exempt a FSHC's subsidiaries and affiliates from those sections of the Glass-Steagall and Bank Holding Company Acts that restrict mixing commercial banking with other financial—securities, investment banking, and so forth—and nonfinancial activities—retailing, technology, manufacturing. A FSHC would be able to diversify into any activity through affiliates of the holding company, with such affiliates subject to enhanced regulation.

Fourth, this bill will enhance substantially the quality and effectiveness of regulation through functional regulation. The regulation of the bank and nonbank affiliates of financial services holding companies would be along functional lines. The insured bank affiliate would be regulated by Federal and State bank regulators, the securities affiliate by the Securities and Exchange Commission, and so on. Thus, for each affiliate, existing regulatory expertise and resources will be applied to protect consumers, investors, and taxpayers. Functional regulation will also assure that competition in discrete products and services is fair by eliminating advantages attributable to current loopholes, regulatory gaps, and cost subsidies.

Finally, the bill would improve coordination and supervision of the overall financial system by permitting more effective analysis and monitoring of aggregate stability and vulnerability to severe disruptions and breakdown.

By removing unnecessary barriers to competition between providers of financial service in the United States, this legislation will permit U.S. capital markets to maintain their preeminence, and will allow U.S. financial intermediaries to respond to growing competition from foreign companies.

Mr. President, I want to underscore that the DIAA would not require existing firms to alter their regulatory structure. By permitting financial services providers to become FSHC's, such providers will have the option to phase gradually into, or expand within, the financial services industry.

Mr. President, the DIAA provides a solid platform and a sound approach to modernizing our financial structure. I recognize that this bill can be improved, and I am specifically requesting constructive and helpful comments to improve and to refine the major principles underlying the bill. As the committee proceeds to hearings and further consideration of the bill, I intend to make changes and adjustments in order to ensure competitive fairness, promote safety and soundness; achieve depositor, investor, and consumer protection; and assure effective and efficient functional regulation. Modernization of the financial services industry should not include the preemption of State consumer protection laws.

Mr. President, in the absence of congressional action, the Comptroller of the Currency and the Federal Reserve Board have acted to achieve limited modernization with results often of questionable legal authority and public policy results. Specifically, I am concerned about the OCC's action to permit a bank's operating subsidiaries to engage in activities that are not permissible for the bank. I believe this regulation is unwise. And I am deeply concerned that the Comptrollers action may subject federally insured banks to excessive risks and expose the bank insurance funds, and therefore taxpayers, to unnecessary liability. Congress can never forget the lessons of the savings and loan crisis in the late 1980's. In addition, the Fed's recent actions to increase the aggregate level of business a section 20 securities affiliate may engage in and its proposal to reduce or even eliminate important firewalls and safeguards that have existed for over a decade are also imprudent.

Mr. President, the rivalry between regulators to attempt unilaterally to set public policy and alter the competitive balance for their constituencies is not wholesome or helpful. The regulators actions will never be a substitute for comprehensive and balanced congressional action. For far too long, Congress has ceded the field to piecemeal deregulation by bank regulators and the courts. The time has come for Congress to decide on a legal and policy framework that prepares our financial institutions for the new century and the challenges of a rapidly changing global economy. The 105th Congress must address and resolve the important questions relating to the health and future of the banking industry in the broader context of a financial system that is increasingly composed of nonbank financial service providers. We must focus on the needs of our economy for credit and growth in the future and the next century. We must focus on financial stability, safety and soundness, fair competition, and functional regulation of all financial service providers—whether they are banks, investment banks, insurance companies, finance companies or even telecommunications or computer companies.

Mr. President, the benchmark provisions, principles, and purposes of DIAA, as stated above, have been tested and explored over the years. During a decade of debate, several studies, including a 1991 study by the Treasury Department entitled, "Modernizing the Financial System: Recommendations for Safer More Competitive Banks", these principles and the framework of the bill have become the centerpiece of an emerging consensus in favor of forward-looking, balanced and prudent approach to modernization. I am hopeful that a new study underway by the Treasury Department and due to be submitted to Congress in March related to a common bank and thrift charter will reach similar conclusions.

Mr. President, by continuing to work together, as demonstrated by the BIF/SAIF bill last year, the Congress and the administration can overcome the complaints of vested interests and reform our antiquated financial services laws. We should not miss this opportunity for constructive bipartisanship. I believe that this bill provides a good starting point for the 105th Congress to act on financial modernization. Passage of this bill will be a high priority for the Banking Committee. I believe this is a realistic objective.

Mr. President, I ask unanimous consent that a more detailed section-by-section summary of the bill be reprinted in the RECORD.

There being no objection, the summary was ordered to printed in the RECORD, as follows:

DEPOSITORY INSTITUTION AFFILIATION ACT—SECTION-BY-SECTION ANALYSIS

*Section 1: Short title*

Section 1 provides that this Act be cited as the "Depository Institution Affiliation Act".

*Section 2: Findings and purpose*

The purpose of this Act is to promote the safety and soundness of the nation's financial system, to increase the availability of financial products and services to consumers, businesses, charitable institutions and government in an efficient and cost effective manner. In addition, this Act aims to promote a legal structure governing providers of financial services that permits open and fair competition and affords all financial services companies equal opportunity to serve the full range of credit and financial needs in the marketplace. This Act also aims to ensure that domestic financial institutions and companies are able to compete effectively in international financial markets. Finally, this Act aims to regulate financial activities and companies along functional lines without regard to ownership, control, or affiliation.

TITLE I—CREATION AND CONTROL OF DEPOSITORY INSTITUTION HOLDING COMPANIES

*Section 101*

This section creates a new type of financial company, a depository institution holding company (DIHC), and sets out the terms and conditions under which such a company can be established and must be operated.

Subsection (a) Definitions. This subsection defines terms used in this section.

Paragraph (a)(1) defines a DIHC to be any company that files a notice with the National Financial Services Committee (see Title II of this Act) that it intends to comply with the provisions of this section, and controls an insured depository institution, or, either (i) has, within the preceding 12 months filed a notice under subsection (b) of this section to establish or acquire control of a federally insured depository institution or a company owning such a federal insured depository institution, or (ii) controls a company which, within the preceding 12 months, has filed an application for federal deposit insurance, provided that such notice or application has not been disapproved by the appropriate Federal banking agency or withdrawn. Any holding company which elects to become a DIHC and which does not control any banks that are not FDIC insured, will lose its status as a bank holding company immediately upon filing the notice of its election to become a DIHC. Similarly, a savings and loan holding company that elects to become a DIHC will lose that status upon filing the notice of its election to become a DIHC. To assure that each bank controlled by a DIHC would be subject to regulation and supervision by an appropriate federal banking agency, owners of uninsured banks would not be able to avail themselves of the opportunity to become a DIHC, unless they agreed to convert such uninsured banks into federally insured depository institutions.

Paragraph (a)(2) gives the term 'bank holding company' the meaning given to it in Section 2(a) of the Bank Holding Company Act of 1956, as amended.

Paragraph (a)(3) gives the term 'savings and loan holding company' the meaning given to it in section 10(a) of the Home Owners' Loan Act.

Paragraph (a)(4) defines for this section, except paragraph (5) of subsection (f), the term 'affiliate' of a company as any company which controls, is controlled by, or is under common control with such a company.

Paragraph (a)(5) gives the term 'appropriate Federal banking agency' (AFBA) the meaning given to it in section 3 of the Federal Deposit Insurance Act.

Paragraph (a)(6) gives the term 'insured depository institution' the meaning given to it in section 3(c)(2) of the Federal Deposit Insurance Act.

Paragraph (a)(7) gives the term 'State' the meaning given to it in section 3(a) of the Federal Deposit Insurance Act.

Paragraph (a)(8) defines the term 'company' to mean any corporation, partnership, business trust, association or similar organization. However, corporations that are majority owned by the United States or any State are excluded from the definition of company.

Paragraph (a)(9) defines control by one company over another. For purposes of this section, the term "control" means the power, directly or indirectly, to direct the management or policies of a company, or to vote 25% or more of any class of voting securities of a company.

There are three exceptions from the definition of control. These pertain to ownership of voting securities acquired or held:

1. as agent, trustee or in some other fiduciary capacity;

2. as underwriter for such a period of time as will permit the sale of these securities on a reasonable basis; or in connection with or incidental to market making, dealing, trading, brokerage or other securities-related activities, provided that such shares are not acquired with a view toward acquiring, exercising or transferring control of the management or policies of the company;

3. for the purpose of securing or collection of a prior debt until two years after the date of the acquisition; and

In addition, no company formed for the sole purpose of proxy solicitation shall be deemed to be in control of another company by virtue of its acquisition of the voting rights of the other company's securities.

Paragraph (a)(10) defines the term 'adequately capitalized' with respect to an insured depository institution has the meaning given to it in section 38(b)(1) of the Federal Deposit Insurance Act.

Paragraph (a)(11) defines the term 'well capitalized' with respect to an insured depository institution has the meaning given to it in section 38(b)(1)(A) of the Federal Deposit Insurance Act.

Paragraph (a)(12) defines the term 'minimum required capital' with respect to an insured depository institution as the amount of capital that is required to be adequately capitalized.

Subsection (b): Changes in Control of Insured Depository Institutions. This subsection provides that any DIHC wishing to acquire control of an insured depository institution or company owning such insured depository institution must comply with the requirements of the Change in Bank Control Act. Failure to comply with these requirements will subject the relevant DIHC to the penalties and procedures provided in subsections (i) through (m) of this section, in addition to otherwise applicable penalties.

Subsection (c): Affiliate Transactions. This subsection authorizes supplemental regulation of the transactions of insured depository institutions controlled by DIHCs with their affiliates. These regulations would be in addition to the restrictions on interaffiliate transactions provided for under sections 23A or 23B of the Federal Reserve Act. This subsection gives each AFBA some flexibility to promulgate and adapt rules and regulations in response to changing market conditions so that the AFBA has at all times the capability to prevent insured depository institutions under its supervision that are controlled by DIHCs from engaging in transactions that would compromise the safety and soundness of such insured depository institutions or that would jeopardize the deposit insurance funds.

Moreover, other provisions of this Act assure that the AFBA will have the capability to enforce these regulations vigorously (subsection (i) of this section) and that any violations of these regulations will be more severely punished than violations of regulations applicable to insured depository institutions that are not controlled by DIHCs (subsections (i), (j), (k) and (l) of this section).

Subparagraph (c)(1)(A) empowers the AFBA to develop rules and regulations to prevent insured depository institutions under its supervision that are also controlled by a DIHC from engaging in unsafe or unsound practices involving the DIHC or any of its affiliates, including unsafe and unsound practices that may arise in connection with transactions covered by sections 23A and 23B of the Federal Reserve Act.

Subparagraph (c)(1)(B) empowers the AFBA to create certain exceptions to the provisions of the preceding subparagraph, if the AFBA deems that such exceptions are reasonable and in the public interest and not inconsistent with the purposes of this Act. These exemptions may relate to certain institutions or classes of institutions, or to certain transactions or classes of transactions, including transactions covered under Sections 23A or 23B of the Federal Reserve Act.

Paragraph (c)(2) provides that any rules adopted under subparagraph (c)(1)(A) shall be issued in accordance with normal rulemaking procedures and shall afford interested parties the opportunity to comment in writing and orally on any proposed rule.

Paragraph (c)(3) grandfathers specific interaffiliate transactions approved by a Federal regulatory agency prior to the enactment of this Act, exempting them from rules and regulations promulgated under subparagraph (c)(1)(A).

Paragraph (c)(4) makes it clear that sections 23A and 23B of the Federal Reserve Act will apply to every insured depository institution controlled by a depository institution holding company.

Paragraphs (c)(5) and (c)(6) prohibit any insured depository institution in a DIHC from extending credit to or purchasing the assets of a securities affiliate and providing other types of financial support to that DIHC's securities affiliate except for daylight overdrafts that relate to U.S. government securities transactions if the daylight overdrafts are fully collateralized by U.S. government securities as to principal and interest.

Paragraph (c)(7) prohibits insured depository institutions in a DIHC from issuing various guarantees for the enhancement of the marketability of a securities issue underwritten or distributed by a securities affiliate of that DIHC.

Paragraph (c)(8) prohibits insured depository institutions in a DIHC from extending credit secured by or for the purposes of purchasing any security during an underwriting period of for 30 days thereafter where a securities affiliate of such institution participates as an underwritten or member of a selling group.

Paragraph (c)(9) prohibits insured depository institutions in a DIHC from extending credit to an issuer of securities underwritten by a securities affiliate for the purpose of paying the principal of those securities or interest for dividends on those securities.

Paragraph (c)(10) defines "securities affiliate" for the purposes of paragraphs (c)(5), (6), (7), (8) and (9).

Subsection (d): Capitalization. This subsection regulates the capitalization of insured depository institutions that are controlled by a DIHC.

Paragraph (d)(1) requires that insured depository institutions controlled by a DIHC be well capitalized.

Paragraph (d)(2) provides that if the AFBA finds that an insured depository institution subsidiary of a DIHC is not well capitalized, the DIHC shall have thirty days to reach an agreement with the AFBA concerning how and according to what schedule the insured depository institution will bring its minimum capital back into conference with requirements. During that time the insured depository institution shall operate under the close supervision of the AFBA.

In the event that the DIHC does not reach an agreement within thirty days with the AFBA on how and according to what schedule the capital of the insured depository institution will be replenished, the DIHC will be required to divest the insured depository institution in an orderly manner within a period of six months, or such additional period of time as the AFBA may determine is reasonably required in order to effect such divestiture.

Paragraph (d)(3) states that in view of the enhanced regulatory control over insured depository institutions controlled by DIHCs, no AFBA may regulate the capital of the DIHC. Thus, no AFBA may require the DIHC itself to enter into any other agreement regarding the maintenance of capital in its insured depository institution affiliates. The capital of the DIHC would, however, be regulated by any other agency having jurisdiction over it. For example, if the DIHC were also a registered broker/dealer, it would have to conform to the minimum capital requirements mandated by the SEC.

Subsection (e): Interstate Acquisitions and Activities of Insured Depository Institutions. This subsection subjects interstate acquisitions of an insured depository institution by a DIHC to the same restrictions as those applicable to bank holding companies under section 3(d) of the Bank Holding Company Act of 1956, as amended, and it subjects interstate acquisitions of savings associations by a DIHC to the same restrictions as those applicable to savings and loan holding companies.

Subsection (f): Differential Treatment Prohibition; Laws Inconsistent with this Act. This subsection does two things. First, it prohibits adversely differential treatment of DIHCs and their affiliates, including their insured depository institution affiliates, except as this Act specifically provides. Second, this subsection ensures that state and federal initiatives do not undermine achievement of the purposes of this Act. Whether couched as affiliation, licensing or agency restrictions or as constraints on access to state courts, such laws effectively perpetuate market barriers and deny consumers the opportunity to choose between different financial products and services.

Paragraph (f)(1) notwithstanding any other federal law, prohibits states from enacting laws that discriminate against DIHCs or against their affiliates, including their insured depository institution affiliates. This paragraph also prohibits, notwithstanding any other federal law, federal and state regulatory agencies from discriminating by rule, regulation, order or any other means against DIHCs or against their affiliates, including their insured depository institution affiliates, except as this Act specifically provides. This is intended to assure that the primary purpose of this Act—the enhancement of competition in the depository institution sector—will be fulfilled.

Paragraph (f)(2) finds that certain State affiliation and licensing laws restrain legitimate competition in interstate commerce, deny consumers freedom of choice in selecting an insured depository institution and threaten the long-term safety and soundness of insured depository institutions by limiting their access to capital.

Accordingly, with the exception of certain laws related to insurance and real estate brokerage which are treated in Subsection (g), this paragraph preempts any provision of federal or state law, rule, regulation or order that is expressly or impliedly inconsistent with the provisions of this section. The preempted statutes include state banking, savings and loan, securities, finance company, retail or other laws which restrict the affiliation of insured depository institutions or

their owners, agents, principals, brokers, directors, officers, employees or other representatives with other firms. Similarly, laws prohibiting cross marketing of products and services are preempted insofar as such cross marketing activities are conducted by DIHCs, their affiliates, or by any agent, principal, broker, director, officer, employee or other representative. By contrast, nondiscriminatory state approval, examination, supervisory, regulatory, reporting, licensing, and similar requirements are not affected.

Paragraph (f)(3) removes a common uncertainty under state licensing and qualification to do business statutes, which leaves an out-of-state insured depository institution's access to another state's courts unresolved. Under this provision, so long as such an insured depository institution limits its activities to those which do not constitute the establishment or operation of a "domestic branch" of an insured depository institution in that other state, it can qualify to maintain or defend in that state's court any action which could be maintained or defended by a company which is not an insured depository institution and is not located in that state, subject to the same filing, fee and other conditions as may be imposed on such a company. This paragraph is not intended to grant states any power that they do not currently have to regulate the activities of out-of-state insured depository institutions.

Paragraph (f)(4) makes clear that a state, except subject to the provisions of this Act, may not impede or prevent any insured depository institution affiliated with a DIHC or any DIHC or affiliate thereof from marketing products and services in that state by utilizing and compensating its agents, solicitors, brokers, employees and other persons located in that state and representing such a insured depository institution, company, or affiliate. However, to the extent such persons are performing loan origination, deposit solicitation or other activities in which an insured depository institution may engage, those activities cannot constitute the establishment or operation of a "domestic branch" at any location other than the main or branch offices of the insured depository institution.

Paragraph (f)(5) contains a special definition of "affiliate" and "control" for purposes of paragraphs (2) through (4) this subsection only. Control is deemed to occur where a person or entity owns or has the power to vote 10% of the voting securities of another entity or where a person or entity directly or indirectly determines the management or policies of another entity or person. Unlike the definition of affiliate set forth in paragraph (4) of subsection (a), this definition encompasses not only corporate affiliations but affiliations between corporations and individuals.

Subsection (q): Securities, Insurance and Real Estate Activities of Insured Depository Institutions. In order to facilitate functional regulation of the activities of DIHCs this section prohibits insured depository institutions controlled by DIHCs from conducting certain securities, insurance and real estate activities currently permissible for some insured depository institutions.

Subparagraph (g)(1)(A) provides that no insured depository institution controlled by a DIHC shall directly engage in dealing in or underwriting securities, or purchasing or selling securities as agent, except to the extent such activities are performed with regard to obligations of the United States or are the type of activities that could be performed by a national bank's trust department (12 U.S.C. 92a).

Subparagraph (g)(1)(B) provides that no insured depository institution controlled by a DIHC shall directly engage in insurance underwriting.

Subparagraph (g)(1)(C) provides that no insured depository institution controlled by a DIHC shall directly engage in real estate investment or development except insofar as these activities are incidental to the insured depository institution's investment in or operation of its own premises, result from foreclosure on collateral securing a loan, or are the type of activities that could be performed by a national bank's trust department.

Paragraph (g)(2) clarifies that nothing in this subsection shall be construed to prohibit or impede a DIHC or any of its affiliates (other than an insured depository institution) from engaging in any of the activities set forth in paragraph (1) or to prohibit an employee of an insured depository institution that is an affiliate of a DIHC from offering or marketing products or services of an affiliate of such an insured depository institution as set forth in paragraph (1).

Paragraph (g)(3), however, contains significant limits on DIHC entry into the businesses of insurance agency and real estate brokerage. No DIHC could enter these fields de novo. Rather, they would have to purchase either an insurance agency or real estate brokerage business which had been in business for at least five years prior to passage of the Act.

Paragraph (g)(4) provides that nothing in this subsection will require the breach of a contract entered into prior to enactment of this Act.

Subsection (h): Tying and Insider Lender Provisions. This section subjects DIHCs to the tying provisions of section 106 of the Bank Holding Company Act Amendments of 1970 and to the insider lending prohibitions of section 22(h) of the Federal Reserve Act. These sections prohibit tying between products and services offered by insured depository institutions and products and services offered by the DIHC itself or by any of its other affiliates. Note, however, that these tying provisions do not apply to products and services that do not involve an insured depository institution. The insider lending provisions severely limit loans by an insured depository institution to officers and directors of the insured depository institution. For purposes of both provisions, the AFBA will exercise the rulemaking authority vested in the Federal Reserve with regard to these limitations.

Subsection (i): Examination and Enforcement. This subsection provides that the AFBA shall use its examination and supervision authority to enforce the provisions of this section, including any rules and regulations promulgated under subsection (c). In particular, it is intended that each AFBA should structure its examination process so as to uncover possible violations of the provisions of this section and that the agency should not hesitate to make full use of its cease-and-desist powers or to impose as warranted the special penalties discussed below, if it believes that an insured depository institution under its supervision that is controlled by a DIHC is in violation of any provisions of this section.

This subsection also grants the AFBA authority to examine any other affiliate of the DIHC as well as the DIHC itself in order to ensure compliance with the limitations of this section or other provisions of law made applicable by this section such as sections 23A and 23B of the Federal Reserve Act.

In addition, this subsection grants each AFBA the right to apply to the appropriate district court of the United States for a temporary or permanent injunction or a restraining order to enjoin any person or company from violation of the provisions of this section or any regulation prescribed under this section. The AFBA may seek such an injunction or restraining order whenever it considers that an insured depository institution under its supervision or any DIHC controlling such an insured depository institution is violating, has violated or is about to violate any provision of this section or any regulation prescribed under this section. In seeking such an injunction or restraining order the AFBA may also request such equitable relief as may be necessary to prevent the violation in question. This relief may include a requirement that the DIHC divest itself of control of the insured depository institution, if this is the only way in which the violation can be prevented.

This injunctive power will enable the AFBA to move speedily to stop practices that it believes endanger the safety and soundness of an insured depository institution under its supervision that is controlled by a DIHC. If necessary to protect the depositors and safeguard the deposit insurance funds, the AFBA may request that the injunction proceedings be held in camera, so as not to provoke a run on the insured depository institution.

Subsection (j): Divestiture. This subsection states that an AFBA may require a DIHC to divest itself of an insured depository institution, if the agency finds that the insured depository institution is engaging in a continuing course of action involving the DIHC or any of its affiliates that would endanger the safety and soundness of that insured depository institution. Although the DIHC would have the right to a hearing and to judicial review and have one year in which to divest the insured depository institution, it should be emphasized that the insured depository institution would operate under the close supervision of the AFBA from the date of the initial order until the date the divestiture is completed. This is intended to safeguard the insured depository institution in question, its depositors and the deposit insurance funds.

Subsection (k): Criminal Penalties: This subsection provides for criminal penalties for knowing and willful violations of the provisions of this section, even if these violations do not result in an initial or final order requiring divestiture of the insured depository institution. For companies found to be in violation of the provisions of this section the maximum penalty shall be the greater of (a) $250,000 per day for each day that the violation continues or (b) one percent of the minimum required capital of the insured depository institution per day for each day that the violation continues, up to a maximum of 10% of the minimum capital of the insured depository institution—a fine that could amount to tens of millions of dollars for a large insured depository institution. Such a fine is designed to be large enough to deter even large insured depository institutions from violating the provisions of this section.

For individuals found to be in violation of the provisions of this section the penalty shall be a fine and/or a prison term. The maximum fine shall be the greater of (a) $250,000 or (b) twice the individual's annual rate of total compensation at the time the violation occurred. The maximum prison

sentence shall be one year. In addition, individuals violating the provisions of this section will also be subject to the penalties provided for in Section 1005 of Title 18 for false entries in any book, report or statement to the extent that the violation included such false entries.

A DIHC and its affiliates shall also be subject to the Criminal penalties provisions of the Financial Institutions Reform, Recovery and Enforcement Act of 1989 and the Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 to the same extent as a registered bank holding company, savings and loan holding company or any affiliate of such companies.

Subsection (l): Civil Enforcement, Cease-and-Desist Orders, Civil Money Penalties. This subsection provides for civil enforcement, cease-and-desist orders and civil money penalties consistent with subsections (b) through (s) and subsection (u) of section 1818 of Title 123 for any company or person that violates the provisions of this section in the same manner as they apply to a state member insured bank, and grants the AFBA the power to impose such penalties after providing the company or person accused of such violation the opportunity to object in writing to its finding.

Subsection (m): Judicial Review. This subsection provides for judicial review of decisions reached by an AFBA under the provisions of this section. This right to review includes a right of judicial review of statutes, rules, regulations, orders and other actions that would discriminate against DIHCs or affiliates controlled by such companies.

*Section 102: Amendment to the Bank Holding Company Act of 1956*

This section contains a conforming amendment to the definition of the term "bank" in the Bank Holding Company Act to ensure that a DIHC owning an insured depository institution will be regulated under this Act rather than the Bank Holding Company Act.

*Section 103: Amendments to the Federal Reserve Act*

This section clarifies the application of Section 23A of the Federal Reserve Act to certain loans and extensions of credit to persons who are not affiliated with a member bank. Section 23A contains a provision that was intended to prevent the use of "straw man" intermediaries to evade section 23A's limitations on loans and extensions of credit to affiliates. Contrary to its original purpose, the provision may also be literally read to restrict a bona fide loan or extension of credit to a third party who happens to use the proceeds to purchase goods or services from an affiliate of the insured depository institution; such a loan could occur, for example, if a customer happened to use a credit card issued by an insured depository institution to buy an item sold by the insured depository institution's affiliate. This section clarifies that such loans and extensions of credit are not covered by section 23A as long as (i) the insured depository institution approves them in accordance with substantially the same standards and procedures and on substantially the same terms that it applies to similar loans or extensions of credit that do not involve the payment of the proceeds to an affiliate, and (ii) the loans or extensions of credit are not made for the purpose of evading any requirement of section 23A.

*Section 104: Amendments to the Banking Act of 1933*

Subsection (a) amends section 20 of the Glass-Steagall Act so that it does not apply to member banks that are controlled by DIHCs.

Subsection (b) amends section 32 of the Glass-Steagall Act so that it does not apply to officers, directors and employees of affiliates of a single depository institution holding company.

*Section 105: Amendment to the Federal Deposit Insurance Act*

This section amends the Change in Bank Control Act to provide that an acquisition of a DIHC controlling an insured depository institution may only be accomplished after complying with that Act's procedures. It also modifies the definition of "control" in the Change in Savings and Loan Control Act to conform it to the definition in section 101(a)(9) of this Act.

*Section 106: Amendment to the Securities Exchange Act of 1934*

This section amends the Securities Exchange Act of 1934 to provide for the registration and regulation of Broker Dealers.

*Section 107: Amendment to the Home Owners' Loan Act*

This section amends section 11 of the Home Owners' Loan Act in order to apply Section 101(c)(1)(B) of this section to savings associations.

*Section 108: Amendment to the Community Reinvestment Act*

This section amends the Community Reinvestment Act to make it applicable to acquisitions of insured depository institutions by DIHC's.

TITLE II—SUPERVISORY IMPROVEMENTS

*Section 201: National Financial Services Committee*

This section establishes a standing committee, the National Financial Services Oversight Committee (Committee), in order to provide a forum in which federal and state regulators can reach a consensus regarding how the regulation of insured depository institutions should evolve in response to changing market conditions. In addition, the Committee also provides a mechanism through which various federal regulatory agencies could coordinate their responses to a financial crisis, if such a crisis were to occur. The Committee comprises all federal agencies responsible for regulating financial institutions or financial activities, and it is structured to allow state regulators to participate in its deliberations.

The Committee consists of the Chairman of the Secretary of the Treasury, who is also the Chairman of the Committee, the Chairman of the Board of Governors of the Federal Reserve System, the Chairman of the FDIC, the Director of the Office of Thrift Supervision, the Comptroller of the Currency, the Secretary of Commerce, the Attorney General, the Chairman of the SEC, and the Chairman of the CFTC.

The Committee is directed to report to Congress within one year of enactment of this Act on proposed legislative or regulatory actions that will improve the examination process to permit better oversight of all insured depository institutions. It is also directed to establish uniform principles and standards for examinations.

TITLE III

*Section 301: Effective date*

The Act will become effective on the date of enactment.

Mr. GRAMS. Mr. President, I rise today in support of the Depository Institution Affiliation Act, which has been drafted by Senate Banking Committee Chairman ALFONSE D'AMATO. This landmark piece of legislation will modernize the archaic laws that govern our financial services industry. Passage of this legislation will benefit consumers, increase the availability of venture capital for job creation, and bolster the international competitiveness of America's financial services industry.

There is a clear need to modernize the outdated laws that govern America's financial services industry, because financial services play a vital role in our daily lives. We take out loans to go to college, to buy a car, and to purchase a home. We buy insurance to provide greater security to ourselves and our families. We make investments throughout our life so that we may retire in comfort and dignity.

Today, technological advancements and increased innovation in the delivery of financial services make it easier than ever for consumers to get loans, purchase insurance, and invest their earnings. Unfortunately, our archaic and burdensome laws governing financial institutions continue to discourage, rather than encourage, such advancement and innovation.

The laws to which I am referring are not those governing the safety and soundness of financial institutions, such as setting minimum capital requirements or requiring periodic oversight by Federal or State regulators. Safety and soundness laws and regulations are beneficial and necessary, as they enhance the security of the consumer whenever he or she deposits money in a bank or purchases an insurance policy.

The outdated laws to which I am referring are the laws that create barriers to competition by artificially compartmentalizing the three major sectors of financial services—banking, securities, and insurance. For example, under the Banking Act of 1933, more commonly known as the Glass-Steagall Act, banks are generally barred from directly investing in corporate securities, underwriting new corporate issues or sponsoring mutual funds. Under the Bank Holding Company Act of 1956, securities underwriters, insurance underwriters, and nonfinancial companies are generally prohibited from owning banks or being owned by a bank holding company.

These outdated financial institution laws hurt consumers by artificially increasing the costs of financial services, reducing the availability of financial products, and reducing the level of convenience in the delivery of financial services. These laws hurt small businesses—an engine of job growth in the American economy—by artificially limiting the amount of equity capital available for expanded activity. These

laws weaken the international competitiveness of America's financial institutions by prohibiting them from offering the range of financial services that foreign financial institutions may offer.

It should be noted that the Glass-Steagall Act—which created the compartmentalized structure of financial services that we have today—was based upon the false premise that the massive amount of bank failures that occurred during the Great Depression was caused by the securities activities that these banks conducted. However, just the opposite is true: Diversification in financial services actually increased the safety and soundness of the banks. Between 1929 and 1933, 26.3 percent of all national banks failed. However, the failure rate for those banks that conducted securities activities was lower. Of the national banks in 1929 that either had securities affiliates or had internal bond departments, only 7.2 percent had failed by 1933. The message from these statistics is clear: We should encourage competition and diversification, not discourage it.

Last year, Congress passed a bipartisan and comprehensive legislative initiative to reform the Telecommunications Act and stimulate competition and innovation in the telecommunications industry. Similar action is needed this year to stimulate the growth and global competitiveness of our financial services industry.

The Depository Institution Affiliation Act creates a new Financial Services Holding Company structure that will permit banks, thrifts, securities companies and insurance companies to affiliate and cross-market their products. This structure will do this while maintaining consumer protections and the safety and soundness of the Federal deposit insurance system.

This legislation will greatly benefit consumers. The D'Amato bill's termination of affiliation restrictions will significantly increase competition in the financial services industry. Consumers' costs in the purchase of insurance, securities and banking products will be lowered. The bill's termination of crossmarketing restrictions will increase consumer convenience, as consumers will be able to do one-stop shopping for all of their financial services needs. The D'Amato bill does all of this while maintaining the statues and regulations that protect consumers from fraud and discrimination.

This legislation will maintain the safety and soundness of the Federal deposit insurance system. The D'Amato bill protects banks from being affected by affiliate and holding company insolvency by implementing firewalls that prohibit affiliates from raiding the insured bank. As added protection, it requires that if a bank becomes anything less than satisfactorily capitalized, the Financial Services Holding Company must immediately divest of the bank.

This legislation will provide for competitive equality among all financial services providers. Its provisions have been carefully crafted to provide a level playing field for banks, thrifts, securities companies and insurance companies. This charter up approach will permit all of these companies to become Financial Services Holding Companies, and will not prevent current financial institutions from conducting any activities that they currently conduct.

In closing, I look forward to supporting Chairman D'AMATO in his efforts to pass financial modernization legislation. It is my hope that 1997 will be the year that we join together and create a bipartisan bill that will reform our laws so that America's financial institutions will be able to compete, innovate and grow to meet the challenges of the 21st century.

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By Mr. LAUTENBERG (for himself, Mr. DEWINE, Mr. LEVIN, Mr. INOUYE, Mr. COVERDELL, and Mr. ABRAHAM):

S. 299. A bill to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the birth of Thomas Alva Edison, to redesign the half dollar circulating coin for 1997 to commemorate Thomas Edison, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE THOMAS ALVA EDISON SESQUICENTENNIAL COMMEMORATIVE COIN ACT

Mr. LAUTENBERG. Mr. President, I rise on behalf of Senators DEWINE, LEVIN, INOUYE, COVERDELL, ABRAHAM, and myself, to introduce legislation that would direct the Secretary of the Treasury to mint coins commemorating the 150th anniversary of Thomas Alva Edison's birth. The introduction of this legislation today, February 11, is significant because Thomas Edison was born 150 years ago.

Mr. President, few Americans have had a greater impact on our Nation, and our world, than Thomas Edison. He produced more than 1,300 inventions, including the incandescent light bulb, the alkaline battery, the phonograph, and motion pictures.

In 1928, the Congress saw fit to award to Mr. Edison a Congressional Gold Medal "for development and application of inventions that have revolutionized civilization in the last century." The legislation I am introducing today would once again honor one of the world's greatest inventors by issuing both commemorative and circulating coins with Mr. Edison's likeness.

These coins not only would honor the memory of Thomas Edison, they would also raise revenue to support organizations that preserve his legacy. The two New Jersey Edison sites, the "invention factory" in West Orange and the Edison Memorial Tower in Edison, are both in need of repair. Irreplaceable records and priceless memorabilia are in danger of being destroyed because of moisture damage and structural problems. Each year, 9,000 young students visit the West Orange site to learn about the great inventor. Our legislation, at no cost to the Government, would provide the funds necessary to protect these and five other historical sites so that generations of schoolchildren can continue to visit them.

Let me emphasize that this legislation would have no net cost to the Government. In fact, because circulating coins are a source of Government revenue known as seigniorage, this bill would reduce Government borrowing requirements, thereby lowering the annual interest payments on the national debt. An Edison commemorative coin program also has strong support among America's numismatists, whose interest is crucial to the success of any coin program.

Mr. President, I introduced similar legislation at the end of the 104th Congress. I introduce it again on the 150th birthday of this great American inventor with the anticipation that my colleagues will join me in honoring the memory of Thomas Alva Edison while providing sorely needed funds to important historical sites.

I urge my colleagues to support this legislation and ask unanimous consent that a copy of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 299

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Thomas Alva Edison Sesquicentennial Commemorative Coin Act".

**SEC. 2. FINDINGS.**

The Congress finds that—

(1) Thomas Alva Edison, one of America's greatest inventors, was born on February 11, 1847, in Milan, Ohio;

(2) the inexhaustible energy and genius of Thomas A. Edison produced more than 1,300 inventions in his lifetime, including the incandescent light bulb and the phonograph;

(3) in 1928, Thomas A. Edison received the Congressional gold medal "for development and application of inventions that have revolutionized civilization in the last century"; and

(4) 1997 will mark the sesquicentennial of the birth of Thomas A. Edison.

**TITLE I—COMMEMORATIVE COINS**

**SEC. 101. COIN SPECIFICATIONS.**

(a) DENOMINATIONS.—In commemoration of the sesquicentennial of the birth of Thomas A. Edison, the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue—

(1) not more than 350,000 $1 coins, each of which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper; and

(2) not more than 350,000 half dollar coins, each of which shall—

(A) weigh 12.50 grams;

(B) have a diameter of 1.205 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this title shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this title shall be considered to be numismatic items.

**SEC. 102. SOURCES OF BULLION.**

The Secretary shall obtain silver for minting coins under this title only from stockpiles established under the Strategic and Critical Materials Stock Piling Act.

**SEC. 103. DESIGN OF COINS.**

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this title shall be emblematic of the many inventions made by Thomas A. Edison throughout his prolific life.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this title there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the years "1847–1997"; and

(C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(3) OBVERSE OF COIN.—The obverse of each coin minted under this title shall bear the likeness of Thomas A. Edison.

(b) DESIGN COMPETITION.—Before the end of the 3-month period beginning on the date of enactment of this Act, the Secretary shall conduct an open design competition for the design of the obverse and the reverse of the coins minted under this title.

(c) SELECTION.—The design for the coins minted under this title shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

**SEC. 104. ISSUANCE OF COINS.**

(a) QUALITY OF COINS.—Coins minted under this title shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this title.

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this title beginning on and after the date of enactment of this Act.

(d) TERMINATION OF MINTING AUTHORITY.—No coins may be minted under this title after July 31, 1998.

**SEC. 105. SALE OF COINS.**

(a) SALE PRICE.—The coins issued under this title shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this title at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this title before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales of coins minted under this title shall include a surcharge of—

(1) $14 per coin for the $1 coin; and

(2) $7 per coin for the half dollar coin.

**SEC. 106. GENERAL WAIVER OF PROCUREMENT REGULATIONS.**

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out this title.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity.

**SEC. 107. DISTRIBUTION OF SURCHARGES.**

(a) IN GENERAL.—Subject to section 5134(f) of title 31, United States Code, the first $7,000,000 of the surcharges received by the Secretary from the sale of coins issued under this title shall be promptly paid by the Secretary as follows:

(1) MUSEUM OF ARTS AND HISTORY.—Up to ⅓ to the Museum of Arts and History, in the city of Port Huron, Michigan, for the endowment and construction of a special museum on the life of Thomas A. Edison in Port Huron.

(2) EDISON BIRTHPLACE ASSOCIATION.—Up to ⅓ to the Edison Birthplace Association, Incorporated, in Milan, Ohio, to assist in the efforts of the association to raise an endowment as a permanent source of support for the repair and maintenance of the Thomas A. Edison birthplace, a national historic landmark.

(3) NATIONAL PARK SERVICE.—Up to ⅓ to the National Park Service, for use in protecting, restoring, and cataloguing historic documents and objects at the "invention factory" of Thomas A. Edison in West Orange, New Jersey.

(4) EDISON PLAZA MUSEUM.—Up to ⅓ to the Edison Plaza Museum in Beaumont, Texas, for expanding educational programs on Thomas A. Edison and for the repair and maintenance of the museum.

(5) EDISON WINTER HOME AND MUSEUM.—Up to ⅓ to the Edison Winter Home and Museum in Fort Myers, Florida, for historic preservation, restoration, and maintenance of the historic home and chemical laboratory of Thomas A. Edison.

(6) EDISON INSTITUTE.—Up to ⅓ to the Edison Institute, otherwise known as "Greenfield Village", in Dearborn, Michigan, for use in maintaining and expanding displays and educational programs associated with Thomas A. Edison.

(7) EDISON MEMORIAL TOWER.—Up to ⅓ to the Edison Memorial Tower in Edison, New Jersey, for the preservation, restoration, and expansion of the tower and museum.

(b) EXCESS PAYABLE TO THE NATIONAL NUMISMATIC COLLECTION.—After payment of the amounts required under subsection (a), the Secretary shall pay the remaining surcharges to the National Museum of American History in Washington, D.C., for the support of the National Numismatic Collection at the museum.

(c) AUDITS.—Each organization that receives any payment from the Secretary under this section shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code.

**SEC. 108. FINANCIAL ASSURANCES.**

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this title unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

**TITLE II—CIRCULATING COINS**

**SEC. 201. AUTHORITY TO REDESIGN HALF DOLLAR CIRCULATING COINS.**

Section 5112(d) of title 31, United States Code, is amended by inserting after the 6th sentence the following: "At the discretion of the Secretary, half dollar coins minted after December 31, 1996, and before July 31, 1998, may bear the same design as the commemorative coins minted under title I of the Thomas Alva Edison Sesquicentennial Commemorative Coin Act, as established under section 103 of that Act.".

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By Mr. FEINGOLD (for himself and Mr. KOHL):

S. 300. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 to encourage plant closings and the resultant relocation of employment, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE PROHIBITION OF INCENTIVES FOR RELOCATION ACT OF 1997

• Mr. FEINGOLD. Mr. President, I introduce legislation to address an important and timely issue for the citizens of my State of Wisconsin, and for others all over our Nation—the issue of job piracy.

Last month, officials in the State of Michigan announced a new initiative designed to lure businesses from other States into their own borders. Businesses are provided a tempting incentive to relocate there, tax-free status for 15 years, if they relocate to select regions of the State. The communications director for the Michigan Jobs Commission, Jim Tobin, was quoted in the Wisconsin State Journal as saying that the new so-called renaissance zones program "will aggressively pursue Wisconsin companies for relocation into Michigan." Presumably, other States bordering Michigan will be targeted as well.

I was extremely disappointed to hear that my neighboring State had chosen to blatantly target Wisconsin jobs, rather than focusing its energies on creating new jobs for its residents. In my opinion, economic development ought not be thought of as a zero-sum game. We live in an era of increasing economic interdependence, and responsible elected officials should be focusing on regional and national solutions to the crises in our States' most economically distressed areas, not on raiding each others' jobs.

Upon hearing of the new Michigan initiative, my colleagues Senator KOHL and Congressman TOM BARRETT and I requested investigations from several Federal agencies in order to ascertain whether and to what degree Federal funds are being used to finance the renaissance zones initiative. We feel strongly that our constituents' tax dollars should not have to help finance the efforts of those across State lines who attempt to steal their jobs.

Fortunately, most Federal economic development grant programs, such as those funded by the Small Business Administration and the Economic Development Administration, currently include antipiracy language. However, this important anti-piracy provision is conspicuously absent in the Community Development Block Grant [CDBG] Program and several other small programs administered by the Department of Housing and Urban Development [HUD].

Today, Senator KOHL and I are introducing the Prohibition of Incentives for Relocation Act of 1997, a bill we have introduced previously, in both the 103d and 104th Congresses. It would simply make the CDBG, HUD special purpose grants, and HUD economic development grants consistent with other domestic economic development grant programs, by prohibiting HUD funds from being used for activities that are intended, or likely to facilitate, the closing of an industrial or commercial plant, or the substantial reduction of operations of a plant; and result in the relocation or expansion of a plant from one area to another area. Identical legislation is being introduced in the House by Representative BARRETT and Representative KLECZKA.

We became aware of this problem in the way the CDBG language is currently drafted several years ago. In 1994, Briggs and Stratton, one of Wisconsin's major employers, announced that its Milwaukee plant would be closing. As a result, over 2,000 jobs at the plant were lost. The total economic impact on the community was even worse: For every four Briggs jobs lost, an estimated one additional job from a supplier or other business that relied on Briggs was lost.

At the same time as the Milwaukee closing, Briggs and Stratton expanded two of its plants in other States. I do not dispute its right to do so. But what I find objectionable, Mr. President, is that Federal dollars, CDBG funds, were used to facilitate the transfer of these jobs from one State to another. This was, in my opinion, a completely inappropriate use of Federal funds. The Community Development Block Grant Program is designed to expand employment opportunities and economic growth, not simply move jobs from one community to another. There is no way to justify to my constituents that they are sending their tax dollars to Washington to be distributed to other States in order to attract jobs out of our State, leaving behind communities whose economic stability has been destroyed.

Mr. President, it is not clear if CDBG dollars are being used by the State of Michigan to finance their piracy of jobs from my State and from our other Midwestern neighbors. But in any event, the statute should be revised to prohibit such usage. It is an issue of fairness, and it deserves our attention. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 300

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

**SECTION 1. PROHIBITION OF USE OF CERTAIN ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.**

(a) AUTHORIZATIONS.—Section 103 of the Housing and Community Development Act of 1974 (42 U.S.C. 5303) is amended—

(1) by inserting "(a)" before "The Secretary"; and

(2) by adding at the end the following new subsection:

"(b) PROHIBITION OF USE OF ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, no amount from a grant made under section 106 shall be used for any activity that is intended or is likely to—

"(A) facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant; and

"(B) result in the relocation or expansion of a plant from one area to another area.

"(2) NOTICE.—The Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to implement this subsection. Such notice shall be published as a proposed regulation and take effect upon publication. The Secretary shall issue final regulations, taking into account public comments received by the Secretary.".

(b) SPECIAL PURPOSE GRANTS.—Section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307) is amended by adding at the end the following new subsection:

"(g) PROHIBITION OF USE OF ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, no amount from a grant made under this section shall be used for any activity that is intended or is likely to—

"(A) facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant; and

"(B) result in the relocation or expansion of a plant from one area to another area.

"(2) NOTICE.—The Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to implement this subsection. Such notice shall be published as a proposed regulation and take effect upon publication. The Secretary shall issue final regulations, taking into account public comments received by the Secretary.".

"(c) ECONOMIC DEVELOPMENT GRANTS.—Section 108(q) of the Housing and Community Development Act of 1974 (42 U.S.C. 5308(q)) is amended by adding at the end the following new paragraph:

"(5) PROHIBITION OF USE OF ASSISTANCE TO ENCOURAGE PLANT CLOSINGS AND RESULTANT RELOCATION OF EMPLOYMENT.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, no amount from a grant made under this subsection shall be used for any activity that is intended or is likely to—

"(i) facilitate the closing of an industrial or commercial plant or the substantial reduction of operations of a plant; and

"(ii) result in the relocation or expansion of a plant from one area to another area.

"(B) NOTICE.—The Secretary shall, by notice published in the Federal Register, establish such requirements as may be necessary to implement this paragraph. Such notice shall be published as a proposed regulation and take effect upon publication. The Secretary shall issue final regulations, taking into account public comments received by the Secretary.".•

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By Mr. MCCAIN:

S. 301. A bill to authorize the Secretary of the Interior to set aside up to $2 per person from park entrance fees or assess up to $2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Energy and Natural Resources.

NATIONAL PARKS LEGISLATION

• Mr. MCCAIN. Mr. President, I introduce legislation that would allow us to make desperately needed improvements within America's national parks.

The National Parks Capital Improvements Act of 1997 would allow private fundraising organizations to enter into agreements with the Secretary of the Interior to issue taxable capital development bonds. Bond revenues would then be used to finance park improvement projects. The bonds would be secured by an entrance fee surcharge of up to $2 per visitor at participating parks, or a set-aside of up to $2 per visitor from current entrance fees.

Our national park system has enormous capital needs—by last estimate, over $3 billion for high priority projects such as improved transportation systems, trail repairs, visitor facilities, historic preservation, and the list goes on and on. The unfortunate reality is that even under the rosiest budget scenarios our growing park needs far outstrip the resources currently available.

A good example of this funding gap is at Grand Canyon National Park. The park's recently approved park management plan calls for over $300 million in capital improvements, including a desperately needed transportation system to reduce congestion. Despite this enormous need for funding, the Grand Canyon received only $12 million from the Federal Government last year for operating costs. The gap is as wide as the Grand Canyon itself. Clearly, we must find a new way to finance park needs.

Revenue bonding would take us a long way toward meeting our needs within the national park system. Based on current visitation rates at the Grand Canyon, a $2 surcharge would enable us to raise $100 million from a bond issue amortized over 20 years. That is a significant amount of money which we could use to accomplish many critical park projects.

I want to emphasize, however, the Grand Canyon would not be the only park eligible to benefit from this legislation. Any park unit with capital needs in excess of $5 million is eligible to participate. Among eligible parks, the Secretary of the Interior will determine which may take part in the program.

I also want to stress that only projects approved as part of a park's general management plan can be funded through bond revenue. This proviso eliminates any concern that the revenue could be used for projects of questionable value to the park.

In addition, only organizations under agreement with the Secretary will be authorized to administer the bonding, so the Secretary can establish any rules or policies he deems necessary and appropriate.

Under no circumstances, however would, investors be able to attach liens against Federal property in the very unlikely event of default. The bonds will be secured only by the surcharge revenues.

Finally, the bill specifies that all professional standards apply and that the issues are subject to the same laws, rules, and regulatory enforcement procedures as any other bond issue.

The most obvious question raised by this legislation is: Will the bond markets support park improvement issues, guaranteed by an entrance surcharge? The answer is yes, emphatically. Americans are eager to invest in our Nation's natural heritage, and with park visitation growing stronger, the risks would appear minimal. For example, a recent Washington Times editorial printed on December 8, 1996, noted that park visitation has increased to nearly 280 million since 1983, so that now more than a quarter of a million people visit our national parks every year. That editorial went on to point out that attendance is expected to further increase to well over 300 million by the turn of the century.

Are park visitors willing to pay a little more at the entrance gate if the money is used for park improvements? Again, yes. Time and time again, visitors have expressed their support for increased fees provided that the revenue is used where collected and not diverted for some other purpose devised by Congress.

With the fee demonstration program currently being implemented at parks around the Nation, an additional $2 surcharge may not be necessary or appropriate at certain parks. Under the bill, those parks could choose to dedicate $2 per park visitor from current entrance fees toward a bond issue.

Finally, I want to point out that the bill will not cost the Treasury any money? On the contrary, it will result in a net increase in Federal revenue. First, the bonds will be fully taxable. Second, making desperately needed improvements sooner rather than later will reduce total project costs.

Mr. President, this legislation seeks to use park entrance fees to their fullest potential through bonds. I appreciate that some details may remain to be worked out in this bill and I encourage the administration and other interested groups to work with me to fine tune this legislation. But, I believe that use of revenue bonds to pay the staggering costs for capital improvements within our parks is an idea whose time has come.

America has been blessed with a rich natural heritage. The National Park Service Organic Act, which created the National Park Service, enjoins us to protect our precious natural resources for future generations and to provide for their enjoyment by the American people. The National Parks Capital Improvements Act must pass if we are to successfully fulfill the enduring responsibilities of stewardship with which we have been vested. I urge my colleagues to support me in this important effort.

I ask unanimous consent that copies of letters supporting this legislation from the Environmental Defense Fund, the National Trust for Historic Preservation, the Grand Canyon Fund, the National Park Foundation, the Grand Canyon Trust, the Friends of Acadia, Mount Rainier, North Cascades & Olympic Fund and the Rocky Mountain National Park Associates, Inc., be included in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ROCKY MOUNTAIN NATIONAL PARK ASSOCIATES, INC.,
*Estes Park, CO, February 3, 1997.*

Senator JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN, Permit me to add a voice of support for the bill you are reintroducing known as the National Parks Capital Improvement Act.

Many of us affiliated as non profit and philanthropic partners working to improve and enhance America's National Park System are searching for innovative solutions to address the pressing needs of our parks. The concept of the National Parks Capital Improvements Act may be innovative within the context of national parks, but it is clearly a well-tested tool in the private sector and it is needed now for our park fix-up kits. It is my understanding that it permits bonds to be issued at our parks—at least those areas having special long-term needs and those adept at revenue generation. This legislation is not designed to address every need of the maintenance backlog which is fast accumulating within the National Park System. But in specific parks—like that of Grand Canyon or others with carefully defined Master Plans—this authority to issue bonds could be put to beneficial use immediately, addressing critically important infrastructure and visitor services improvement programs.

I hasten to add that not many parks have non profit partnerships as strong as Grand Canyon National Park has with its affiliates, the Grand Canyon Association and the Grand Canyon Fund. The key to making this bond issuance authority work effectively is the leadership and managerial competence coming from these non profit partners. The National Park Service is fortunate to have such strong non profit friends who are able to both create and manage this financing plan within the context of our National Park System.

I applaud your foresight and your leadership in reintroducing the National Parks Capital Improvements Act in this current session of Congress. I heartily endorse your concern and your continued efforts in seeking new solutions to help our national parks.

Kindest regards,

C.W. BUCHHOLTZ,
*Executive Director.*

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NATIONAL TRUST FOR HISTORIC PRESERVATION,
*Washington, DC, February 3, 1997.*

Hon. JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of the more than 250,000 members of the National Trust for Historic Preservation, I am writing to express our support for the National Parks Improvements Act of 1997. This legislation creates, in the form of revenue bonds, an innovative mechanism for funding the backlog of capital investment and deferred maintenance needs in our National Park System.

Recently, Senator Craig Thomas, the new Chairman of the Subcommittee on Parks, Historic Preservation and Recreation, expressed the view that the challenges facing the National Parks System—specifically the backlog of deferred maintenance, repair and restoration needs—must be addressed outside that normal annual appropriation process. The National Trust for Historic Preservation has a particular interest in finding sources of funding for the $1 to $2 billion backlog of restoration and rehabilitation needs for the 20,000 historic structures in our National Parks. The National Parks Improvement Act of 1997 provides a solution to the complex problem, and we look forward to working with you on this legislation.

Sincerely,

EDWARD M. NORTON, *Jr.*

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GRAND CANYON FUND, INC.,
*Grand Canyon, AZ, January 31, 1997.*

Hon. JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN: We are very pleased to offer our enthusiastic support of your new legislation, which will enable the National Park Service and private partners to use taxable revenue bond funding for the benefit of our irreplaceable national parks. We understand the new legislation incorporates the necessary changes to accommodate the recreation fee demonstration project and other interests.

Revenue bonding is an additional tool for private partners to utilize in assisting the

National Park Service with meeting the overwhelming backlog of unfunded capital needs. We appreciated your support of the parks with your bill S. 1695 (National Parks Capital Improvements Act of 1996) and were very pleased to testify before the United States Senate Subcommittee on Parks, Historic Preservation and Recreation last September. We stand ready to assist you in any appropriate way.

Sincerely,

EUGENE P. POLK,
*Chairman.*
ROBERT W. KOONS,
*President.*

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FRIENDS OF ACADIA,
*Maine, February 3, 1997.*

Re S. 1695—National Parks Capital Improvements Act of 1997.

Senator JOHN MCCAIN,
Senator BEN NIGHTHORSE CAMPBELL,
*Subcommittee on Parks, Historic Preservation, and Recreation.*

DEAR SEN. MCCAIN, SEN. CAMPBELL AND COMMITTEE MEMBERS: Friends of Acadia enthusiastically supports S. 1695, the National Parks Capital Improvements Act of 1997. Please add these comments directly to the record.

The bill would allow as much as a $2.00 user surcharge for visitors to Grand Canyon National Park and allow the issuance of bonds by a nonprofit park cooperator. The bill can apply to other, unspecified parks as well.

Friends of Acadia endorses this resourceful idea and thinks it may be applicable to Acadia National Park, which has an approved general management plan and currently has capital needs exceeding $5 million.

We respectfully request that, based on conditions unique to a given park, an individual park may be allowed to set the surcharge within or above the fee demonstration amount, if it is a fee demonstration park.

Friends of Acadia is an independent nonprofit organization whose mission is to protect and preserve Acadia National Park and the surrounding communities. We recently raised $4 million in private funds to leverage a $4-million park capital appropriation.

This was a model private-public partnership. Its success demonstrates that federal dollars can be effectively multiplied by innovative use of philanthropic nonprofits, as is envisioned in this bill.

Friends of Acadia urges passage of S. 1695.

Thank you for your consideration of and support for this effort.

Sincerely,

HEIDI A. BEAL,
*Director of Programs.*

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NATIONAL PARK FOUNDATION,
*Washington, DC, February 3, 1997.*

Hon. JOHN MCCAIN,
*U.S. Senate, Washington, DC.*

DEAR SENATOR MCCAIN: Last year the National Park Foundation enjoyed working with you on several pieces of legislation, including a bill you authored which would have allowed the use of taxable bonds to finance long-term capital improvements within the National Park System. This bill, the National Parks Capital Improvements Act, would have generated additional revenue for America's natural, cultural and historic treasures through an innovative public-private partnership.

As the 105th Congress begins, we look forward to working closely with you and your staff on legislation designed to help conserve and protect National Parks.

Thank you for your consistent, thoughtful support of Grand Canyon National Park and the leadership you have shown in developing solutions to help the entire National Park System.

Sincerely,

JIM MADDY,
*President.*

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GRAND CANYON TRUST,
*February 6, 1997.*

Hon. JOHN MCCAIN,
*Washington, DC.*

DEAR SENATOR MCCAIN: I am writing to express Grand Canyon Trust's support for the National Parks Capital Improvements Act of 1997, legislation to authorize a $2.00-per-person surcharge on entrance fees at Grand Canyon and other national parks to secure bonds for capital improvements.

We believe the proposed legislation will greatly assist the efforts of the National Park Service and other entities to generate the additional funding so urgently needed to maintain, repair and enhance the infrastructure of Grand Canyon National Park and others in the National Park System. We support the proposed use of the $2.00-per-person surcharge to generate incremental revenue for park capital projects.

Grand Canyon Trust shares your concerns that the park system's, and particularly Grand Canyon National Park's, pressing infrastructure and resource management needs will not be met unless Congress acts to provide the new authority proposed in this legislation. If those needs are not met, the environment in the parks and visitors' experiences will continue to deteriorate, an unacceptable and unnecessary fate for America's "crown jewels," the national parks.

We look forward to working with you to achieve passage of this important legislation.

Sincerely,

GEOFFREY S. BARNARD,
*President.*

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MOUNT RAINIER, NORTH CASCADES & OLYMPIC FUND,
*Seattle, WA, January 31, 1997.*

Senator JOHN MCCAIN,
*Washington, DC.*

DEAR SENATOR MCCAIN: On behalf of the Mount Rainier, North Cascades & Olympic Fund, I would like to state our strong support for the upcoming bill that is replacing S. 1695.

The Fund is a non-profit organization, dedicated to the preservation and restoration of Washington's National Parks. Organizations such as the Fund, have been created throughout the United States to help fill the increasing gap between national park needs and funds. In 1995, these non-profits contributed approximately $16 million dollars to national parks throughout the nation. However, even this impressive figure is only scratching the surface of the National Park Services needs.

"The National Park Service was created in 1916, with a mandate to manage the national parks in such a manner . . . as will leave them unimpaired for the enjoyment of future generations." As financial pressures have mounted, it has become increasingly difficult for the parks to fulfill this mission.

I believe that passage of the National Parks Capital Improvements Act, will help parks such as the Grand Canyon, fulfill their mission to protect our national treasures for present and future generations.

Thank you for your efforts to preserve and protect our natural heritage.

Sincerely,

KIM M. EVANS,
*Executive Director.*

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ENVIRONMENTAL DEFENSE FUND,
*Boulder, CO, February 9, 1997.*

Hon. JOHN MCCAIN,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR MCCAIN: In a recent report, the General Accounting Office told the United States Congress that "the national park system is at a crossroads." The General Accounting Office confirmed what many of us have known for some time: while the national park system is growing and visitation is increasing, the resources available to manage and protect these resources are falling far short of what is needed to preserve America's natural and historical heritage. As a result, the backlog of repairs and maintenance needed throughout the national park system has grown to $4 billion.

Last year, you proposed legislation that would have authorized a limited number of not-for-profit entities to issue taxable bonds, the proceeds of which would have been used to make critically needed investment in units of the national park system. Without creative and innovative approaches such as this, we very likely will never close the gap between the financial resources that are needed to manage and protect our national park system, and the resources that are available.

I understand that you plan to introduce a similar bill in the 105th Congress, and I am writing to offer the Environmental Defense Fund's support for this undertaking. While no one piece of legislation will solve all of the problems confronted by the national park system, your legislation is a big step in the right direction.

I look forward to working with you as your proposal works its way through the legislative process.

Respectfully,

JAMES B. MARTIN,
*Senior Attorney.*●

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By Mr. CHAFEE (for himself, Mr. ROCKEFELLER, Mr. FRIST, Mr. JEFFORDS, and Ms. COLLINS):

S. 302. A bill to amend title XVIII of the Social Security Act to provide additional consumer protections for Medicare supplemental insurance; to the Committee on Finance.

THE MEDIGAP PORTABILITY ACT OF 1997

Mr. CHAFEE. Mr. President. Last year, the President signed into law bipartisan legislation that provides greater portability of health insurance for working Americans. Today, I join with my colleagues, Senator ROCKEFELLER, Senator FRIST, Senator JEFFORDS, and Senator COLLINS, in the introduction of a bipartisan bill that will provide some of the same guarantees for Medicare beneficiaries who buy Medicare supplemental insurance or MediGap policies.

Of the 38 million Medicare beneficiaries, about 80 percent, or 31 million, have some form of Medicare supplemental insurance, whether covered through an employer-sponsored health plan, Medicaid or another public program, or a private MediGap policy. Our

bill does several important things for Medicare beneficiaries who have had continuous coverage:

First, it guarantees that if their plan goes out of business or the beneficiary moves out of a plan service area, he or she can buy another comparable policy. These rules also would apply to a senior who has had coverage under a retiree health plan or Medicare Select if their plan goes out of business.

Second, it encourages beneficiaries to enroll in Medicare managed care by guaranteeing that they can return to Medicare fee-for-service and, during the first year of enrollment, get back their same MediGap policy if they decide they do not like managed care. Under current law, if a senior wishes to enroll in a Medicare managed care plan, he or she has two options. The MediGap policy may be dropped if the senior chooses a managed care program, or the individual can continue to pay MediGap premiums in the event that the policy is needed again some day—a very costly option for those on fixed incomes. Many seniors fear that if they lose their supplemental policy after entering a managed care plan, it may be financially impossible for them to reenroll in MediGap.

Third, it bans preexisting condition exclusion periods for Medicare beneficiaries who obtain MediGap policies when they are first eligible for Medicare. Under current law, any time insurers sell a MediGap policy, they can limit or exclude coverage for services related to preexisting health conditions for a 6-month period.

Fourth, it establishes a guaranteed open enrollment period for those under 65 who become Medicare beneficiaries because they are disabled. Under current Federal law, Medicare beneficiaries are offered a 6-month open enrollment period only if they are 65. There are approximately 5 million Americans who are under 65 years of age and are enrolled in the Medicare program. Currently, they do not have access to MediGap policies unless State laws require insurers to offer policies to them. Our bill provides for a one-time open enrollment period for the current Medicare disabled, which will guarantee access to all MediGap plan options for almost 5 million disabled Americans.

It is true that this bill does not go as far as some would like. Our bill leaves to the states more controversial issues, such as continuous open enrollment and community rating of MediGap premiums. I believe, however, that this legislation will provide seniors similar guarantees to those that we provided to working Americans under the Kassebaum-Kennedy legislation.

Mr. FRIST. Mr. President, I rise to speak in support of the MediGap Portability Act of 1997. The importance of this legislation is best expressed by the many stories of individuals who have unsuccessfully tried to obtain adequate Medicare supplemental coverage. Therefore, I would like to share with you the experience of one of my constituents—Gary Purcell, a 60-year-old retired professor from the University of Tennessee.

To say the least, Dr. Purcell's health status has been a challenge for him. Despite a history of multiple illnesses including lupus, hypertension, diabetes, severe heart and kidney disease, and recurrent life-threatening skin infections, this man kept working. Even after suffering a stroke, he kept working. Dr. Purcell fought to remain productive, but as his condition deteriorated, he was forced to retire on disability. He subsequently developed prostate cancer and recently suffered an amputation of the left leg.

One day last fall, he received a letter saying he was eligible for Medicare due to disability. In fact, the situation was a little more complicated than that. Since he had not yet reached his 65th birthday, Dr. Purcell was actually being reassigned to Medicare, thus losing his private health insurance coverage. Due to the fact he is eligible for Medicare because of disability and not age, and because of preexisting medical conditions, Dr. Purcell could not obtain MediGap coverage and he had no other insurance options. As a result, he will incur high out-of-pocket costs to fill the many gaps in Medicare's coverage. Although Dr. Purcell will be eligible for supplemental coverage at age 65, 5 years from now, until then he will have to spend $500 per month or 25 percent of his income on medications to make up for what Medicare does not cover.

Dr. Purcell explored other options—ways of obtaining less expensive drugs, but the bottom line is, he will still have to pay massive sums of money for his medications, money which he does not have. Unfortunately, his situation is not unique. Many seniors, as well as other individuals with disabilities, are suffering as well.

How did this happen? What is the real issue? MediGap insurance policies offer coverage for Medicare's deductibles and coinsurance and pay for many services not covered by Medicare. However, for several reasons, the current MediGap laws do not always meet the needs of Medicare beneficiaries—especially individuals with disabilities.

First, under current law, individuals with disabilities who qualify for full Medicare benefits before the age of 65 must wait to purchase MediGap coverage until they reach that age. At that time, they are given a 6-month period of open enrollment. This means that unlike the elderly, they cannot obtain MediGap insurance when they become eligible for Medicare.

Second, even when obtainable, MediGap coverage may be limited. During the open enrollment period, insurers may not use a preexisting condition to refuse a policy for an individual. However, coverage for a specific preexisting condition can be delayed for up to 6 months. This is called underwriting. Even though alternative policies which do not use the underwriting process are available, they do not necessarily offer comparable coverage. Further, Federal law does not guarantee that these alternatives will continue in the future. Thus, individuals with disabilities on Medicare may not receive the same choices of MediGap plans as their senior counterparts.

Third, such stringent requirements hinder the efforts of seniors who wish to try a Medicare managed care option. They are afraid of not being able to receive comparable supplemental coverage should they decide to return to the traditional fee-for-service Medicare. Accordingly, they do not take the risk of changing. This is perhaps one reason that enrollment in Medicare managed care lags far behind the rest of the population. We must encourage this transition if we are to slow the growth of Medicare costs.

Fourth, those Medicare beneficiaries whose employer-provided wrap-around plans are reducing or dropping benefits after they become eligible for Medicare will have difficulties purchasing additional coverage.

Finally, we must consider those who have enrolled in Medicare managed care plans which terminate contracts with Medicare or whom move outside the service area of their plan. In these circumstances, beneficiaries often need to return to the traditional Medicare program and may again wish to obtain supplemental coverage.

To summarize, although our current policies may encourage many members of the aging population to obtain continuous coverage, they are deficient in encouraging the same for individuals with disabilities who are unable to obtain supplemental coverage even if they have had continuous insurance coverage. They also limit the choices of seniors who wish to switch plans or whose retiree plans terminate or limit coverage. The situation is simply unfair.

Last fall, the President signed the Health Insurance Portability and Accountability Act of 1996 (the "Kassebaum-Kennedy" bill) which addressed health insurance portability for the small group market. The Medigap Portability Act addresses similar issues for seniors and individuals with disabilities.

First, seniors will now have more choices than were available before. They will be able to explore the managed care options now available, yet still return to their original Medigap plans if they change their minds.

Second, if their retiree health plans terminate or substantially reduce benefits, seniors will still have access to supplemental health insurance without regard to previous health status.

Finally, if their insurance plans should go out of business, seniors will still have Medigap options.

In other words, it guarantees choice and security for senior citizens on Medicare.

In addition, the bill guarantees access to the same coverage available to seniors for individuals with disabilities in three ways:

First, it insures that anyone will be able to enroll in a Medigap plan of their choosing without discrimination during the first 6 months of their eligibility for full Medicare benefits, regardless of age.

Second, the bill guarantees that the disabled will still have the same access to the array of Medigap choices that are available to seniors after the enrollment period ends, although restrictions may apply.

And, third, individuals with disabilities who are currently enrolled in the Medicare program will have a one-time open enrollment period to guarantee their access to all Medigap plan options.

Dr. Purcell is a responsible middle income American who fell through the safety net. He lost both rights and choices. In his own words, "I find it so frustrating that I had really planned for the retirement period and had tried to prepare myself as prudently as possible * * * Yet, I had no idea that my comprehensive coverage would cease after only 2 years. Even though I have always done my best to be a good worker and to provide for my family, the rug was pulled out from under me anyway. I feel so helpless."

Dr. Purcell went on to say, "I thought the issue through and tried to determine where I might have the most impact just as one person * * * I felt that my best option was to go to the people who represent me * * * in the national legislature."

Dr. Purcell and the 4 million other disabled Americans he represents have legitimate concerns. So do the 34 million senior citizens who are also affected by this issue. They are only asking for the same rights given to working Americans. They are coming to us, their elected representatives, for help. Mr. President, I challenge my colleagues and the insurance industry to respond to these beneficiaries. This bill will provide freedom of choice for seniors and individuals with disabilities. It is a step forward in our battle to improve health care access for all of our citizens and I give it my full support.

Mr. ROCKEFELLER. Mr. President, I am pleased to be reintroducing a bill with my colleague from Rhode Island, Senator CHAFEE, to improve the security and protection of Medicare supplemental policies, so-called MediGap policies. I am especially pleased that Senator JEFFORDS, both the new chairman of the Labor and Human Resources Committee and one of the newest members of the Finance Committee, Senator FRIST, and Senator COLLINS have joined us this year as original cosponsors of our legislation. And I continue to be pleased that similar legislation has been introduced in the House of Representatives by the bipartisan team of Representatives NANCY JOHNSON and JOHN DINGELL.

When enacted, our bipartisan, bicameral bill will make MediGap policies more portable, more reliable, and more accessible for almost 40 million Medicare beneficiaries, including 5 million disabled Medicare beneficiaries.

Last year, when we introduced this bill, we were not terribly optimistic that it would get enacted before the end of the 104th Congress. But we put forward our legislation anyway to share our proposal and objectives, begin building momentum for changes we feel are necessary, and to preview the fact that we would be back in the 105th Congress with a concerted effort to make this a legislative priority. As it turns out, having identified MediGap improvements as an area of bipartisan concern, President Clinton has responded directly by adding the same goal of new MediGap protections as a priority he shares and included it in his recently submitted budget proposal. We are very happy that our bipartisan support for improved MediGap protections got noticed by the President and will be pursued by his administration in the upcoming budget process.

Mr. President, too many Americans are falling through the gaps in our health care system. For example, consider the situation of a 44-year-old disabled man from Capon Bridge, WV. He earns too much money to qualify for Medicaid and is unable to buy a private MediGap policy because of his medical condition. And, there is the 47-year-old woman from Slanesville, WV, who is in a similar situation. She was uninsured before qualifying for Medicare because of kidney disease. She and her husband have too many assets to qualify for Medicaid and they can't afford the $300-a-month health insurance policy offered by her husband's employer. They have not been able to find an insurer willing to sell them a MediGap policy to help with Medicare's hefty cost-sharing requirements. A MediGap policy would be more affordable for them than the insurance policy offered by her husband's employer which duplicates, rather than supplements, Medicare's benefits. Many of the 50,000 disabled West Virginians who qualify for Medicare are in a similar situation. This is wrong and we can do better.

Mr. President, almost 8 in 10 older Americans have opted to purchase policies through private insurance companies to fill gaps in their Medicare benefits. This MediGap insurance commonly covers the $756 deductible required for each hospital stay, the part B deductible for doctor visits and doctor copayments. MediGap policies also cover copayments for nursing home care, extended rehabilitation, or for emergency care received abroad. Some MediGap policies cover prescription drugs.

But even MediGap policies have gaps because of insurance underwriting practices which prevent beneficiaries from switching MediGap insurers or, as in the case of the Medicare disabled, from even initially purchasing MediGap protection.

Employers, looking to lower their health care costs, are increasingly cutting back on retiree health benefits. In just 2 years, employer-sponsored retiree health benefits has dropped by 5 percent. These retirees are forced to go out on the private market and purchase individual MediGap coverage. Those lucky enough to find insurance will find their coverage compromised by preexisting condition limitations. Some won't find an insurer willing to sell them a policy at any price.

In 1990, I worked with Senator CHAFEE, the minority leader, Senator DASCHLE, and the then-chairman of the Finance Committee, Senator Bentsen, On enacting a number of measures to improve the value of MediGap policies. We also successfully enacted legislation that standardized MediGap policies so that seniors could more easily compare the prices and benefits provided by MediGap insurers.

At that time, Congress also mandated that insurers must sell a MediGap policy to any senior wishing to buy coverage when that person first becomes eligible for Medicare, without being subject to medical underwriting. At the time, there was a worry that including the Medicare disabled population in this open enrollment period would escalate premiums for current MediGap policyholders. As a result, the disabled were not included in this guaranteed issue requirement. Since then, 12 States have moved ahead and required insurers to issue policies to all Medicare beneficiaries in their States, including the disabled. To my knowledge, not one State has reported large hikes in premiums as a result of their new laws.

We have also asked the American Academy of Actuaries for an independent analysis of our legislation. We are confident that their evaluation of our bill will lay to rest any concerns about wild hikes in MediGap premiums because of our provision to end the current law discrimination against the disabled.

Mr. President, our bill would protect all Medicare beneficiaries by guaranteeing them MediGap coverage if they

are forced to change their MediGap insurer, or if their employer stops providing retiree health benefits. Specifically, our bill would require MediGap insurers to sell Medicare beneficiaries a new MediGap policy without any preexisting condition limitations if an individual moves outside the State in which the insurer is licensed, or the health plan goes out of business; if an individual loses their employer-sponsored retiree health benefits; if an individual enrolled in a health maintenance organization [HMO] or Medicare Select policy moves outside of a health plan's service area, or if the HMO's contract is canceled; or if an individual enrolled in a HMO or a Medicare Select policy decides during their first 12 months of enrollment to return to a MediGap fee-for-service policy.

Mr. President, our bill gives Medicare beneficiaries an opportunity to try out a managed care plan without worrying about losing their option to return to fee-for-service medicine. Understandably, many seniors worry about enrolling in a managed care organization if it means losing access to their lifelong doctor. Our bill would encourage Medicare beneficiaries to try out a managed care plan to see if it suits them, but our bill gives them a way back to fee-for-service medicine, if that ends up being their personal preference.

Our legislation bans insurance companies from imposing any preexisting condition limitation during the 6-month open enrollment period for MediGap insurance when a person first qualifies for Medicare. This change from current law makes the rules for MediGap policies consistent with the recently enacted Kassebaum-Kennedy bill for the under-65 population, and with Medicare coverage which begins immediately, regardless of any preexisting conditions.

Mr. President, our bill also includes a section to help seniors choose the right health plan for them by ensuring that they get good information on what plans are available in their area. It allows them to compare different health plans based on results of consumer satisfaction surveys, and will include information on benefits and costs.

Our bill does not directly address affordability. And, even since we introduced our original bill last September, there is growing evidence that MediGap premiums are skyrocketing. I am hopeful that the Finance Committee will take a closer look at this issue during its deliberations on other Medicare reform initiatives. Between 1995 and 1996, large numbers of seniors received double-digit increases in their MediGap premiums. These increases were far in excess of Social Security cost-of-living increases and varied dramatically across States. In my own State of West Virginia, MediGap policies sold by the Prudential Insurance Co. increased by 17 percent between 1995 and 1996. In Ohio, premiums increased by 30 percent and in California by 37 percent.

Congress has considerable history in trying to guarantee at least a minimal level of value across all MediGap policies. Under the current law, individual and group MediGap policies must spend at least 65 and 75 percent, respectively, of all premium dollars collected, on benefits. If a MediGap plan fails to meet these minimum loss ratios, they must issue refunds or credits to their customers.

Mr. President, while Federal loss ratio standards help assure a minimum level of value, they do not prevent insurance companies from annually upping premiums as a senior ages. This practice, known as attained age-rating, results in the frailest and the lowest income seniors facing large, annual premium hikes as they age. I would hope that more States would follow the lead of the 10 States that have already banned attained age-rating. This would vastly improve the affordability of MediGap for the oldest and frailest of our seniors.

Mr. President, to repeat what I said last year, our bill is a targeted, modest, proposal. But it would provide very real and very significant help to millions of Medicare beneficiaries who, year in and year out, pay out billions of dollars in premiums to have peace of mind when it comes to the cost of their health care. It is wrong and unfair when senior and disabled citizens in West Virginia and across the country are suddenly dropped by insurers or denied a MediGap policy just because they move to another State, or their employer cuts back on promised retiree health benefits, or because they're disabled.

Mr. President, it is always a pleasure to be working on legislation with the Senator from Rhode Island. Senator CHAFEE has a long, impressive, and, more important, successful record in enacting legislation that has helped millions of seniors, children, and disabled. I urge my colleagues to join Senators JEFFORDS, FRIST, and COLLINS in cosponsoring this bill, and to help us extend more of the health care peace of mind that older and disabled Americans ask for and deserve.

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By Mr. ABRAHAM (for himself and Mr. LEVIN):

S. 303. A bill to waive temporarily the Medicare enrollment composition rules for the Wellness Plan; to the Committee on Finance.

MEDICARE WAIVER FOR THE WELLNESS PLAN OF DETROIT, MI

Mr. ABRAHAM. Mr. President, at the end of the last Congress I expressed my disappointment at the unwillingness of this body and the other Chamber to move legislation that I believe is important to the health care of the people of Michigan. Today I rise along with my colleague from Michigan, Senator LEVIN, to reintroduce our legislation providing a Medicare 50/50 enrollment composition rule waiver for the Wellness Plan of Detroit, MI.

The Wellness Plan is a federally certified Medicaid health maintenance organization located in Detroit, MI. It has approximately 150,000 enrollees—roughly 140,000 of whom are Medicaid, while only about 2,000 are Medicare beneficiaries. Since 1993, the Wellness Plan has had a health care prepayment plan contract with Medicare. However, technical changes enacted by Congress effective January 1, 1996, unintentionally prevent the Wellness Plan from enrolling additional Medicare beneficiaries under the HCPP contract. So the Wellness Plan is positioned to become a full Medicare risk contractor, it currently is precluded from doing so due to the 50/50 Medicare enrollment composition rule.

Mr. President, it is important to note that even the Health Care Financing Administration has supported the Wellness Plan receiving this plan-specific 50/50 waiver. We also expect a companion bill to be introduced in the other Chamber shortly, and we expect it to be cosponsored by the entire Michigan delegation.

Because this legislation is essentially noncontroversial, affects only the State of Michigan, and is supported by the entire State delegation, it is our earnest hope that the Senate will act on this measure as expeditiously as possible. There is no rational justification for preventing the Wellness Plan from enrolling new Medicare beneficiaries into its health plan. If our goal is to allow a wider variety of options and choices of health care plans for our seniors, a good place to start is to allow those Michigan residents who wish to join this particular health maintenance organization to be able to do so.

Mr. President, I wish to thank my friend and colleague from Michigan, Senator CARL LEVIN, for once again supporting and helping me with this effort. I look forward to working with him to see that this measure which has such broad support in Michigan becomes enacted in the very near future.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 303

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

**SECTION 1. WAIVER OF MEDICARE ENROLLMENT COMPOSITION RULES FOR THE WELLNESS PLAN.**

The requirements of section 1876(f)(1) of the Social Security Act (42 U.S.C. 1395mm(f)(1)) are waived with respect to Comprehensive Health Services, Inc. (doing

business as The Wellness Plan) for contract periods through December 31, 2000.

• Mr. LEVIN. Mr. President, today I am joining with my colleague Senator ABRAHAM in introducing legislation that would provide the Wellness Plan of Michigan with a Medicare 50/50 enrollment composition rule waiver. I was disappointed that Congress did not enact this waiver last session as the Wellness Plan is the prototype for the type of health maintenance organization into which many Medicare beneficiaries will want to enroll. It is my hope that the Senate will act expeditiously on this legislation so that Michigan Medicare beneficiaries may have the opportunity to enroll in this well-established, quality plan.•

## ADDITIONAL COSPONSORS

S. 206

At the request of Mr. REID, the name of the Senator from Louisiana [Mr. BREAUX] was added as a cosponsor of S. 206, a bill to prohibit the application of the Religious Freedom Restoration Act of 1993, or any amendment made by such act, to an individual who is incarcerated in a Federal, State, or local correctional, detention, or penal facility, and for other purposes.

S. 251

At the request of Mr. SHELBY, the name of the Senator from Nebraska [Mr. HAGEL] was added as a cosponsor of S. 251, a bill to amend the Internal Revenue Code of 1986 to allow farmers to income average over 2 years.

S. 277

At the request of Mr. COCHRAN, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 277, a bill to amend the Agricultural Adjustment Act to restore the effectiveness of certain provisions regulating Federal milk marketing orders.

S. 294

At the request of Mrs. HUTCHISON, the names of the Senator from Arizona [Mr. MCCAIN], the Senator from Missouri [Mr. ASHCROFT], the Senator from Alaska [Mr. STEVENS], the Senator from New Hampshire [Mr. SMITH], and the Senator from North Carolina [Mr. FAIRCLOTH] were added as cosponsors of S. 294, a bill to amend chapter 51 of title 18, United States Code, to establish Federal penalties for the killing or attempted killing of a law enforcement officer of the District of Columbia, and for other purposes.

## SENATE RESOLUTION 52—CONCERNING THE NEED TO ADDRESS THE CURRENT MILK CRISIS

Mr. SPECTER (for himself, Mr. SANTORUM, Mr. FEINGOLD, Mr. KOHL, Mr. JEFFORDS, and Mr. LEAHY) submitted the following resolution; which was ordered to lie over, under the rule:

S. RES. 52

Whereas, during the last few months farm milk prices have experienced substantial volatility, dropping precipitously from $15.37 per hundredweight in September, 1996 to $11.34 per hundredweight in December, 1996, while simultaneously there have been record high costs for cattle feed;

Whereas, there is a strong sense of financial crisis in the dairy industry;

Whereas, many dairy farmers have looked to the Federal government for relief because minimum milk prices under the Milk Marketing Orders are established by the Department of Agriculture;

Whereas, the price of cheese at the National Cheese Exchange in Green Bay, Wisconsin influences milk prices paid to farmers because of its use in the Department of Agriculture's Basic Formula Price under Federal Milk Marketing Orders;

Whereas, less than one percent of the cheese produced in the United States is sold on the National Cheese Exchange and the Exchange acts as a reference price for as much as 95 percent of the commercial bulk cheese sales in the nation;

Whereas, there has been some concern among dairy producers that the prices at the National Cheese Exchange may have been manipulated downward, benefiting processors at the expense of dairy farmers;

Whereas, it is in the national interest to ensure that market prices for milk, cheese, and other dairy products are determined by a fair and competitive marketplace; Now, therefore, be it

*Resolved*, That it is the Sense of the Senate of the United States that the Secretary of Agriculture should act immediately pursuant to his legal authority to modify the Basic Formula Price for dairy by replacing the National Cheese Exchange as a factor to be considered in setting the Basic Formula Price and to establish in its place an equivalent pricing mechanism more reflective of the actual market conditions for cheese and other dairy products nationally.

## SENATE RESOLUTION 53—RELATIVE TO A DISPUTE

Mrs. HUTCHISON (for herself, Mr. GRAMM, and Mr. D'AMATO) submitted the following resolution; which was referred to the Committee on Labor and Human Resources:

S. RES. 53

Whereas a strike by the Allied Pilots Association, the union of the pilots of American Airlines, could lead to a severe disruption in air service;

Whereas such a strike could result in the loss of employment by tens of thousands of individuals in the United States;

Whereas such a strike would affect approximately 20 percent of the domestic airline traffic in the United States;

Whereas such a strike would cause more than 75,000 American Airlines employees to be idle;

Whereas such a strike would affect—

(1) the livelihood of thousands of other workers employed in airline and airport supply industries; and

(2) commerce relating to tourism, logistics, and business requiring travel;

Whereas such a strike would cause substantial adverse economic effects in communities of the United States;

Whereas such a strike could jeopardize the largest order made in history for the production of civilian aircraft; and

Whereas because ¼ of the air traffic of American Airlines is in foreign air commerce (as that term is defined in section 40102 of title 49, United States Code), a strike would have an adverse effect with respect to—

(1) the expansion of the market of United States goods and services in foreign countries; and

(2) the trading partners of the United States: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the President should work in conjunction with the National Mediation Board to facilitate a resolution of the labor dispute between the Allied Pilots Association and AMR, the parent company of American Airlines; and

(2) the President should—

(A) encourage—

(i) the settlement of the issues that are the subject of the labor dispute through the use of the services of the National Mediation Board established under section 4 of the Railway Labor Act (45 U.S.C. 154) before midnight on February 15, 1997 (which is the date specified by the Allied Pilots Association as the deadline for averting a strike); or

(ii) the achievement, by the date specified in clause (i), of an agreement by the parties to the dispute to arbitrate the issues that are the subject of the labor dispute through the National Mediation Board; and

(B) if necessary, establish a board under section 10 of the Railway Labor Act (45 U.S.C. 160) to serve as an emergency board to investigate the matter relating to the labor dispute and to make a report to the President in the manner prescribed in that section.

## AMENDMENTS SUBMITTED

## THE BALANCED BUDGET CONSTITUTIONAL AMENDMENT

### DODD AMENDMENT NO. 4

Mr. DODD proposed an amendment to the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States to require a balanced budget; as follows:

On page 3, line 7, strike beginning with "is" through line 11 and insert "faces an imminent and serious military threat to national security as declared by a joint resolution.".

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Tuesday, February 11, 1997, at 9 a.m. in SR-328A to discuss reform to the Commodity Exchange Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet at 10 a.m. on Tuesday,

February 11, 1997, in closed session, to receive a briefing on the situation in Bosnia and the status of U.S. military forces participating in the stabilization force [SFOR].

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 11, 1997, immediately after the first rollcall vote to hold a business meeting to vote on pending items.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. HELMS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the Health Insurance Portability and Accountability Act, during the session of the Senate on Tuesday, February 11, 1997, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. HELMS. Mr. President, the Committee on Veterans' Affairs would like to request unanimous consent to hold a joint hearing with the House Committee on Veterans' Affairs to receive the legislative presentation of the Veterans of Foreign Wars. The hearing will be held on February 11, 1997, at 9:30 a.m., in room 345 of the Cannon House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### TRIBUTE TO ERICA MICHELLE PITTS

• Mr. McCONNELL. Mr. President, each fall, Senators and Congressmen turn to the enjoyable task of submitting nominations to the U.S. Service Academies. This year, like every other, my office was flooded with applications from qualified young men and women—students with excellent academic records, students whose extracurricular activities would drive the most patient parent crazy, students who donate endless hours to community service projects. However, rarely do I see a young person possessing all of this and more.

This year I proudly nominated Erica Michelle Pitts, of Louisville, KY, to the U.S. Military Academy, as did Senator WENDELL FORD and then-Congressman Mike Ward. There are many adjectives that can be used to describe Erica—poised, accomplished, brave, athletic, energetic, but even combined they do not adequately portray her. A senior at Saint Francis High School, Erica's headmaster Thomas Pike describes her as "a delightfully different young person." Counselor Kit Llewellyn sees her as a "risk-taker" and admires her integrity.

Erica's military career dreams began at the age of 6 when her stepfather took her for a tank ride. At the tender young age of 8 she began working for her mother's boss formatting computer disks for $5 an hour. Entering as a seventh-grader at the respected Saint Francis, she was immediately placed in the freshman class, where, lacking a girls basketball team, Erica played on the boy's team. She has participated in a Russian exchange program, the Duke University Talent Identification Program, and served on the Courier-Journal High School Round Table. And, amidst her participation on the academic team and the yearbook staff, Erica works part-time at the Louisville Science Center year round.

As you can see, Erica's childhood has been far from average. Notwithstanding, she has grown into a graceful young woman whose lofty dreams have been realized. Hoping to enter the Judge Advocate General's Corps after her years at West Point, Erica aspires to serve on the Supreme Court or be elected President. Both goals are well within her grasp.

Mr. President, please join me in honoring this outstanding young Kentuckian who has a bright future in the U.S. military. I ask that an article which recently appeared in the Louisville Courier-Journal be printed in the RECORD. The author does a wonderful job of capturing Erica's charm and enthusiasm.

The article follows:

GETTING TO THE POINT

(By C. Ray Hall)

At first blush, the most interesting thing about Erica Pitts is this: Barely 17, she is headed for the United States Military Academy to join West Point's legendary long gray line.

It will probably be the grayest thing that has ever happened to her. So far, her life has been like a colorsplashed, abstract work of art in progress.

Erica Pitts has been interesting for a long time. She was interesting even in the womb.

"I was named after a soap-opera character," she said. "Because I was trouble. My mom went into labor and so she went to the hospital."

False alarm.

"They sent her back home. Then I was about ready to pop out so they called the ambulance. I was almost born in the ambulance. I was almost born outside on the way into the hospital. I was almost born in the lobby. I was almost born in the elevator, but finally they got her to a delivery room and I was born. I made life a little difficult for her."

Hence the name, Erica: "Yeah, Erica Kane. Because I was trouble."

Not even a minute old, and her life was already a cliffhanger.

Next scene in Erica's life: the beginning of an unlikely romance. At Fort Knox, of all places. In a tank, of all things.

"It started when I was about 6. My mom had married my stepdad. He was in the Army and he took me for a tank ride one day and I just thought that was the coolest thing. I admired the discipline in the Army."

Next scene: Erica gets her first paying job, earning $5 an hour to format computer disks for her mom's boss at the Internal Revenue Service. She is 8.

Next scene: Erica is stepfatherless, owing to divorce. She and her mom, Pamela Scott, are living in Louisville. Erica masters public school effortlessly. "I was so used to just showing up for class, reading the newspaper during first period and not doing any work all day and still getting an A in every single class I took." So her mom takes Erica to St. Francis, a downtown school of high academic reputation and equally stratospheric cost (tuition up to $8,140).

Headmaster Thomas Pike recalled, "I remember her and her mom coming in and her talking about not being academically challenged, talking about being an environmental lawyer or biochemist. This is a seventh-grader. Just a really bright, lively 13-year-old, and she has been lively and bright ever since . . . a delightfully different young person."

St. Francis took her and let her skip from the seventh to the ninth grade. ("A double bonus," Erica said.)

"Her life has always been action-packed," said school counselor Kit Llewellyn. "She's a skateboarder, a volleyball player, a basketball player. She volunteers regularly. . . . She has worked on literary magazines, so her literary analysis is strong and indepth. . . .

"She's kind of a risk-taker. She likes to start things. She participated in crew (rowing) when it was founded. She's the first female from this school to entertain the idea of applying to a military academy."

And yet, somewhere in that swirl of action, there's a cerebral center.

"I guess what stands out with me for Erica is her integrity," Llewellyn said. "I was her sponsor at Calvary Episcopal Church when she went through the confirmation. For her age (then 15), her questions and her depth of understanding, what she was pursuing in her belief and in her spiritual self, was very strong. Well-thought-out and very, very calm in her approach."

Oh. And did we mention she wants to be president?

Of the United States. Like the current occupant of the Oval Office, she likes lawyering. And, like Bill Clinton, she went to Russia at a tender age, as part of an exchange program.

Erica was nominated to West Point last year by then-Congressman Mike Ward. For the physical test, she returned to Fort Knox, the scene of her first infatuation with the Army. She passed the exam, which includes running, throwing a basketball while on your knees and hanging on a chin-up bar. Some girls immediately drop off the bar. She held on for 31 seconds.

The audience included Lt. Col. Don Miller, an Army reservist who serves as a West Point liaison (and, in another life, helps run a Louisville brokerage). After interviewing her, he wrote to the academy, "Erica is a very goal-oriented young lady with aspirations of becoming president someday. . . . Erica has excellent people skills and appears to possess good leadership traits. Her mother raised Erica alone and this has resulted in sacrifice, and yet has developed her sense of commitment."

So this is a 17-year-old of greater complexity than most. During her trip to Russia,

she bought a fur hat. She felt bad about it when she realized rabbits had died to decorate her head. She thinks the country spends too much on defense. She clashed openly with a 10th-grade teacher, but she has a kind word even for Adolf Hitler. ("He was psycho, but he was a brilliant, brilliant ruler.")

This is not your father's West Point cadet.

"She's a free spirit," said Bryan Walde, the man who teaches her calculus, chemistry and basketball at St. Francis. In her graduating class of 38, the animal-loving, defense-cutting, coffeehouse-and-concert habitue might have been voted least likely to go to West Point.

"I heard that a lot," she said.

"'You were the last person I thought would ever go there.' A lot of the people I know are not really anti-government, but they don't like people telling them what to do. I don't really like it myself, but I do need the discipline. I would love to have the discipline. And it's one of the best schools in the country. Who would turn that down?"

West Point told her the price of the education awaiting her. "They valued it as $200,000, which I wouldn't doubt, because I think West Pointers can easily top people who go to Harvard."

That's obviously the kind of talk they like to hear on the cliffs overlooking the Hudson River. Not that they actually like to hear much talk at all from first-year cadets, or "plebes." For a while at West Point, she will speak only when bidden. Too bad, for she has lots to say. To wit:

On her willowy yet well-fed frame of 5 feet 10 inches, 120 pounds:

"I eat a lot. This morning for breakfast, I had a cheeseburger, two pancakes and a cinnamon roll. . . .

On love, sex and all that:

"I manage to stay friends with all of my ex-boyfriends. It's really strange. I think partially because there's never any reason for either of us to be really bitter. I don't sleep with anybody. I just decided no sex before marriage. So I never had to worry about sleeping with somebody and then the next morning they just totally ditch me. There's never any big thing to get really mad about. It's just a bunch of little things that lead up to you saying, 'You know, maybe we shouldn't be together.' So you can just go back to being friends."

On her idea of cool wheels:

"I want a big Dodge Ram truck as soon as I can get a car." (She calculates that that will be three years hence, with the down payment saved from her West Point stipend of $6,600 a year.)

On her mixed parentage, the result of a college romance that never led to marriage. A delicate matter?

"It never has been. People have asked me about that for a long time. They've asked me if I was mixed and it's never bothered me. I've never really worried about it. Yeah, my dad's white, my mom's black. . . . It's never been a big deal to me."

On her twin ambitions, of being a lawyer and a psychologist:

"I love to argue. That's what appeals to me about being a lawyer. And I love using words . . . to get a point across. I want to be a psychologist because I'm so used to doing that: There are so many people with problems. My friends always come to me for advice."

What's the best advice anyone gave her?

"You've got to learn to choose your battles and not fight every single one. That's some good advice I got from my mother. . . . For a while, every time somebody did something I didn't like, I was ready to argue with them. I didn't get into fistfights or anything, but I kind of verbally berated my teacher sophomore year, sometimes in front of his class. He didn't like that very much. That's when I learned to start controlling my temper. I felt kind of bad, although I think he kind of deserved some of that, although in front of his class was really mean."

On the prospects of harassment or hazing from macho military males:

"The sexual harassment thing, I think I would have the guts to just stand up and say, 'Hey, I don't like it. Stop.' Being hazed and stuff like that, once it got to a dangerous point where people were setting me on fire, I would just have to like fight back, period. I would not allow somebody to set me on fire as part of a hazing ritual. I think I'm strong enough to handle anything that might be thrown at me as a hazing ritual."

Hazing? Been there, done that, in a non-incendiary way. On a basketball court, of all places.

"My favorite moment came freshman year," she said. "We didn't have a girls' team yet, so I had to play on the boys' team. We were playing against a team that was very, very, very chauvinist. . . . I got in with about a minute 40 left, and they were not treating me very well. At first my teammates wouldn't even pass me the ball, and finally one of 'em did. I just stood back behind the three-point line, shot and it went right in. Swish. It was perfect. We still lost the game, but I felt better."

Next scene in Erica's life: November 1996. The IRS transfers Erica's mom to Nashville. "She and her mother have been a team through the years—her mom with pretty high expectations and Erica living up to them," said Llewellyn, the St. Francis counselor.

Erica stays behind to graduate from her school. She lives with her grandma, Ellen Pitts. "She's been pretty great. I have my own loft, and it's really nice. It's not very big, but it's nice. I've got a computer and a desk and my futon up there, and that's all I really need."

For now, at least, she dreams in a loft. But soon enough, the dreams will be aloft. And Erica Pitts' life will get even more interesting.●

## THE 75TH ANNIVERSARY OF THE CITY OF HAMTRAMCK

● Mr. LEVIN. Mr. President, I am honored today to pay tribute to the city of Hamtramck, MI, which is celebrating its 75th anniversary this year. The people of Hamtramck call their city a "Touch of Europe in America," and indeed it is truly a unique community. Hamtramck is a city within a city, whose boundaries on all sides are with the city of Detroit. Yet Hamtramck maintains its own identity, an identity rooted in its diversity.

The history of Hamtramck predates its incorporation as a city by more than 100 years. It is named for Col. John Francis Hamtramck, who served as the first American commander of Fort Detroit after it was surrendered by Great Britain in 1796. Originally a township larger in size than the present-day city of Detroit, Hamtramck was organized as a village in 1901.

The village of Hamtramck began with 500 people but changed dramatically with the birth of the automobile industry. A Dodge Bros. auto plant was established in 1914, attracting skilled and unskilled workers from around the Nation and the world. Between 1910 and 1920, Hamtramck boasted the greatest population growth of any community in the United States, going from 3,589 to 46,615 residents in a single decade.

While Hamtramck was originally settled by the same French colonists who had settled Detroit, and later farmed by German immigrants, the automobile industry attracted huge numbers of Polish workers. Since 1910, Hamtramck's Polish population has grown so rapidly that today, 80 percent of its residents stem from first, second, or third generation Polish origin.

Many of the remainder of Hamtramck's residents are from Central and Eastern Europe. Having received the warm and generous hospitality of Michiganite themselves, in 1946 the Polish-American residents of Hamtramck began welcoming displaced people from Central Europe and the Balkans. More recently, Hamtramck has seen a substantial number of Ukrainians join the community. All of these groups have maintained their cultural heritage and identity, while embracing the ideals and Government of their new country.

On any street or in any restaurant in Hamtramck, one can hear any of 25 different languages being spoken, which is especially impressive in a city of slightly more than 2 square miles. Hamtramck is renowned for the best Polish food outside Poland, and the hospitality to match, as President Clinton discovered on a trip to Michigan in 1996 where he thoroughly enjoyed lunch at Polish Village Cafe.

Mr. President, Hamtramck's blend of cultures has produced a city which truly feels like a "Touch of Europe in America." Under the steady leadership of Mayor Robert Kozaren, Hamtramck is prepared to enter the 21st century with a confidence rooted in the varied traditions and fervent unifying patriotism of its citizens. I commend the residents and leaders of Hamtramck for the community they have built, and am proud to represent them in the U.S. Senate. I hope my colleagues will join me in congratulating the people of Hamtramck on the occasion of the city's 75th anniversary.●

## JOHN D. McALISTER: IN MEMORIAM

● Mr. GORTON. Mr. President, it is with sorrow that I recognize the passing of a good man and a fine citizen, Mr. John D. McAlister, who died yesterday.

John worked at Tree Top in Yakima, WA, where he served as director of government affairs. In this capacity he became a great friend of the Washington State congressional delegation and a

magnificent voice for the agricultural industry. John's activities were not only confined to his work—he also served the Yakima community as a member of many agricultural industry organizations and of the Goverment Affairs Council of the Association of Washington Businesses, where he sat on the board of directors.

I am honored to have known John McAlister, and am grateful for his service to Washington State agriculture and to his community in Yakima.

John is survived by his wife, Patricia, to whom I extend my condolences.•

## COMMENDING SENATOR SANTORUM'S SEARCH FOR COMMON GROUND IN THE ABORTION DEBATE

• Mr. ABRAHAM. Mr. President, I rise to commend my colleague, Senator SANTORUM, for the article he recently had published in the Washington Times concerning partial birth abortion.

All too often, Mr. President, debates over public policy issues degenerate into uncivil attacks on each side's motives. Mr. SANTORUM's article does an excellent job of showing how this bickering can be avoided even when the issue is as serious and sensitive as abortion. How can we reach common ground on partial birth abortion? By realizing that this procedure has nothing to do with the Supreme Court's decision in Roe versus Wade or the subsequent decision in Doe versus Bolton. By realizing that partial birth abortion is simply unacceptable.

Whatever one's view of abortion, one should recognize this procedure as one that is, as Senator DANIEL PATRICK MOYNIHAN phrased it, "just too close to infanticide."

We are a civilized society, Mr. President. I hope that our debates over this contentious issue can be made more civil. I also hope that we can reach common ground in banning partial birth abortion.

Mr. President, I ask that Senator SANTORUM's article from the Washington Times be printed in the RECORD.

The article follows:

[From the Washington Times, Jan. 22, 1997]

PARTIAL BIRTH ABORTION: THE ART OF AGREEMENT

(By Rick Santorum)

A wide spectrum of individuals has coalesced around the recent effort to ban partial birth abortions. These varied individuals and groups have raised their voices in support of a ban both because of the brutality of partial birth abortions and because they recognize that this debate is not about Roe vs. Wade, the 1973 Supreme Court decision legalizing abortion. It is not about when a fetus becomes a baby. And it is certainly not about women's health. It is about virtual infanticide, it is about killing a child as he or she is being born, an issue that neither Roe vs. Wade nor the subsequent Doe vs. Bolton addressed.

During the Senate debate last year, many traditionally pro-choice legislators voted in support of legislation to ban this particular procedure. Among them was my colleague Sen. Arlen Specter who stated on the floor of the Senate, "In my legal judgment, the issue is not over a woman's right to choose within the constitutional context of Roe versus Wade . . . The line of the law is drawn, in my legal judgment, when the child is partially out of the womb of the mother. It is no longer abortion; it is infanticide." He was joined in these sentiments by other such consistently pro-choice members as Sen. Daniel Patrick Moynihan and Sen. Ben Nighthorse Campbell.

Such coalescence with pro-choice proponents suggests the enormous scope of the tragedy that this procedure represents. This broad coalition further confirms that extraneous considerations, such as the anticipation of a disabled child, or a mother's broadly-defined health concerns, were just that—extraneous to the debate. And for those who may still be unclear what a partial birth abortion procedure is, it is this: a fully formed baby—in most cases a viable fetus of 23-26 weeks—is pulled from its mother until all but the head is delivered. Then, a scissors is plunged into the base of the skull, a tube is inserted and the child's brains are suctioned out so that the head of the now-dead infant collapses and is delivered.

Partial birth abortion is tragic for the infant who loses his or her life in this brutal procedure. It is also a personal tragedy for the families who choose the procedure, as it is for those who perform it—even if they aren't aware of it. But partial birth abortion is also a profound social tragedy. It rips through the moral cohesion of our public life. It cuts into our most deeply held beliefs about the importance of protecting and cherishing vulnerable human life. It fractures our sense that the laws of our country should reflect long-held, commonly accepted moral norms.

Yet this kind of tragedy—can be an unexpected catalyst for consensus, for new coalitions and configurations in our public life. The partial birth abortion debate moves us beyond the traditional pro-life/pro-choice lines of confrontation to hollow out a place in the public square where disparate individuals and groups can come together and draw a line that they know should not be crossed.

The stark tragedy of partial birth abortion can be the beginning of a significant public discussion, where we define—or redefine—our first principles. Why is such a discussion important? Precisely because it throws into relief the fundamental truths around which a moral consensus is formed in this country. And, as John Courtney Murray reminds us in We Hold These Truths, Catholic Reflections on the American Proposition, a public consensus which finds its expression in the law should be "an ensemble of substantive truths, a structure of basic knowledge, an order of elementary affirmations . . ."

If we do not have fundamental agreement about first principles, we simply cannot engage one another in civil debate. All we have is the confusion of different factions locked in their own moral universe. If we could agree publicly on just this one point—that partial birth abortion is not something our laws should sanction, and if we could then reveal the consensus—a consensus that I know exists—against killing an almost-born infant, we would have significantly advanced the discussion about what moral status and dignity we give to life in all its stages. Public agreement, codified by law, on this one prohibition gives us a common point of departure, a common language even, because we agree, albeit in a narrow sense, on the meaning of fundamental terms such as life and death. And it is with this common point of departure and discourse—however narrow—that we gain a degree of coherence and unity in our public life and dialogue.

I truly believe that out of the horror and tragedy of partial birth abortions, we can find points of agreement across ideological, political and religious lines which enable us to work toward a life-sustaining culture. So, as hundreds of thousands of faithful and steadfast citizens come together to participate in this year's March for Life let us remember that such a culture, the culture for which we hope and pray daily, might very well be achieved one argument at a time.•

## PRESIDENT'S BUDGET PROPOSAL FOR AVIATION

• Mr. MCCAIN. Mr. President, I rise today to express my deep disappointment in the President's 1998 budget request for critical aviation safety and infrastructure purposes. Most notably, the administration proposes to fund the Airport Improvement Program [AIP] at only two-thirds of its current level. This represents a drastic cut to our Nation's airport grant program, which supports airport safety, security, and capacity programs.

Mr. President, the administration has assured the American public of its commitment to a safe and secure aviation system. Without adequate resources, this assurance rings hollow.

For instance, the White House Commission on Safety and Security is due to report tomorrow on a number of steps we should take to enhance the security of the aviation system. I expect the Commission will offer valuable insight on where we should go from here to implement additional security enhancements. How we pay for these enhancements is a significant issue.

In addition, Congress approved and the President signed into law the Federal Aviation Reauthorization Act of 1996. Administration officials hailed the importance of the bill's safety and security initiatives. We all joined together at the signing ceremony in praise of the legislation's security improvements. However, these improvements are meaningless without adequate financial support. For politicians to praise their own efforts in a press conference and yet fail to provide sufficient resources is cynical, at best.

Again, I want to be clear. The administration's actions and assurances are only as good as the resources allocated to implement them. Unfortunately, the administration submitted a budget request significantly short on aviation capital improvements, so that he can use these resources elsewhere in the budget to support his spending initiatives. Meanwhile, he knows he can count on Congress to step up to the plate and restore funding for vital aviation initiatives. Such budget chicanery is neither serious nor responsible.

Past experience bears out this point. When President Clinton took office,

the Airport Improvement Program was a $1.9 billion program. Every year, Congress has funded the program at a level higher than the request. For example, in fiscal year 1996, the AIP request was for $1.3 billion, and Congress enacted a $1.45 billion level. In fiscal year 1997, the administration requested $1.35 billion and Congress responded with a $1.46 billion appropriation. At the same time, the administration claimed record-level investments in transportation infrastructure improvements.

The AIP funds more than just airport construction projects, which make airports safer and enhance the system's ability to handle ever increasing levels of air traffic. Airports also use these funds to support their security programs and purchase security-related equipment.

The Administration's budget request also proposes reduced funding for the FAA facilities and equipment account. This account is the principal resource for modernizing and improving the air traffic control system, providing enhanced baggage screening equipment, and enhanced weather detection programs.

I recognize that the Administration has made efforts to bolster its safety and security work force. Even so, a significant funding source for FAA operations depends on an unspecified user fee for which the FAA has no statutory authority to collect.

Mr. President, this is not a serious budget proposal. The Administration should back up its safety and security recommendations with enough funding to put them in place. The Nation's air travelers have paid taxes dedicated to support the aviation system. They rightfully expect the Government's commitment to spend these funds on their intended purpose.•

## RESTORING INCOME AVERAGING FOR FARMERS

• Mr. HAGEL. Mr. President, today I am cosponsoring S. 251, a measure that will provide farmers and ranchers with a valuable tool—income averaging—to help manage their agricultural operations, improve profitability, and reduce the tax burden on a crucial Nebraska livelihood. I commend Senator SHELBY, the bill's principal sponsor, for his leadership on this matter.

Today's Federal Tax Code is hardly a friend to the family farmer.

For example, farmers and ranchers do not have access to company or government pensions and retirement plans, in which many other Americans have the ability to participate. Farmers and ranchers will receive fewer Social Security benefits than workers in most other careers since they plow much of their income back into the farm And, as self-employed workers, farmers and ranchers are charged with payroll taxes that are nearly double that of most any other private business employee. Even retirement can be a painful proposition for agricultural producers who have spent their lives building a security nest egg only to be faced with onerous capital gains tax rates and, later, with a confiscatory estate tax when they want to pass their farm along to their children.

The American consumer still enjoys the most plentiful food supply at the lowest cost in the developed world—thanks to our Nation's agricultural might. Population growth, rising per capita incomes, expanded trade opportunities, along with new production and marketing technologies, are a few of the reasons why the future of American agriculture is so bright. However, flexibility in our U.S. Tax Code is still needed to strengthen our position as the world's leader in production agriculture.

Before 1986, agricultural producers were allowed to average their income over a 2-year period, which allowed greater flexibility in both profit potential and management decisions. This tax management tool was repealed in the 1986 tax reform bill, but the need for this instrument to reduce the farm tax burden still remains.

A fairer and more equitable tax policy will also have a profound effect upon the creation and sustainment of jobs in rural America. The economic vitality of our rural communities continues to hinge on the success of our agricultural industry. A prosperous rural economy means greater opportunities for the local men and women who sell the farm implements, drive the grain and livestock trucks, deliver the feed and fuel, market the seed and fertilizer, and process the fruits of our harvest so as to maintain our position as the world's most efficient and reliable food supplier.

As we continue to move toward a more market-oriented farm program, farm and ranch producers will need to derive a greater proportion of their income from the marketplace—and to retain a greater proportion of their hard-earned income through tax relief. Income averaging is clearly a practice that will bring some degree of fairness to the U.S. Tax Code.

The current Tax Code adds up to higher taxes, more regulatory burdens, and added retirement worries for Nebraska farmers who labor year in and year out in order to feed and clothe the world. This simply must change. Income averaging is one tool that agricultural producers can utilize to enhance profits and keep rural dollars in rural communities. It's time that Congress properly recognizes the contributions of the family farmers by reducing rather than raising their taxes.•

## RULES OF THE COMMITTEE ON FOREIGN RELATIONS

• Mr. HELMS. Mr President, pursuant to the requirements of paragraph 2 of Senate rule XXVI, I ask to have printed in the RECORD the rules of the Committee on Foreign Relations for the 105th Congress adopted by the committee on January 30, 1997.

The rules follow:

### RULES OF THE COMMITTEE ON FOREIGN RELATIONS

(ADOPTED JANUARY 30, 1997)

RULE 1—JURISDICTION

(a) Substantive—In accordance with Senate Rule XXV.1(j), the jurisdiction of the Committee shall extend to all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Acquisition of land and buildings for embassies and legations in foreign countries.
2. Boundaries of the United States.
3. Diplomatic service.
4. Foreign economic, military, technical, and humanitarian assistance.
5. Foreign loans.
6. International activities of the American National Red Cross and the International Committee of the Red Cross.
7. International aspects of nuclear energy, including nuclear transfer policy.
8. International conferences and congresses.
9. International law as it relates to foreign policy.
10. International Monetary Fund and other international organizations established primarily for international monetary purposes (except that, at the request of the Committee on Banking, Housing, and Urban Affairs, any proposed legislation relating to such subjects reported by the Committee on Foreign Relations shall be referred to the Committee on Banking, Housing, and Urban Affairs).
11. Intervention abroad and declarations of war.
12. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
13. National security and international aspects of trusteeships of the United States.
14. Ocean and international environmental and scientific affairs as they relate to foreign policy.
15. Protection of United States citizens abroad and expatriation.
16. Relations of the United States with foreign nations generally.
17. Treaties and executive agreements, except reciprocal trade agreements.
18. United Nations and its affiliated organizations.
19. World Bank group, the regional development banks, and other international organizations established primarily for development assistance purposes.

The Committee is also mandated by Senate Rule XXV.1(j) to study and review, on a comprehensive basis, matters relating to the national security policy, foreign policy, and international economic policy as it relates to foreign policy of the United States, and matters relating to food, hunger, and nutrition in foreign countries, and report thereon from time to time.

(b) Oversight.—The Committee also has a responsibility under Senate Rule XXVI.8, which provides that ". . . each standing Committee . . . shall review and study, on a continuing basis, the application, administration, and execution of those laws or parts

of laws, the subject matter of which is within the jurisdiction of the Committee."

(c) "Advice and Consent" Clauses.—The Committee has a special responsibility to assist the Senate in its constitutional function of providing "advice and consent" to all treaties entered into by the United States and all nominations to the principal executive branch positions in the field of foreign policy and diplomacy.

RULE 2—SUBCOMMITTEES

(a) Creation.—Unless otherwise authorized by law or Senate resolution, subcommittees shall be created by majority vote of the Committee and shall deal with such legislation and oversight of programs and policies as the Committee directs. Legislative measures or other matters may be referred to a subcommittee for consideration in the discretion of the Chairman or by vote of a majority of the Committee. If the principal subject matter of a measure or matter to be referred falls within the jurisdiction of more than one subcommittee, the Chairman or the Committee may refer the matter to two or more subcommittees for joint consideration.

(b) Assignments.—Assignments of members to subcommittees shall be made in an equitable fashion. No member of the Committee may receive assignment to a second subcommittee until, in order of seniority, all members of the Committee have chosen assignments to one subcommittee, and no member shall receive assignments to a third subcommittee until, in order of seniority, all members have chosen assignments to two subcommittees.

No member of the Committee may serve on more than four subcommittees at any one time.

The Chairman and Ranking Minority Member of the Committee shall be ex officio members, without vote, of each subcommittee.

(c) Meetings.—Except when funds have been specifically made available by the Senate for a subcommittee purpose, no subcommittee of the Committee on Foreign Relations shall hold hearings involving expenses without prior approval of the Chairman of the full Committee or by decision of the full Committee. Meetings of subcommittees shall be scheduled after consultation with the Chairman of the Committee with a view toward avoiding conflicts with meetings of other subcommittees insofar as possible. Meetings of subcommittees shall not be scheduled to conflict with meetings of the full committee.

The proceedings of each subcommittee shall be governed by the rules of the full Committee, subject to such authorizations or limitations as the Committee may from time to time prescribe.

RULE 3—MEETINGS

(a) Regular Meeting Day.—The regular meeting day of the Committee on Foreign Relations for the transaction of Committee business shall be on Tuesday of each week, unless otherwise directed by the Chairman.

(b) Additional Meetings.—Additional meetings and hearings of the Committee may be called by the Chairman as he may deem necessary. If at least three members of the Committee desire that a special meeting of the Committee be called by the Chairman, those members may file in the offices of the Committee their written request to the Chairman for that special meeting. Immediately upon filing of the request, the Chief Clerk of the Committee shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour of that special meeting. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the Clerk shall notify all members of the Committee that such special meeting will be held and inform them of its date and hour.

(c) Minority Request.—Whenever any hearing is conducted by the Committee or a subcommittee upon any measure or matter, the minority on the Committee shall be entitled, upon request made by a majority of the minority members to the Chairman before the completion of such hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

(d) Public Announcement.—The Committee, or any subcommittee thereof, shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least one week in advance of such hearings, unless the Chairman of the Committee, or subcommittee, determines that there is good cause to begin such hearing at an earlier date.

(e) Procedure.—Insofar as possible, proceedings of the Committee will be conducted without resort to the formalities of parliamentary procedure and with due regard for the views of all members. Issues of procedure which may arise from time to time shall be resolved by decision of the Chairman, in consultation with the Ranking Minority Member. The Chairman, in consultation with the Ranking Minority Member, may also propose special procedures to govern the consideration of particular matters by the Committee.

(f) Closed Sessions.—Each meeting of the Committee on Foreign Relations, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee or a subcommittee on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in paragraphs (1) through (6) would require the meeting to be closed followed immediately by a record vote in open session by a majority of the members of the Committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct; to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person, or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

A closed meeting may be opened by a majority vote of the Committee.

(g) Staff Attendance.—A member of the Committee may have one member of his or her personal staff, for whom that member assumes personal responsibility, accompany and be seated nearby at Committee meetings.

Each member of the Committee may designate members of his or her personal staff, who hold a Top Secret security clearance, for the purpose of their eligibility to attend closed sessions of the Committee, subject to the same conditions set forth for Committee staff under Rules 12, 13, and 14.

In addition, the Majority Leader and the Minority Leader of the Senate, if they are not otherwise members of the Committee, may designate one member of their staff with a Top Secret security clearance to attend closed sessions of the Committee, subject to the same conditions set forth for Committee staff under Rules 12, 13, and 14. Staff of other Senators who are not members of the Committee may not attend closed sessions of the Committee.

Attendance of Committee staff at meetings shall be limited to those designated by the Staff Director or the Minority Staff Director.

The Committee, by majority vote, or the Chairman, with the concurrence of the Ranking Minority Member, may limit staff attendance at specified meetings.

RULE 4—QUORUMS

(a) Testimony.—For the purpose of taking sworn or unsworn testimony at any duly scheduled meeting a quorum of the Committee and each subcommittee thereof shall consist of one member.

(b) Business.—A quorum for the transaction of Committee or subcommittee business, other than for reporting a measure or recommendation to the Senate or the taking of testimony, shall consist of one-third of the members of the Committee or subcommittee, including at least one member from each party.

(c) Reporting.—A majority of the membership of the Committee shall constitute a quorum for reporting any measure or recommendation to the Senate. No measure or recommendation shall be ordered reported from the Committee unless a majority of the Committee members are physically present. The vote of the Committee to report a measure or matter shall require the concurrence of a majority of those members who are physically present at the time the vote is taken.

RULE 5—PROXIES

Proxies must be in writing with the signature of the absent member. Subject to the requirements of Rule 4 for the physical presence of a quorum to report a matter, proxy voting shall be allowed on all measures and

matters before the Committee. However, proxies shall not be voted on a measure or matter except when the absent member has been informed of the matter on which he is being recorded and has affirmatively requested that he or she be so recorded.

RULE 6—WITNESSES

(a) General.—The Committee on Foreign Relations will consider requests to testify on any matter or measure pending before the Committee.

(b) Presentation.—If the Chairman so determines, the oral presentation of witnesses shall be limited to 10 minutes. However, written statements of reasonable length may be submitted by witnesses and other interested persons who are unable to testify in person.

(c) Filing of Statements.—A witness appearing before the Committee, or any subcommittee thereof, shall file a written statement of his proposed testimony at least 48 hours prior to his appearance, unless this requirement is waived by the Chairman and the Ranking Minority Member following their determination that there is good cause for failure to file such a statement.

(d) Expenses.—Only the Chairman may authorize expenditures of funds for the expenses of witnesses appearing before the Committee or its subcommittees.

(e) Requests.—Any witness called for a hearing may submit a written request to the Chairman no later than 24 hours in advance for his testimony to be in closed or open session, or for any other unusual procedure. The chairman shall determine whether to grant any such request and shall notify the Committee members of the request and of his decision.

RULE 7—SUBPOENAS

(a) Authorization.—The Chairman or any other member of the Committee, when authorized by a majority vote of the Committee at a meeting or by proxies, shall have authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials. When the Committee authorizes a subpoena, it may be issued upon the signature of the Chairman or any other member designated by the Committee.

(b) Return.—A subpoena, or a request to an agency, for documents may be issued whose return shall occur at a time and place other than that of a scheduled Committee meeting. A return on such a subpoena or request which is incomplete or accompanied by an objection constitutes good cause for a hearing on shortened notice. Upon such a return, the Chairman or any other member designated by him may convene a hearing by giving 2 hours notice by telephone to all other members. One member shall constitute a quorum for such a hearing. The sole purpose of such a hearing shall be to elucidate further information about the return and to rule on the objection.

(c) Depositions.—At the direction of the Committee, staff is authorized to take depositions from witnesses.

RULE 8—REPORTS

(a) Filing.—When the Committee has ordered a measure or recommendation reported, the report thereon shall be filed in the Senate at the earliest practicable time.

(b) Supplemental, Minority and Additional Views.—A member of the Committee who gives notice of his intentions to file supplemental, minority, or additional views at the time of final Committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the Chief Clerk of the Committee, with the 3 days to begin at 11:00 p.m. on the day that the Committee has ordered a measure or matter reported. Such views shall then be included in the Committee report and printed in the same volume, as a part thereof, and their inclusion shall be noted on the cover of the report. In the absence of timely notice, the Committee report may be filed and printed immediately without such views.

(c) Rollcall Votes.—The results of all rollcall votes taken in any meeting of the Committee on any measure, or amendment thereto, shall be announced in the Committee report. The announcement shall include a tabulation of the votes cast in favor and votes cast in opposition to each such measure and amendment by each member of the Committee.

RULE 9—TREATIES

(a) The Committee is the only Committee of the Senate with jurisdiction to review and report to the Senate on treaties submitted by the President for Senate advice and consent. Because the House of Representatives has no role in the approval of treaties, the Committee is therefore the only congressional committee with responsibility for treaties.

(b) Once submitted by the President for advice and consent, each treaty is referred to the Committee and remains on its calendar from Congress to Congress until the Committee takes action to report it to the Senate or recommend its return to the President, or until the Committee is discharged of the treaty by the Senate.

(c) In accordance with Senate Rule XXX.2, treaties which have been reported to the Senate but not acted on before the end of a Congress "shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon."

(d) Insofar as possible, the Committee should conduct a public hearing on each treaty as soon as possible after its submission by the President. Except in extraordinary circumstances, treaties reported to the Senate shall be accompanied by a written report.

RULE 10—NOMINATIONS

(a) Waiting Requirement.—Unless otherwise directed by the Chairman and the Ranking Minority Member, the Committee on Foreign Relations shall not consider any nomination until 6 calendar days after it has been formally submitted to the Senate.

(b) Public Consideration.—Nominees for any post who are invited to appear before the Committee shall be heard in public session, unless a majority of the Committee decrees otherwise.

(c) Required Data.—No nomination shall be reported to the Senate unless (1) the nominee has been accorded a security clearance on the basis of a thorough investigation by executive branch agencies; (2) in appropriate cases, the nominee has filed a financial disclosure report and a confidential statement with the Committee; (3) the Committee has been assured that the nominee does not have any interests which could conflict with the interests of the government in the exercise of the nominee's proposed responsibilities; (4) for persons nominated to be chief of mission, ambassador-at-large, or minister, the Committee has received a complete list of any contributions made by the nominee or members of his immediate family to any Federal election campaign during the year of his or her nomination and for the 4 preceding years; and (5) for persons nominated to be chiefs of mission, a report on the demonstrated competence of that nominee to perform the duties of the position to which he or she has been nominated.

RULE 11—TRAVEL

(a) Foreign Travel.—No member of the Committee on Foreign Relations or its staff shall travel abroad on Committee business unless specifically authorized by the Chairman, who is required by law to approve vouchers and report expenditures of foreign currencies, and the Ranking Minority Member. Requests for authorization of such travel shall state the purpose and, when completed, a full substantive and financial report shall be filed with the Committee within 30 days. This report shall be furnished to all members of the Committee and shall not be otherwise disseminated without the express authorization of the Committee. Except in extraordinary circumstances, staff travel shall not be approved unless the reporting requirements have been fulfilled for all prior trips. Except for travel that is strictly personal, travel funded by non-U.S. Government sources is subject to the same approval and substantive reporting requirements as U.S. Government-funded travel. In addition, members and staff are reminded of Senate Rule XXXV.4 requiring a determination by the Senate Ethics Committee in the case of foreign-sponsored travel. Any proposed travel by Committee staff for a subcommittee purpose must be approved by the subcommittee chairman and ranking minority member prior to submission of the request to the Chairman and Ranking Minority Member of the full Committee. When the Chairman and the Ranking Minority Member approve the foreign travel of a member of the staff of the committee not accompanying a member of the Committee, all members of the Committee shall be advised, prior to the commencement of such travel of its extent, nature, and purpose.

(b) Domestic Travel.—All official travel in the United States by the Committee staff shall be approved in advance by the Staff Director, or in the case of minority staff, by the Minority Staff Director.

(c) Personal Staff.—As a general rule, no more than one member of the personal staff of a member of the Committee may travel with that member with the approval of the Chairman and the Ranking Minority Member of the Committee. During such travel, the personal staff member shall be considered to be an employee of the Committee.

(d) Personal Representatives of the Member (PRM).—For the purposes of Rule 11 as regards staff foreign travel, the officially-designated personal representative of the member (PRM) shall be deemed to have the same rights, duties, and responsibilities as members of the staff of the Committee on Foreign Relations. Furthermore, for the purposes of this section, each Member of the Committee may designate one personal staff member as the "Personal Representative of the Member."

RULE 12—TRANSCRIPTS

(a) General.—The Committee on Foreign Relations shall keep verbatim transcripts of all Committee and subcommittee meetings and such transcripts shall remain in the custody of the Committee, unless a majority of the Committee decides otherwise. Transcripts of public hearings by the Committee shall be published unless the Chairman, with the concurrence of the Ranking Minority Member, determines otherwise.

(b) Classified or Restricted Transcripts.—

(1) The Chief Clerk of the Committee shall have responsibility for the maintenance and

security of classified or restricted transcripts.

(2) A record shall be maintained of each use of classified or restricted transcripts.

(3) Classified or restricted transcripts shall be kept in locked combination safes in the Committee offices except when in active use by authorized persons for a period not to exceed 2 weeks. Extensions of this period may be granted as necessary by the Chief Clerk. They must never be left unattended and shall be returned to the Chief Clerk promptly when no longer needed.

(4) Except as provided in paragraph 7 below, transcripts classified secret or higher may not leave the Committee offices except for the purpose of declassification.

(5) Classified transcripts other than those classified secret or higher may leave the Committee offices in the possession of authorized persons with the approval of the Chairman. Delivery and return shall be made only by authorized persons. Such transcripts may not leave Washington, DC, unless adequate assurances for their security are made to the Chairman.

(6) Extreme care shall be exercised to avoid taking notes or quotes from classified transcripts. Their contents may not be divulged to any unauthorized person.

(7) Subject to any additional restrictions imposed by the Chairman with the concurrence of the Ranking Minority Member, only the following persons are authorized to have access to classified or restricted transcripts.

(i) Members and staff of the Committee in the Committee rooms;

(ii) Designated personal representatives of members of the Committee, and of the Majority and Minority Leaders, with appropriate security clearances, in the Committee's Capitol office;

(iii) Senators not members of the Committee, by permission of the Chairman in the Committee rooms; and

(iv) Members of the executive departments involved in the meeting, in the Committee's Capitol office, or, with the permission of the Chairman, in the offices of the officials who took part in the meeting, but in either case, only for a specified and limited period of time, and only after reliable assurances against further reproduction or dissemination have been given.

(8) Any restrictions imposed upon access to a meeting of the Committee shall also apply to the transcript of such meeting, except by special permission of the Chairman and notice to the other members of the Committee. Each transcript of a closed session of the Committee shall include on its cover a description of the restrictions imposed upon access, as well as any applicable restrictions upon photocopying, note-taking or other dissemination.

(9) In addition to restrictions resulting from the inclusion of any classified information in the transcript of a Committee meeting, members and staff shall not discuss with anyone the proceedings of the Committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the Chairman, the Ranking Minority Member, or in the case of staff, by the Staff Director or Minority Staff Director. A record shall be kept of all such authorizations.

(c) Declassification.—

(1) All restricted transcripts and classified Committee reports shall be declassified on a date twelve years after their origination unless the Committee by majority vote decides against such declassification, and provided that the executive departments involved and all former Committee members who participated directly in the sessions or reports concerned have been consulted in advance and given a reasonable opportunity to raise objections to such declassification.

(2) Any transcript or classified Committee report, or any portion thereof, may be declassified fewer than twelve years after their origination if:

(i) the Chairman originates such action or receives a written request for such action, and notifies the other members of the Committee;

(ii) the Chairman, Ranking Minority Member, and each member or former member who participated directly in such meeting or report give their approval, except that the Committee by majority vote may overrule any objections thereby raised to early declassification; and

(iii) the executive departments and all former Committee members are consulted in advance and have a reasonable opportunity to object to early declassification.

RULE 13—CLASSIFIED MATERIAL

(a) All classified material received or originated by the Committee shall be logged in at the Committee's offices in the Dirksen Senate Office Building, and except for material classified as "Top Secret" shall be filed in the Dirksen Senate Building offices for Committee use and safekeeping.

(b) Each such piece of classified material received or originated shall be card indexed and serially numbered, and where requiring onward distribution shall be distributed by means of an attached indexed form approved by the Chairman. If such material is to be distributed outside the Committee offices, it shall, in addition to the attached form, be accompanied also by an approved signature sheet to show onward receipt.

(c) Distribution of classified material among offices shall be by Committee members or authorized staff only. All classified material sent to members' offices, and that distributed within the working offices of the Committee, shall be returned to the offices designated by the Chief Clerk. No classified material is to be removed from the offices of the members or of the Committee without permission of the Chairman. Such classified material will be afforded safe handling and safe storage at all times.

(d) Material classified "Top Secret," after being indexed and numbered shall be sent to the Committee's Capitol office for use by the members and authorized staff in that office only or in such other secure Committee offices as may be authorized by the Chairman or Staff Director.

(e) In general, members and staff undertake to confine their access to classified information on the basis of a "need to know" such information related to their Committee responsibilities.

(f) The Staff Director is authorized to make such administrative regulations as may be necessary to carry out the provisions of these regulations.

RULE 14—STAFF

(a) Responsibilities.—

(1) The staff works for the Committee as a whole, under the general supervision of the Chairman of the Committee, and the immediate direction of the Staff Director; provided, however, that such part of the staff as is designated Minority Staff, shall be under the general supervision of the Ranking Minority Member and under the immediate direction of the Minority Staff Director.

(2) Any member of the Committee should feel free to call upon the staff at any time for assistance in connection with Committee business. Members of the Senate not members of the Committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the Committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations. In addition to carrying out assignments from the Committee and its individual members, the staff has a responsibility to originate suggestions for Committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the Committee, or of individual Senators with particular interests.

(5) The staff shall pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the Committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when Committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the Committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected Members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) Restrictions.—

(1) The staff shall regard its relationship to the Committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the Committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply:

(i) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group;

(ii) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations without specific advance permission from the Staff Director, or, in the case of minority staff, from the Minority Staff Director. In the case of the Staff Director and the Minority Staff Director, such advance permission shall be obtained from the Chairman or the Ranking Minority Member, as appropriate. In any event, such public statements should avoid the expression of personal views and should not contain predictions of future, or interpretations of past, Committee action; and

(iii) staff shall not discuss their private conversations with members of the Committee without specific advance permission from the Senator or Senators concerned.

(2) The staff shall not discuss with anyone the proceedings of the Committee in closed session or reveal information conveyed or

discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the Staff Director or Minority Staff Director. Unauthorized disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in the case of some kinds of information, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) Status.—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the Committee with respect to certain matters, as well as the timing and procedure for their consideration in Committee, may be governed by statute.

(b) Amendment.—These Rules may be modified, amended, or repealed by a majority of the Committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. However, Rules of the Committee which are based upon Senate Rules may not be superseded by Committee vote alone.•

## AUTHORIZING CORRECTION OF THE ENGROSSMENT OF SENATE RESOLUTION 10

Mr. CRAIG. Mr. President, I ask unanimous consent that in the engrossment of Senate Resolution 10, the Secretary of the Senate be authorized to make the following corrections which are at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ORDERS FOR WEDNESDAY, FEBRUARY 12, 1997

Mr. CRAIG. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9:30 a.m. on Wednesday, February 12. I ask unanimous consent that on Wednesday immediately following the prayer, the routine requests through the morning hour be granted. I further ask unanimous consent that there be a period of morning business until the hour of 11 a.m., with the following Senators to speak during the designated time: From 9:30 until 10, Senator ASHCROFT for 15 minutes and Senator DORGAN for 15 minutes; from 10 to 10:30, Senator DASCHLE or his designee; from 10:30 to 11 o'clock, Senator THOMAS or his designee.

I further ask unanimous consent that at 11 a.m., the Senate resume consideration of Senate Joint Resolution 1 and Senator BYRD be recognized at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

## PROGRAM

Mr. CRAIG. Mr. President, for the information of all Senators, the Senate will resume consideration of Senator DODD's amendment to the balanced budget amendment beginning at 1:30 tomorrow. By unanimous consent, the vote will occur on or in relation to the Dodd amendment regarding national security at 5:30 on Wednesday. Additional votes can be expected during Wednesday's session in relation to amendments to Senate Joint Resolution 1, on any nominations that are available, or possibly on one or two Senate resolutions that we are attempting to clear at this time.

Again, I thank my colleagues for their cooperation as we attempt to adjourn on Thursday for the Presidents' Day recess.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. CRAIG. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:57 p.m., adjourned until Wednesday, February 12, 1997, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate February 11, 1997:

### NATIONAL FOUNDATION FOR ARTS AND HUMANITIES

TRACEY D. CONWELL, OF TEXAS, TO BE A MEMBER OF THE NATIONAL MUSEUM SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2001, VICE FAY S. HOWELL, TERM EXPIRED.

### DEPARTMENT OF JUSTICE

JOAQUIN L. G. SALAS, OF GUAM, TO BE U.S. MARSHAL FOR THE DISTRICT OF GUAM AND CONCURRENTLY U.S. MARSHAL FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF 4 YEARS, VICE JOSE R. MARIANO.

### THE JUDICIARY

MARY ANN GOODEN TERRELL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF 15 YEARS, VICE RICHARD STEPHEN SALZMAN, TERM EXPIRED.

PATRICIA A. BRODERICK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF 15 YEARS, VICE HARRIETT ROSEN TAYLOR, TERM EXPIRED.

### IN THE COAST GUARD

THE FOLLOWING REGULAR OFFICERS OF THE UNITED STATES COAST GUARD FOR THE APPOINTMENT TO THE GRADE OF REAR ADMIRAL:

ROBERT C. NORTHTIMOTHY W. JOSIAHFRED L. AMESRICHARD M. LARRABEE IIIJOHN T. TOZZITHOMAS H. COLLINSERNEST R. RIUTTA

### MARINE CORPS

THE FOLLOWING-NAMED OFFICERS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE U.S. MARINE CORPS UNDER TITLE 10, UNITED STATES CODE, SECTION 531:

*To be major*

NEITA A. ARMSTRONG, x...
MATTHEW A. BARBATO, x...
BRIAN K. BARTON, x...
MICHAEL R. BROWN, JR., x...
FRANCIS X. CARROLL, x...
DOUGLAS W. EDWARDS, x...
SUSAN L. EDWARDS, x...
JEFFERSON D. HOLDEN, x...
MICHAEL J. JACKSON, x...
NEAL A. JACOB, x...
ANNETTE R. JACOBSEN, x...
ROBERT B. MORRISON, x...
TERRY D. OWENS, x...
RANDOLPH A. PETERSON, x...
RONALD B. PINER, x...
MARK L. ROBERTS, x...
RICHARD G. RUTTER, JR., x...
KENNETH D. WHITE, x...
PAUL R. WILSON, x...

*To be captain*

BURNELL H. AGE, JR., x...
CHRISTOPHE W. ALLEN, x...
ILYA R. AMMONS, x...
ERIC D. ANDERSON, x...
JOHN R. ANDERSON, x...
GREGORY D. ANDERSON, x...
SAMEUL J. ANTCLIFFE, x...
MICHAEL P. ANTONIO, x...
DANA I. ARENSON, x...
JOSEPH L. ASHBAKER, JR., x...
STEPHEN H. ASHLEY, x...
PAUL H. ATTERBURY, x...
ROBERT B. BABCOCK, x...
KENDALL D. BAILEY, x...
RAYMOND G. BAKER, x...
AHMAD BANDANI, x...
STEPHEN S. BARRANCO, JR., x...
ERIC E. BATTLE, x...
PAUL M. BECKWITH, x...
JAMES D. BELSON, x...
DAVID BERNATOVICH, x...
DAVID P. BERRY, x...
CHAD A. BLAIR, x...
ARNOLD D. BLANKENSHIP II, x...
RUSSELL A. BLAUW, x...
BRANTLEY A. BOND, x...
ANTHONY W. BOWN, x...
STEPHEN E. BROOKS, x...
CHARLES L. BROWN, x...
AUSTIN D. BRYANT, x...
WILLIAM T. BUFKIN II, x...
BRIAN E. BUFTON, x...
WAYNE M. BUNKER, x...
CARL D. BURTNER, JR., x...
RUSSELL C. BURTON, x...
DAVID W. BUSSEL, x...
GREGORY E. BUTCHER, x...
KELLY D. CAILLOUET, x...
MARKHAM B. CAMPAIGNE, JR., x...
MICHEL C. CANCELLIER, x...
DAVID CARBONERO, x...
CHRISTOPHE U. CARR, x...
JOHN R. CASTILLO, x...
JAMES C. CHAPMAN, x...
CHRISTIAN P. CHARLEVILLE, x...
MELVIN L. CHATTMAN, x...
ERIK L. CHRISTENSEN, x...
J.E. CHRISTIANSEN, x...
BENJAMIN R. CLATTERBUCK, x...
JOSEPH M. CLOWDSLEY, x...
DOUGLAS W. COCHRAN, x...
MICHAEL J. COCO, x...
STEPHEN C. COHN, x...
JAIME O. COLLAZO, x...
JAMES L. COMBS, x...
KEVIN M. CONSOLE, x...
CHAD J. CONYERS, x...
IAN D. COURTNEY, x...
GERRY R. COX, x...
WAYNE O. COX II, x...
BRADLEY W. CRABTREE, x...
SCOTT N. CRADER, x...
JOSEPH A. CRAFT, x...
MARK A. CRAWFORD, x...
THOMAS W. CRECCA, x...
MATTHEW A. CROCE, x...
MICHAEL S. CUNINGHAM, x...
KEVIN G. CUNNANE, x...
BRET R. CURTIS, x...
ERIC B. DAILEY, x...
THOMAS C. DAMES, x...
EARL W. DANIELS, x...
JAMES G. DAVIDSON, x...
DOUGLAS B. DAVIS, x...
MATTHEW A. DAY, x...
DEVIN C. DELL, x...
MICHAEL P. DELMAS, x...
JOHN B. DELUCA, x...
DOUGLAS B. DENNIS, x...
KENNETH R. DEVERO II, x...
THOMAS E. DEVINE, x...
DANIEL J. DEWHIRST, x...
OSSEN J. DHAITI, x...
JOHN W. DIEDENHOFEN IV, x...
MARK D. DIETZ, x...
JOHN E. DOBES, x...
JAMES K. DORIS, x...
KEVIN B. DOTY, x...
DOUGLAS G. DOUDS, x...
TIMOTHY M. DOUGHERTY, x...
LY T. DRUMMOND, x...
ROBERT M. DUKES, x...
DAVID P. DUMA, x...
TERENCE J. DUNNE, x...
EDWARD C. DURANT, x...
ANDREW L. EAST, x...
JEFFREY R. EBERWEIN, x...
GOSCH L. EHLERS III, x...
ERIC J. ELDRED, x...
LEGRAND ELEBASH, x...
THOMASMORE J. EPISCOPIO, x...
THOMAS C. EULER III, x...
PAUL C. FAGAN, x...
BRIAN E. FAGAN, x...
JOHN P. FARNAM, x...

MICHAEL FARRELL, X...
SHAWN S. FARRINGTON, X...
DANIEL E. FENNELL, X...
MATTHEW P. FERGUSON, X...
ROBERT A. FIFER, X...
DONALD R. FINN, X...
ALAN D. FOUST, X...
RICHARD F. FUERST, X...
ROBERT M. FUHRER, X...
FRANK T. FULLER, X...
BRIAN R. FULLER, X...
MATTHEW K. GALLAGHER, X...
MICHAEL GANTE, JR., X...
STEPHEN A. GASSNER, X...
TYSON B. GEISENDORFF, X...
CHRISTIAN GHEE, X...
MICHAEL P. GILBERT, X...
GREGORY O. GLAESER, X...
GREGORY N. GLASSER, X...
IV HERMAN GLOVER, X...
MICHAEL F. GOGOLIN, X...
GARY J. GOLEMBISKI, X...
DAVID R. GOODELL III, X...
VIRGILIO GONZALEZ, X...
JOHN M. GRAHAM, X...
JEFFERY S. GREENWOOD, X...
JUSTIN T. GREINER, X...
CHARLES G. GRIFFIN II, X...
CHRISTOPHE R. GUILFORD, X...
STEVE D. HAGERTY, X...
ANDREW W. HALL, X...
SEAN V. HALPIN, X...
DAN HANKS, X...
GREGORY J. HANVILLE, X...
JAMES W. HARGUS, JR., X...
JAMES F. HARP, X...
BRIAN D. HARRELSON, X...
MARK S. HARRINGTON, X...
WESLEY D. HART, X...
PETER W. HART, X...
EUGENE K. HARTER III, X...
BRIAN W. HAVILAND, X...
EVAN B. HAYMES, X...
MATTHEW K. HAYS, X...
ANTHONY M. HENDERSON, X...
ELAINE M. HENSEN, X...
RICHARD L. HILL, X...
HUNTER H. HOBSON, X...
WILLIAM M. HOFMANN, X...
MICHAEL T. HOLMES, X...
GEORGE N. HOUGH, X...
RICHARD B. HOWELL, X...
KEVIN M. HUDSON, X...
DANIEL C. IRCINK, X...
SAMUEL E. JACKSON, X...
JOHN B. JENSEN II, X...
JAMES E. JENNINGS, X...
ALLEN K. JOHNSON, X...
RONALD I. JOHNSON, X...
CARROLL J. JOUBERT, JR., X...
DONALD P. JULIAN, X...
KIRIAKOS KALOGIANNIS, X...
JOHN F. KELLIHER III, X...
CHARLES B. KELLY, X...
TRENTON E. KENAGY, X...
JAMES R. KENNEDY, X...
PETER F. KIELTY, X...
CRAIG M. KILHENNY, X...
CRAIG T. KILLIAN, X...
LAWRENCE E. KILLMEIER, JR., X...
MICHAEL G. KING, X...
FORREST D. KNOWLTON, X...
KEVIN S. KRETZSCHMAR, X...
HENRY T. KUEHN, X...
ROBERT A. KUROWSKI, X...
ROBERT M. LACK, X...
RHETT B. LAWING, X...
BEAU M. LAWRENCE, X...
TREVOR A. LAWS, X...
HEATH A. LAWSON, X...
MICHAEL J. LEAMY, X...
JACK T. LEDFORD, JR., X...
IV CARL LEHRKIND, X...
BLAKE E. LEMAIRE, X...
MARK J. LENNERTON, X...
COBY G. LEUSCHKE, X...
DARIN E. LIERLY, X...
PATRICK A. LINDAUER, X...
THOMAS M. LOEHLE, X...
MATTHEW W. LOTZ, X...
JAMES I. LUKEHART, JR., X...
THOMAS P. MACAULEY, X...
DANIEL W. MACDONALD III, X...
SEAN R. MADDEN, X...
JOHN E. MADES, X...
SCOTT D. MAGIDSON, X...
FRANK W. MAJDAN, JR., X...
STEVEN P. MANBER, X...
DAMIEN M. MARSH, X...
JOHN J. MARTIN, X...
GREGORY R. MARTIN, X...
KENDALL A. MARTINEZ, X...
SEAN P. MATTINGLY, X...
JAMES H. MATTS, X...
GEORGE J. MAUTZ, X...
WILLIAM B. MAYBERRY, JR., X...
DAVID B. MCCANN, X...
JOSEPH T. MCCLOUD, X...
PAUL R. MCCONNELL, X...
PAUL H. MCCONNELL, X...
DAVID G. MCCULLOH, X...
KATHERINE M. MCDONALD, X...
DANIEL B. MCDYRE, JR., X...
JASON S. MCFARLAND, X...
JOHN G. MCGINNIS, X...
ARTHUR B. MCKEEL, X...
CHRISTOPHER A. MCPHILLIPS, X...
KEVIN T. MCTARSNEY, X...
HALSTEAD MEADOWS III, X...
THOMAS M. MEANEY, X...
MICHAEL W. MELSO, X...
SANDER H. MELVIN, X...
JACK D. MERKEL, X...
JAMES L. MILLER, X...
PAUL R. MOGG, X...
JONATHAN S. MOONEYHAM, X...
MARCUS A. MOORE, X...
DAVID B. MORGAN, X...
JUSTIN S. MORO, X...
DARIN S. MORRIS, X...
ANDREW J. MOYER, X...
DAVID J. MURPHY, X...
JOSEPH M. MURRAY, X...
LIONEL R. NEDER, X...
SEAN W. NESTLER, X...
JOHN G. NEWHALL, JR., X...
MARK R. NICKLES, X...
ERIK R. NIELSEN, X...
HARRY D. OAKLEY, X...
JAMES E. OHARRA, X...
BRIAN R. OLEARY, X...
DUANE A. OPPERMAN, X...
LYNN W. OYLER, X...
RONALD L. PACE, X...
MICHAEL L. PAGANO, X...
JAY B. PARKER, X...
DAVID B. PARKS, X...
PATRICK C. PATTERSON, X...
TRACY L. PEACOCK, X...
JEFFREY P. PFANNENSTEIN, X...
WILLIAM C. PIELLI, X...
JOHN C. POEHLER, X...
GREGORY A. PREWITT, X...
FRANK R. PROKUP, X...
JOSEPH F. QUINLAN III, X...
JOSEPH N. RAFTERY, X...
MATTHEW R. RAJKOVICH, X...
FRANK E. RAUCH II, X...
JOEL R. RAUENHORST, X...
TIMOTHY A. RAYNOR, X...
LOWELL F. RECTOR, X...
WESLEY C. REED, X...
BRENDAN REILLY, X...
ROBERT J. REYNOLDS, X...
WILLIAM D. RICE, X...
RICHARD R. RIERSON, X...
MICHAEL R. RIES, X...
THOMAS E. RINGO, X...
TIMOTHY S. ROBERTS, X...
HOWARD G. ROBINSON, X...
DANIEL J. RODMAN, X...
GREGG B. ROGERS, X...
JERRY R. ROGERS II, X...
PAUL S. ROLLIN, X...
THOMAS J. ROMUALD, X...
CHARLES D. ROSE, JR., X...
STEVEN A. ROSS, X...
WILLIAM R. RUSSELL, X...
SHAUN L. SADLER, X...
SEAN M. SALENE, X...
BRENT E. SANDERS, X...
ANDREW J. SAUER, X...
JOHN M. SCHAAR, X...
CHRISTOPHE W. SCHARF, X...
GRANT W. SCHNEEMANN, X...
JONATHAN B. SCRABECK, X...
THOMAS R. SEIFERT, X...
GEORGE R. SEWELL, X...
BRIAN L. SHATT, X...
SANJEEV SHINDE, X...
PAUL A. SIMMONDS, X...
JOHN T. SIMPSON, X...
THOMAS R. SIMS, X...
STEPHEN D. SIZEMORE, X...
BRUCE K. SIZEMORE, X...
ROBERT B. SKANKEY, X...
GEORGE J. SLYER III, X...
LARRY J. SMITH, X...
ROBERT J. SMULLEN, X...
MICHAEL L. SNAVELY, X...
JON E. SPAAR, X...
PAUL L. STARITA, X...
SCOTT F. STEBBINS, X...
RICHARD G. STEELE, X...
MICHAEL S. STEGELMAN, X...
BENNETT L. STEINER, X...
NOEL C. STEVENS, X...
ANDREW V. STICH, X...
MICHAEL A. STOLZENBURG, X...
DOUGLAS D. STUMPF, X...
DAVID A. SUGGS, X...
PATRICK C. SULLIVAN, X...
JOHN D. SWAIN, X...
KURT A. SWANICK, X...
ERIK H. SWENSON, X...
DOUGLAS K. SWITZER, X...
MICHAEL D. TENCATE, X...
CHARLES C. TERRASSE, X...
MICHAEL C. TERREL, X...
ADAM C. THARP, X...
BRIAN M. THAYER, X...
ALAN D. THOBURN III, X...
MATTHEW R. THOMAS, X...
PATRICK M. TIMOTHY, X...
PETER C. TITCOMB, JR., X...
MARK D. TOBIN, X...
MATTHEW E. TOLLIVER, X...
JOHN R. TOMCZYK, X...
WILLIAM P. VANZWOLL, X...
WILLIAM A. VARGO, X...
JEFFREY M. VERRANT, X...
GANPAT V. WAGH, X...
THOMAS A. WAGONER, JR., X...
GAINES L. WARD, X...
MICHAEL T. WARRING, X...
ROBERT B. WEHNER, X...
DOUGLAS S. WEINMANN, X...
ERIC S. WEISSBERGER, X...
AARON S. WELLS, X...
BRIAN H. WIKTOREK, X...
ANTHONY C. WILLIAMS, X...
GARY M. WILLIAMS, X...
CHRISTOPHE J. WILLIAMS, X...
MARCUS W. WILLIAMS, X...
STEVEN L. WILSON, X...
ALFRED J. WOODFIN, X...
PATRICIA L. WOODS, X...
MALCOLM J. WOOLFOLK, X...
BRUCE D. YOUNGBLUTH, X...
WILLIAM A. ZACHARIAS, JR., X...

*To be first lieutenant*

DANA A. AHRENS, X...
ANTHONY L. ALLEN, X...
CHARLES M. ANDREWS, JR., X...
ERIC M. ARBOGAST, X...
WILLIAM L. BABCOCK, JR., X...
JAMES H. BAIN, X...
ROBERT S. BAKER, X...
DAVID G. BARDORF, X...
MARTIN L. BARTLETT, X...
DAVID A. BECKER, X...
HAYNESLY R. BLAKE, X...
DEVIN T. BLEA, X...
STEVEN R. BOWERS, X...
SCOTT H. BRAHIN, X...
PAUL B. BRICKLEY, X...
MARK W. BUIE, X...
TIMOTHY J. BURCH, X...
KENNETH A. BURGER, X...
KERRY A. CAMPBELL, X...
DANIEL T. CANFIELD, JR., X...
CORBY S. CARBONE, X...
WILLIAM P. CARROLL, X...
STEPHEN L. CASTORA, X...
MARC A. CESARIO, X...
ADAM L. CHALKLEY, X...
BENJAMIN D. CHAPMAN, X...
TROY L. CLARK, X...
DARIN J. CLARKE, X...
GREGORY J. CLARKE, X...
JOSEPH R. CLEARFIELD, X...
JEFFREY L. CONLEY, X...
CARL E. COOPER, JR., X...
ERIC M. CORCORAN, X...
KEVIN F. COUGHLIN, X...
JOHN H. COVINGTON, JR., X...
PATRICK W. COX, X...
DARYL G. CRANE, X...
MCCARRELL A. CRUMRINE, X...
NICHOLAS E. DAVIS, X...
NEAL L. DEFORD, X...
PAMELA J. DEMORAT, X...
TIMOTHY B. DENTRY, X...
JORGE DIAZ, X...
DAVID C. DICKEY, X...
NICHOLAS L. DITTLINGER, X...
ROSWELL V. DIXON, X...
DARRYL W. DOTSON, X...
CRAIG R. DOTY, X...
LANCE A. DOWD, JR., X...
ROBERT D. DOZIER, X...
KARI DRABICK, X...
BRIAN W. ECARIUS, X...
JEFFREY A. EICHHOLZ, X...
CHRISTIAN T. ELLINGER, X...
KYLE B. ELLISON, X...
DOUGLAS J. ENGEL, X...
MONTGOMERY C. ERFOURTH XX...
DAREN J. ERICKSON, X...
MANUEL ESCARCEGA, JR., X...
PETER C. FARNUM, X...
PHILIP B. FARR, X...
RONALD M. FARRIS, JR., X...
CHRISTOPHE M. FEARS, X...
WALKER M. FIELD, X...
SHAUN M. FITZSIMMONS, X...
DOMINIC FOSTER, X...
TYRONE R. FRANKLIN, X...
MACEO B. FRANKS, X...
WESLEY A. FRASARD, JR., X...
KEITH A. FRY, X...
JOHN R. GABBARD, X...
SEAN C. GALLAGHER, X...
SYLVESTER GAVINS, X...
PAUL J. GEARY, X...
DANIEL W. GEISENHOF, X...
MAX GORALNICK, X...
MICHAEL T. GREENO, X...
THOMAS C. GRESSER II, X...
JOHN C. GRISDALE, X...
DARYL E. GRISSOM, X...
DONG K. HAN, X...
ALEXANDER H. HART, X...
PATRICK J. HARTNETT, X...
CHAD T. HEDLESTON, X...

RAPHAEL HERNANDEZ, x...
TYLER R. HOLMQUIST, x...
JEFFREY C. HOLT, x...
LAWRENCE E. HUGGINS, JR., x...
KENNETH E. HUMPHREY, x...
LAWRENCE K. HUSSEY, x...
DENISE M. HYDE, x...
CHRISTOPHE B. JACKSON, x...
THOMAS C. JARMAN, x...
BRIAN E. JONES, x...
ROBERT A. KAMINSKI, x...
STEPHEN M. KAMPEN, x...
MARVIN B. KETTLE, x...
DAVID E. KINKAID, x...
SCOTT J. KINNER, x...
HEIDI E. KINNER, x...
STEVEN J. KOTANSKY, x...
BRYAN K. KRAMER, x...
DAVID E. LANE II, x...
WENDELL B. LEIMBACH, JR., x...
RODNEY L. LEWIS, x...
RICHARD J. LUCIER, x...
ERIC M. MARTIN, x...
COLLEEN D. MARSHALL, x...
ERIC M. MARTINEAU, x...
CURTIS A. MASON, x...
MELISSA I. MCCAMISH, x...
JAMES M. MCGIVNEY, x...
HEIDI J. MCKENNA, x...
MICHAEL E. MCWILLIAMS, x...
ELDON E. METZGER, x...
RALPH B. MEYERS, x...
MICHAEL T. MILLER, x...
JAMES A. MISTRETTA, x...
JOHN F. MOORE, x...
JUAN J. MORENO, x...
CHRISTOPHE D. MORTON, x...
THOMAS J. NAUGHTON, JR., x...
BRIAN W. NEIL, x...
ERIK P. NELSON, x...
JULIE L. NETHERCOT, x...
MATTHEW J. NOBLE, x...
SEAN M. NOEL, x...
KEVIN A. NORTON, x...
EDWARD W. NOVACK, x...
JOHN E. ORILLE, x...
JOHN J. OTOOLE III, x...
KEITH E. OWENS, x...
MARTIN J. PALLOTTA, x...
TODD E. PERRY, x...
TOLAN M. PICA, x...
RAYMOND J. PLACIENTE, x...
MICHAEL J. PROUTY, x...
JAVIER T. RAMOS, x...
CHARLES C. RANDOLPH II, x...
RICHARD J. REILLY, x...
GREGORY F. RHODEN, x...
CARLOS R. RODRIGUEZ, JR., x...
JOSEPH J. RUSSO, x...
RONALD J. RUX, x...
MICHAEL E. SCHUTTE, x...
DOMINIC A. SETKA, x...
WILLIAM D. SHANNON, x...
MARK W. SHELLABARGER, x...
JOHN H. SORENSON, x...
ANTHONY M. SPARAGNO, JR., x...
ROBERT T. STANFORD, x...
MICHAEL C. STARLING, x...
KIMBERLY A. STASTNY, x...
MICHAEL J. STEELE, x...
GREGG L. STIMATZE, x...
JAMES B. STONE IV, x...
BRIAN L. STROBEL, x...
KEITH A. SYKES, x...
DAVID S. SYLVESTER, x...
MICHAEL J. TARGOS III, x...
BRADFORD J. TENNEY, x...
JOHN W. THAYER, x...
CLAY C. TIPTON, x...
KRIS A. TLAPA, x...
ERIC H. TRAUPE, x...
GLENN C. VOGEL, x...
DEAN J. VRABLE, x...
CHARLENE M. WALTERS, x...
BRADLEY E. WHITE, x...
SEAN B. WHITEHOUSE, x...
KEVIN W. WINTER, x...
BRYAN K. WOOD, x...
JOSEPH A. WRONKOWSKI, x...
VINCENT J. YASAKI, x...

*To be second lieutenant*

MICHAEL R. ALEXANDER, x...
TIMOTHY M. BAIRSTOW, x...
RONI R. ELMORE, x...
MATTHEW T. GOOD, x...
BRYAN E. HILL, x...
STEVEN M. JACONETTI, x...
GILBERT D. JUAREZ, x...
MATTHEW R. MC GATH, x...
JASON S. PERRY, x...
JOHN S. POSTORINO, x...
KENNETH C. POTTER, x...
THOMAS R. PRZYBELSKI, x...
ALAN B. ROWE, x...
EDWARD T. RUSH, JR., x...
MATTHEW P. SEGREST, x...

## CONFIRMATION

Executive nomination confirmed by the Senate February 11, 1997:

DEPARTMENT OF STATE

BILL RICHARDSON, OF NEW MEXICO, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

# HOUSE OF REPRESENTATIVES—*Tuesday, February 11, 1997*

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. MILLER of Florida).

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
*February 11, 1997.*

I hereby designate the Honorable DAN MILLER to act as Speaker pro tempore for this day.

NEWT GINGRICH,
*Speaker of the House of Representatives.*

## MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. PALLONE] for 5 minutes.

## POLITICAL SYSTEM OVERHAUL

Mr. PALLONE. Mr. Speaker, for too long our political system has been in need of an overhaul. Our political campaigns last too long, they are too negative, and they cost far too much. Each year this country breaks the record-setting campaign spending of the previous year, and the end is never in sight. By some estimates over $2.5 billion was spent on the 1996 elections. Mr. Speaker, clearly the system has become obscene.

Last week, President Clinton came to this Chamber and he challenged this House to pass meaningful campaign finance reform. He set July 4 as the deadline. I believe the House can certainly pass reform legislation by then and declare itself independent of the fundraising tyrant that plagues our system.

We all know that this is not a new issue. It is not an issue that needs to be studied and spoken and lobbied forever. The Members of the House know the issue of campaign finance reform, and they know it well. There is not one credible reason why the Republican leadership cannot get finance reform to the floor by the President's deadline. In fact, before the Republicans were in the majority, the House had passed campaign finance reform legislation. However, it was vetoed by President Bush.

When campaign finance reform laws were first created following the Nixon Watergate scandal, the goal was to get money out of the system and disclose to the American people exactly where the money was coming from to finance Federal campaigns. Over 20 years later, there is more money than ever in the system, and it is not being fully disclosed to the American people.

To begin with, the explosion of what we call soft money has infused more money into campaigns than ever before; nearly $881 million in soft money, which is about 73 percent of the increase since 1992. This soft money comes from corporate and other sources specifically barred from campaigns by Federal law, and it has seeped into the system over the years and is now completely out of control. Our campaign finance laws need to be tightened when it comes to the issue of soft money.

Another problem is independent expenditures. Various well-funded interest groups from either side of the political spectrum will target their political opponents and spend millions to defeat them. However, these millions will not count toward the current contribution limits, and the target of the independent expenditure has to raise even more money to stay competitive.

Finally, the cost of the campaigns themselves have completely gotten out of control. Television costs, between production and broadcasting, have gone through the roof. The same is true for radio. And any aspiring politician living in New York, Chicago, or the Los Angeles media market knows that the costs there alone may be the sole reason that keeps him or her from running. They simply cannot afford it.

The fact that someone should be scared away from running for office merely because they do not have the money, I believe, is a tragedy. How many good honest councilmen or small town mayors or clever businessmen or women were kept from going further in public service because they lacked the money? How many great Congressmen and Senators have left us because they were just sick of the fundraising chase and had enough? How many millionaires will decide to run for Congress and win not on the strength of their ideas but on the size of the bank accounts? Mr. Speaker, if we do not have campaign finance reform on the floor by July 4, we may just end up a Congress of millionaires and not of the people.

Although it is still fairly early in the session of Congress, there have been several good campaign finance reform bills already introduced in-house. I just wanted to mention some of them. There is a bipartisan bill introduced by the gentleman from Massachusetts [Mr. MEEHAN] and the gentleman from Connecticut [Mr. SHAYS] which seeks to implement voluntary spending limits, lower media costs, and eliminate soft money. This bill is the House version of the Senate McCain-Feingold bill that President Clinton endorsed. There is also another voluntary spending limits bill introduced by my colleague from California (Mr. PARR]. There is even a bill proposing a constitutional amendment to put limits on campaign spending.

Clearly, the membership of this House is ready to tackle the issue of campaign finance reform and get a bill passed by July 4, the deadline set by the President. It is my sincere hope, Mr. Speaker, that the leadership, the Republican leadership, are ready to meet the President's challenge because I think it is clearly one of the most important issues facing this Congress this session.

## HOUSING HOPE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Washington [Mr. METCALF] is recognized during morning hour debates for 1 minute.

Mr. METCALF. Mr. Speaker, Housing Hope is an organization founded in 1987 by a consortium of churches concerned about homelessness. From its humble beginnings 10 years ago, it has now become a leader in providing affordable housing to homeless families in Everett, WA, in my district.

Working cooperatively with churches, labor unions, banks, corporations, and government agencies, Housing Hope has launched a $3.2 million housing development to provide transitional shelter for the homeless, child care facilities, and permanent homes for low-income families. This public-private partnership is a model for the rest of the Nation.

In 1995, for their volunteer efforts on Housing Hope, I nominated members of a union in my district for an award. I

am gratified that the President saw the vision Housing Hope is building and presented the union with a Presidential Point-of-Light Award.

## CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California [Mr. FAZIO] is recognized during morning hour debates for 5 minutes.

Mr. FAZIO of California. Mr. Speaker, the clock is ticking.

Last week in this very Chamber, the President called for Congress to pass campaign finance reform by July 4. The President and, most importantly, the American people are committed to meeting that deadline. That is only 143 days away. History shows us we have the support to meet that deadline if the people in charge of the schedule do not drop the ball.

In the 103d, the 102d, and the 101st Congresses, the Democrats were able to corral enough votes in both Chambers to pass legislation to fix the system. A Presidential veto stopped us once, a veto threat stopped us another time and a Republican filibuster in the Senate stopped it a third time.

The burden now rests with the current Republican leadership to keep campaign finance reform on track. All of us, Democrats and Republicans alike, have a golden opportunity to at long last correct problems that have plagued this system for far too long. Let us not lose it because of stalling tactics or partisan political games.

The American people are looking for results. Their confidence in our election system depends on it. Mr. Speaker, the clock is ticking.

## COMMENDING MILLER WILLIAMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Arkansas [Mr. HUTCHINSON] is recognized during morning hour debates for 2 minutes.

Mr. HUTCHINSON. Mr. Speaker, today I rise to commend a distinguished Arkansas writer and teacher, Miller Williams, who recently composed a poem for President Clinton's reinauguration ceremony.

Mr. Williams, a professor of literature at the University of Arkansas in Fayetteville is the author of more than 20 outstanding books of scholarship and poetry. I can add little to the national chorus of praise his colleagues, students, and readers have already offered. His peers have recognized his talent with such prestigious awards as the American Academy of Arts and Letters' Prix de Rome.

In composing a poem for President Clinton's inauguration, Mr. Williams joined the select company of two other great American poets: Fellow Arkansan Maya Angelou and the New England poet Robert Frost.

In his inaugural poem, "Of History and Hope," Mr. Williams celebrates the American tradition of memorializing our past through stories and songs. I congratulate him for his own lyrical and provocative contributions to our Nation's understanding.

I also wanted to say that the people of Arkansas are proud of this contribution. But I also commend him for his contributions to our youth. Mr. Williams has spent nearly 30 years helping students to examine themselves and the history they will inherit. As he suggests in his poem, we cannot control the future. We can only hope to equip the next generations with resources that they will need to make the right decisions. For helping us in this endeavor I offer my thanks and gratitude to Mr. Williams.

## MORE ON CAMPAIGN FINANCE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California [Mr. FARR] is recognized during morning hour debates for 5 minutes.

Mr. FARR of California. Mr. Speaker, last week the President of the United States came to this Chamber, and he challenged us to give him a comprehensive campaign reform bill by July 4 of this year.

Mr. Speaker, I responded the next day by introducing the campaign finance reform bill, H.R. 600. Now, Mr. Speaker, if you are committed to campaign finance reform, as your handshake with the President a year ago would lead us to believe, then I would urge you to take up this call and this bill and bring it to the House floor.

Daily we are greeted with headlines in newspapers with stories about questionable campaign practices. Regularly we are confronted by our constituents asking for sanity in the election process.

Always we are faced with the burden of our own campaign needs and how to meet them in a way that does not destroy the faith in the political process. We need campaign finance reform, and we need it now.

H.R. 600 is one of the bills introduced in this House. It embodies comprehensive reform, and it meets the principles of reform that we can all embrace. First it is fair. Real reform does not favor one party over another or one candidate over another.

Second, it reduces the influence of special interests. Political action limits, limits on large donors and the elimination of soft money can accomplish this.

Third, it must be a level playing field. That is, campaigns are made to be competitive by enhancing spending limits.

Fourth, there must be access to this body and to this system by nontraditional candidates. Women and minority candidates should be able to run as easily as anyone else.

Mr. Speaker, many of us wrote you a letter requesting action on campaign finance reform within the first 100 days of this session. The President would like to sign the bill on July 4.

You can make it happen if you are committed to reform. I am. The question is, are you? What day will we vote on campaign reform? The Nation is waiting for your answer.

## CAMPAIGN FINANCE REFORM IN 105TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from California [Mr. MILLER] is recognized during morning hour debates for 5 minutes.

Mr. MILLER of California. Mr. Speaker, as my colleagues who preceded me in the well have pointed out, one of most important items on the agenda of this Congress is campaign finance reform. Until we are able to reform this system, we will not regain the confidence of the American people that there is a level playing field in the Congress of the United States for the average American and the special interests.

Day after day the press reports to us of special accommodations that are given to those with the most money invested in campaigns of Members of Congress, Members of the Senate, members of the administration and members of the opposing party in the Presidential campaign. It is very clear that these reports are making the people even more cynical about our political system than they are today.

Our obligation is to report campaign finance reform from the House of Representatives to the Senate at the earliest possible date. The reason we must do that is that, time and again, the delay of consideration of campaign finance reform not only changes the likelihood that it will ever become law but, should it become law, it postpones it through one more cycle of campaigns.

If we do not do campaign finance reform very quickly in the House and in the Senate, pretty soon Members will say, it cannot take effect in 1998, it must take effect 4 years from now. And then we go through an entire new cycle of the outrageous sums of money that are being lavished on campaigns in this country.

That is why we are pleading with the Republican leadership and the Speaker of the House to schedule campaign finance reform. The President has asked that it be done by July 4. Over 100 Members of this body sent both the Speaker of the House and the minority

leader of the House a letter asking that we do it in the first 100 days.

□ 1245

Two years ago we saw a very aggressive legislative agenda for the first 100 days of that Congress. That Congress worked more hours, took more votes and passed more legislation in that 100 days, I believe than any other Congress in history.

Now we come to this Congress. Today is the 9th legislative day. We are in session today. We have no votes today. It is the 9th legislative day; however, today is in fact the 26th calendar day of the year. We have chosen to be in session 9 of those days.

If we comply with the President's request and pass campaign finance reform by July 4, it will be the 129th calendar day of this session, but under our current schedule it will be only the 63d legislative day of the year. I think we can start to see that the Congress is meeting less than 1 out of every 2 days.

If we ask that we do it in the first 100 days, the 100th day would be May 26 of this year. But if we go under the current schedule put forth by the Republican leadership, the 100th day will be October 14. That will signal that campaign finance reform is going to die.

We have got to do better than working every other day or every third day on behalf of the issue of campaign finance reform. Clearly this is an issue where people have studied it for many years.

As my colleagues have pointed out, there are many proposals, many of which Members of this body can live with, many which would improve the system, many of which would make the system more transparent and open to public scrutiny. We ought to move on that agenda, and we ought to move with the dispatch of at least what the President asked for or what the Members of this Congress have asked for, in the first 100 days.

If we do not, if we do not, soon we will be talking not about campaign finance reform for the next election but we will be talking about it for the election after that. And what will happen if that happens is we will continue the corrosive impact of campaign contributions on the workings of this institution.

Very often the press likes to talk about a vote that has been taken and the money that has been given. But we all understand that there are a whole other series of decisions made. Some are public and some are not. It is not just about what we do, it is not just about the vote we take. It is about the issue not presented to the Congress, it is about the vote not taken, it is about the amendment not offered.

Today too many of those decisions are being influenced by the promise of campaign contributions or the receipt of campaign contributions in the past. We must take that away from this institution. We must return this institution back to a level playing field so that the average person in this country will have confidence that our decisions are made on the level, and that they are made on the merits and not based upon who received what money in what amount to vote one way or the other on a given issue or not to have an issue considered.

## RECESS

The SPEAKER pro tempore (Mr. MILLER of Florida). Pursuant to clause 12 of rule I, the House stands in recess until 2 p.m.

Accordingly (at 12 o'clock and 49 minutes p.m.), the House stood in recess until 2 p.m.

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

## PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are aware, O gracious God, that Your Spirit can minister to us in the depths of our hearts, that Your amazing grace can give us comfort and peace that passes all human understanding. We pray this day for all those who desire a full measure of Your blessings that they will receive all the gifts of faith and hope and love. May the fellowship of Your Spirit so live in the minds and souls of those who call upon You, that Your will may be done on Earth as it is in heaven. In Your name we pray. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

## PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey [Mr. PAPPAS] come forward and lead the House in the Pledge of Allegiance.

Mr. PAPPAS led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPOINTMENT AS MEMBER OF BOARD OF TRUSTEES OF GALLAUDET UNIVERSITY

The SPEAKER. Pursuant to section 103, Public Law 99–371 (20 U.S.C. 4303), the Chair appoints as a member of the Board of Trustees of Gallaudet University the following Member of the House: Mr. LAHOOD of Illinois.

## APPOINTMENT AS MEMBERS OF BOARD OF TRUSTEES OF HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER. Pursuant to the provisions of section 5(b) of Public Law 93–642 (20 U.S.C. 2004(b)), the Chair appoints as members of the Board of Trustees of the Harry S. Truman Scholarship Foundation the following Members of the House: Mrs. EMERSON, of Missouri, and Mr. SKELTON, of Missouri.

## THOMAS ALVA EDISON

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, today is the 150th anniversary of the birth of one of our Nation's foremost technology pioneers, Thomas Alva Edison. In Ft. Myers, FL, the site of his winter home for some 45 years, we hold the annual Festival of Light celebrating his remarkable contribution to modern society.

With more than a thousand patents, Edison was certainly a prolific inventor, but more importantly his inventions revolutionized our everyday lives. The light bulb. The phonograph. Wax paper. An electronic voting machine that we use here in-house. As he put it, "I find out what the world needs. Then I go ahead and try and invent it." What a refreshing thought.

The enduring spirit of the independent inventor was brought to life by people like Thomas Edison. I join the gentleman from Ohio [Mr. GILLMOR] today in introducing legislation to authorize a commemorative coin whose proceeds will support the historical organizations dedicated to Thomas Edison's legacy. I hope all of my colleagues will support this bill.

## COMPREHENSIVE CAMPAIGN FINANCE REFORM

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, when the Republicans were in the minority, they would often challenge the Democratic leadership of the House to implement comprehensive campaign finance reform. We are now in the 3d year of the Republican majority, and the Speaker in fact has only brought one campaign finance reform bill to the floor, a bill, and I should mention that the Republican leadership knew would fail, and did in fact fail by over 250

votes. I guess the Republicans' fervent quest for reform has been tempered by the power of being in the majority.

Campaign finance reform again is not a new issue to this Congress by any means. In fact, the House had passed a comprehensive campaign finance reform bill when Democrats were in the majority, but, as I mentioned previously, this was vetoed by President Bush.

Last week President Clinton came to this Chamber and challenged this House to pass meaningful campaign finance reform. He made it a priority of his administration. He set July 4 as the deadline. I believe the House can certainly pass reform legislation by then. I think it would be a true test of our democracy, and it certainly is a challenge we must face this session.

## CAPITAL GAINS TAXES

(Mr. PAPPAS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAPPAS. Mr. Speaker, on my first day as a Member of Congress, I kept a pledge to the people of my district to introduce legislation that would improve the quality of their lives. My legislation reduces the capital gains tax by 50 percent and seeks to eventually eliminate it.

All over central New Jersey, I have been told that overtaxation is a huge problem. I have had people tell me that they are not going to sell their homes or businesses until Congress acts.

People and businesses create jobs, not the government. Lower capital gains taxes leave more capital in the hands of businesses, entrepreneurs and individuals who create and expand businesses and jobs.

A New Jersey painting contractor was quoted in an article in the Washington Post as saying:

> You're looking at a poor man who thinks the capital gains tax is the best thing that could happen to this country, because that's when the work will come back. People say capital gains are for the rich, but I've never been hired by a poor man.

The growth of our Nation's economy can be vibrant and grow if we are only willing to allow it to happen. Pass capital gains tax reform.

## THE IMPORTANCE OF EDUCATION

(Mr. McINTYRE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McINTYRE. Mr. Speaker, 1 week ago tonight the President underscored the importance of education. Education must be paramount and we must do whatever we can to help our children which is the wisest investment that we can make for tomorrow.

This investment has three callings for us: concern, commitment, and character. First, we should show our concern by contacting our local schools now and finding out how we can best help our teachers. Second, we should be committed. For the last 16 years I have gone into the classroom to volunteer and to work with our kids. Are we as business leaders willing to take the time to go and be role models for our children?

And third, we should be building character. Next week in our district we will have an electronic classroom that will go throughout the whole district to address children and to help bring them together with technology to talk about respect and responsibility, important ingredients for the citizens of tomorrow.

These are the three callings that we must answer. We must be ready with concern, commitment, and character and do what we can do now to help education on the local level.

## RESPONDING TO PRESIDENT'S CALL FOR CAMPAIGN FINANCE REFORM

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, first let me salute all the many veterans that I have had the opportunity to see today who are expressing their views and pay tribute to them certainly for their service to their country. It is for that reason that I rise to talk about giving this House back to the people of this Nation.

Even though we have heard so much talk about campaign finance reform, the real question will be whether we will be serious as a bipartisan body to address this issue. Although I will say to you that most Americans will say just do a good job, recognizing that each individual Congressperson that represents their district does the very best they can and is assessed by the people who vote them in, but they do want us to come to the understanding that people control this House and not money.

At the same time I think it is important that those who want to express their interest by supporting candidates should have the opportunity. I am glad to support the Farr bill which is a bipartisan approach to real campaign reform. It sets limits. It allows us to access the telecommunication highways, if you will, to communicate to the public. And, yes, it allows PAC's that represent people to participate. Let us come together by July 4 and give real independence and vote for real campaign finance reform.

Mr. Speaker, I come before the House this morning to urge my colleagues to respond to the President's call to enact comprehensive campaign finance reform by July 4 of this year. This House in which we are all privileged to serve, is the people's House. It belongs to all of the citizens of this Nation and these citizens are calling out to their congressional Representatives to restore their confidence in Congress' ability to act for the good of the Nation. During the congressional cycle of 1996 we saw unprecedented amounts of money spent on these elections, which only heightened public cynicism regarding how our democracy works.

If comprehensive campaign finance reform is enacted by the July 4 deadline set by the President, American citizens will truly be able to celebrate Independence Day. It will be independence from excessive fundraising by candidates running for political office. Independence from outside organizations having such a large and overwhelming impact on the electoral process simply because they have spent huge sums of money. Mr. Speaker, the people of the 18th District of Texas in which I am honored to represent want this House returned to the people. Let's have a real Independence Day this year. Let's not let partisan politics get in the way. Let's enact real comprehensive campaign finance reform and have a real Independence Day.

## TRIBUTE TO U.S. AMBASSADOR CARL B. STOKES

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, I rise to honor the memory and the accomplishments of U.S. Ambassador Carl B. Stokes who passed away in 1996 after a long and distinguished career as a political leader. The world will always remember him as the first African American mayor of a major American city. I will always remember him as a friend, a confidante, and a mentor who helped me navigate the rough waters of Cleveland politics.

Carl B. Stokes was born in 1927, the son of a laundry worker who died when he was 2 years old. His mother worked as a domestic. He and his brother, the Honorable LOUIS STOKES, who serves as Congressman, worked in neighborhood stores and delivered newspapers to help the family.

Over the years Carl Stokes excelled in many aspects of life: as a soldier during World War II; as a middleweight boxing champion in 1948; as an attorney and investigator for the Ohio Department of Liquor Control. In 1962, he became the first black Democrat elected to the Ohio House. In 1967, he became mayor of Cleveland, serving during a critical time in the history of my hometown. After 4 years as mayor, he moved on to a television journalism career in New York City, to election as a municipal judge and finally as U.S. Ambassador to the Seychelles.

The Reverend Jesse Jackson said about Carl Stokes, all that exists now in the political spectrum for African-Americans are seeds from trees that Carl Stokes planted. He has left a

proud legacy to his family, to the Cleveland community and to America.

OBITUARY OF U.S. AMBASSADOR CARL B. STOKES

Carl Burton Stokes died on April 3, 1996, at the age of 68, following a battle with cancer. With his passing, America mourned the loss of one of its most famous sons. Ambassador Stokes may be one of America's most vivid examples of how this nation has responded to the drive for success by the members of what was only one hundred and thirty-three years ago an enslaved group of people. Ambassador Stokes' life has been one of a series of "firsts" for African Americans. America's first Black mayor of a major American city became the first African American ever to be elected to all three branches of government—the legislative, the executive and the judicial.

In November, 1962, Stokes became the first Black Democrat in the history of the State of Ohio to be elected to the Ohio General Assembly. He was re-elected in 1964 and 1966. At that time, members of the Assembly were elected county-wide. Cuyahoga County's population was only 14% Black. Stokes remains the only Black Democrat ever elected county-wide to the Ohio State Legislature.

On November 13, 1967, Stokes attracted international attention when he was sworn in as Mayor of the City of Cleveland—the first Black mayor of a major American city, population 810,000. Since Cleveland was only 37% Black at that time, it also marked the first time an African American has been elected mayor of a predominately white major city of this nation.

In that election, Clevelanders selected Stokes, the grandson of a slave over Seth Taft, the grandson of a United States President. Subsequently, Mayor Stokes was asked by the White House to represent the United States on goodwill trips to Europe. As such, he was received by many heads of state, including nations where relations were strained, such as Romania and Yugoslavia. He was also sent to the Caribbean on missions to Puerto Rico, the Bahamas, Barbados, and Trinidad. His visit to Israel resulted in a friendship with Mayor Teddy Kolleck of Jerusalem that endures to this day.

In 1970, the 15,000 member National League of Cities, composed of mayors and city and county officials from throughout the nation, unanimously voted Stokes as president-elect to head their organization—the first Black official ever to hold that office.

Having completed two terms as mayor, Stokes decided to end his political career and begin a new one in broadcast journalism. In April, 1972, Carl Stokes became the first Black anchorman to appear daily on a television news program in New York City. At NBC's flagship station, WNBC–TV, Stokes also served as urban affairs editor and was often assigned to the United Nations where he interviewed many heads of state and other foreign dignitaries. Additionally, as a correspondent, he traveled throughout several nations of Africa, including Gambia, Zambia, Uganda, Kenya, Mozambique, and Zimbabwe.

In September, 1980, after eight years as an award-winning broadcast journalist, Stokes returned to Cleveland and to the practice of law. He became the first Black lawyer to serve as General Counsel to a major American labor union—the United Auto Workers, Region 2 and 2A. Stokes also represented Cleveland's largest city labor union—Laborers' Local 1099, among others.

On November 8, 1983, Stokes was elected as Judge of Cleveland Municipal Court, Ohio's largest court. A few weeks later, on December 22nd, his 12 colleagues elected him Administrative Judge of the Court. And on January 9, 1984, his fellow-judges elected him as their Presiding Judge. Never before had a freshman judge been elected Administrative/Presiding Judge of the thirteen-judge Municipal Court. He served two terms as head of the Court.

Ambassador Stokes' election was a benchmark in American history since few Americans—and no other African American—has ever been elected to the legislative, executive, and judicial branches of government in our nation.

Carl Stokes was born on June 21, 1927, in Cleveland, Ohio. He was only two years old when his father, Charles, a laundry worker, died. His widowed mother, Mrs. Louise Stokes, supported her two sons by working as a domestic and for a time the family was on public assistance. He and his older brother, Louis, who is now in his 14th term as Ohio's first Black U.S. Congressman, augmented the family income as newspaper carriers for the Old Cleveland News, and by working in neighborhood stores. Congressman Stokes is the senior member from the Ohio delegation to Congress and is the ranking minority member of the Appropriations Subcommittee on Veterans Affairs-Housing and Urban Development-Independent Agencies.

Once a high school drop-out, Ambassador Stokes has received honorary doctorate degrees from 14 colleges and universities around the country. He has been a visiting lecturer at academic universities and business institutions throughout the United States, Trinidad, Haiti, Puerto Rico, the Bahamas, England, France, Germany and Italy.

On Tuesday, November 2, 1993, Stokes was re-elected to a third six-year term as Judge of Cleveland Municipal Court.

On Friday, August 26, 1994, President Bill Clinton appointed then-Judge Stokes as his Ambassador Extraordinary and Plenipotentiary of the United States to the Republic of the Seychelles. In this post, Carl was given the opportunity not only to serve the United States in a diplomatic position, but he also derived the satisfaction of displaying his professional qualifications in an international forum. Carl served as Ambassador to the Republic of Seychelles until the time of his death.

The passing of Carl Burton Stokes brings to close a life of love, commitment and inspiration. He was a leader, a visionary, a role model, and above all, a pioneer. His feat of becoming America's first Black mayor of a major American city changed the landscape of American politics. But above all, Carl was proudest of the fact that he was the first Black American to acquire the political power to break down barriers and open unprecedented opportunities for minorities. This will stand as a legacy and lasting tribute to a remarkable individual.

Left to mourn Carl's passing is his loving wife, Raija Stokes; two sons, Carl B. Stokes, Jr., and Cordell E. Stokes; a stepson, Sasha Kostadinov; and two daughters, Cordi D. Awad and Cynthia Sophia Stokes. In addition, he leaves to mourn two granddaughters, Jevonne Laraija Stokes and Cybil Quinn McBee; a grandson, Cordell E. Stokes, Jr., and his brother and sister-in-law, Louis and Jay Stokes. Other relatives include a nephew, Chuck Stokes; three nieces, Shelley Stokes Hammond, Judge Angela R. Stokes and Lori Stokes Thompson. Additionally, Carl leaves to mourn Linton Freeman, whom Carl considered to be a special cousin and dean of the family. He also leaves Wynona Jones, Elizabeth Bowes, Blanche Richards, Katie Walker, and a host of other relatives and friends, all of whom were special to Carl in his lifetime.

## SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

□ 1415

## SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LATOURETTE). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## TRIBUTE TO HERB CAEN

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. PELOSI] is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, they say that a picture is worth a thousand words, and in this visual era that we live in that has never been truer. But words have power, too, and a name, Herb Caen, to our community was worth 1,000 words every single day for nearly 60 years, mostly with the San Francisco Chronicle.

Last week we suffered a great loss in our community with the passing of Herb Caen. It was a tremendous loss for the entire Bay area community. Indeed, Herb Caen gave us our sense of community with his sense of humor.

But 1996 was a great year for Herb. It was the year he turned 80, it was the year he got married, it was the year he was awarded the Pulitzer Prize, and it was the year that our community recognized him at Herb Caen Day. This special day was put on by Willie Brown, the mayor of San Francisco, and our chief of protocol, Charlotte Maillard, and over 75,000 people turned out to pay tribute to Herb Caen and to name an over-3-mile stretch of street in San Francisco Herb Caen Way.

Seventy-five thousand people, joined Walter Cronkite and Joel Grey and other figures, celebrities, many in the sports arena, politics, the arts, show business in paying tribute to Herb. I do not know of any other person, living person, who has had such a tribute, who can make that claim.

His funeral took place this past Friday, and thousands of people attended. In the evening there was a candlelight march after work for the many people who could not take time off during the

day, along Herb Caen Way, to honor him. It is very hard to explain to our colleagues a person so special that tens of thousands of people would turn out for him in life and in death, but he lived as he had died, surrounded by friends.

So I once again on the floor of this House want to extend my deepest sympathy to Herb's wife, Ann Caen; his son, Christopher; and Stacy, Steven and Catherine. It is a very difficult time for them and for all of San Francisco, the area which considered itself part of Herb's family.

Our mayor, Willie Brown, said it best when he said Herb Caen is irreplaceable. Again, as I say, because he was so special, it may be hard for our colleagues to understand the esteem in which he was held. The mayor called him irreplaceable. I will borrow the words of W.H. Auden, with some poetic license, to try to give expression to the sadness of our community on the death of Herb Caen:

Stop all the clocks, cut off the telephone, prevent the dog from barking with the juicy bone, silence the pianos and with muffled drum bring out Herb's friends, let the mourners come.

Let airplanes circle moaning overhead, scribbling on the sky the message he is gone. Put crepe bows around the white necks of the public doves, let the traffic policemen wear black cotton gloves.

He was, in our community, he was our North, our South, our East and our West, our working week and our Sunday rest. Our moon, our midnight, our talk, our song; we thought that he would last forever, but we were wrong.

The stars are not wanted now; put out every one: Pack up the moon and dismantle the sun; pour away the ocean and sweep up the woods: for nothing can ever come to any good.

I do not agree with that last line. Herb would certainly want his leaving to come to some good.

On his Herb Caen Day he said when he died and, hopefully, went to heaven, when he got there he would say of heaven "It ain't bad but it ain't San Francisco."

## TOUCH THE FUTURE: INVEST IN EDUCATION

(Mrs. McCARTHY of New York asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. McCARTHY of New York. Mr. Speaker, I have spent the last week traveling throughout my district in Mineola, Garden City, Uniondale on Long Island, and meeting with hundreds of children. I have visited their classrooms, met their teachers, and watched them work on computers, listened to their lessons and heard them read their books.

These children are full of enthusiasm and spark. They want to learn and they are enjoying it. These are visits that have made more clear to me that our children are one of our Nation's most precious resources.

I saw a bumper sticker recently that said, "I touch the future. I teach." In Congress we can also touch the future by improving our educational system and making college more affordable for working families. And those who choose not to go to college, let us not forget them. We want to make sure that they have good and well-paying job opportunities.

Let us pass President Clinton's 8-point educational plan, which includes a $10,000 tax deduction for tuition and training as well as a plan for 2-year, $1,000 Hope scholarships. It is important for our children's future. Let us do it.

## ANSWER TO EDUCATION PROBLEMS NOT IN WASHINGTON

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Michigan [Mr. HOEKSTRA] will be recognized for 40 minutes and the gentleman from Florida [Mr. McCOLLUM] will be recognized for 20 minutes as the designees of the majority leader.

The Chair recognizes the gentleman from Michigan, [Mr. HOEKSTRA].

Mr. HOEKSTRA. Mr. Speaker, today we continue a discussion that began in 1996. It deals with this city. This is a picture of Washington, DC. And it deals with what we really can expect Washington to do and the kind of balance that we need to strive for in this country between what we expect from Washington, what we expect from the private sector, what we expect from individuals, and perhaps what we can expect from faith-based and religious and volunteer organizations in America.

In many cases, I believe we have moved too much power to this town. We have asked Washington to do all kinds of things that perhaps it is not best equipped to do. We saw some of this last week when we heard the President articulate a vision for education, a vision that I believe moves power, authority, and control from the local level, from the parental level back to this community, back to this town, and it says the way we improve education in America is we empower Washington and we empower the bureaucrats in Washington to make decisions.

We used this chart for the first time or this picture for the first time in 1996 when we talked about the crisis that this Nation was facing in welfare. Because what we had done in welfare is we had moved decisionmaking away from the local level, where we were best equipped to help those in need, and we moved it to Washington.

We moved it to buildings here in Washington, so that when the State of Michigan or when the State of Wisconsin wanted to design a program that they felt best met the needs of their citizens, they had to come to a building over here and a bureaucrat in Washington, who had maybe never been in Wisconsin, maybe never been in California, maybe never been in Michigan, and say "Can I do this in my State?" And the bureaucrats in Washington were empowered to make the decisions.

Yesterday I had the opportunity to meet with a new program in the State of Michigan, where in my home county they are working on what they call Project Zero, which is to move everybody off of welfare. It is a partnership. It is a partnership between local agencies, it is a partnership with the State, and it is a partnership in a volunteer way with faith-based institutions to reach out and embrace those families that need help and to lift them up in a permanent and in a meaningful way off of welfare.

Those are the kinds of programs that I expect we will see over the next 12, 18, 24 months that will have a dramatic improvement in the welfare situation in this country.

Now, after we have made that change in welfare, which moves power back from Washington, back to the States and, more important, back to the local communities where we can have these creative mergers of people coming together to help others in the community, we find that the President does not really believe that the era of big government is over. He now believes that the era of big government has moved from a failure in welfare, and it is kind of like we did not learn our lesson: We are going to take that bureaucracy now and create and expand the Department of Education.

Over the last 9 months we have had hearings around the country, and we know that that model does not work. We know that the model of moving power to Washington and moving power to bureaucrats in Washington is not the answer. These bureaucrats are knowledgeable, talented people, but they cannot address the problems at the local level.

In hearings that we have had in New York City, that we have had in Chicago, that we have had in Cleveland, that we had a couple of weeks ago in Los Angeles and Phoenix, the answer is very clear. The way that we improve education is we empower parents, we move decisionmaking back to the local level, we focus on basic academics, and we drive dollars back into the classroom and not into a bureaucracy and into bureaucrats, as well-meaning as they may be.

The system today is fairly clear and what the President proposes is fairly clear. It is the myth. It is the myth of the magical President who believes that by having good intentions in Washington and outlining wonderful-sounding programs, and moving dollars

to Washington and moving responsibility to Washington, we can actually solve the problems that we have in education.

There is no doubt that in certain parts of our country education is in crisis, if we take a look at some of the statistics. This is not a debate about whether we need to improve education or whether we need to put a focus on education. The statistics are clear: One-half of all adult Americans are functionally illiterate.

Two weeks ago we had a hearing in California. Think about it: Twenty-five percent of the students that enter higher education in the State of California need remedial education. This is kids in 8th grade, this is kids in 10th grade, these are kids going into higher education. Twenty-five percent of them, when they enter the institution of higher education, need remedial education.

What does that mean? That means that they are entering into college and they cannot read or write at an 8th grade level. Sixty-four percent of 12th graders do not read at a proficient level. In international comparisons U.S. students scored worse in math than any other country except for Jordan.

If we take a look outside of this building in Washington, DC, it is also not an issue of money. We spend about $8,300 per child in the city of Washington, DC, and we have some of the lowest test scores in the country. In the State of Michigan we spend about $5,400 per student. So it is not let us pour more money into these programs or into these cities, it is let us focus on the basics.

When we have gone around the country, the exciting thing that we have noticed is that we can go into many areas that we would identify as having at-risk kids, the kids that maybe when we take a look at their environment and a whole series of factors we might be saying they are at risk, and they are at risk because maybe they are in an environment where it is most difficult for them to learn. The exciting thing about this is, as we go into these areas we see schools, we see teachers and we see parents and, most importantly, we see some of the greatest kids in this country, and they are learning and they are learning successfully.

But it is because of the schools, and it does not make a difference whether it is a public school or a private school or whether it is a charter school. We have seen examples of all of these, but when the schools make a commitment to involve the parents, where they have been freed from the rules and regulations from Washington and from the State so that the teachers and the administration can focus on the kids rather than the rules and regulations, it works. When the dollars go into the classroom rather than into paperwork, it works, and when the schools are focusing on basic academics, it works.

□ 1430

Here is the system today, and here is why I am leery about sending more money to Washington and why I believe it is a myth and why I believe that in the area of education, at least in Washington, more does not mean better.

Remember what we have in Washington today when we say education. Washington has been trying to help in the area of education for the last 20 years. Twenty years of work, 760 different programs running through 39 different agencies, spending about $120 billion per year. Washington has been going after this problem, but we have not been doing it very successfully.

Why? What is the process? Well, we start with parents, which is where we should start. We should have focus on parents and kids. But when we move the education system and the focus of education to Washington, we end up getting a whole bunch of layers in between parents, kids and teachers and local school boards.

In Washington, in this model that some want to expand, we have parents paying into Washington about $120 billion, into Washington programs, into Washington bureaucracies, 760 different programs. We are worried about reading and writing? Washington, a couple of years ago, had 32 different literacy programs. We still have more than 14 literacy programs. $120 billion into 760 programs, 39 different agencies.

Then the Washington bureaucracy, all the arrows point one way in terms of putting rules and regulations and dollars back on State and local school boards, but what happens when we create a program? If you create a program, somebody has to find out about it, so we spend dollars communicating to a school board or to a State saying, "We've got these dollars available for these kinds of programs."

So we invest dollars in a communications effort. School boards find out about it; they do not automatically get it. They have to now say, "I wonder if we qualify for this? What do we need to do to qualify for this? How do we apply?"

They then fill out applications, and it goes back to the bureaucracy. The bureaucrats in Washington say, "Well, you know, we've got $x$ amount of dollars, we've got so many school districts applying. We're going to have to go through a sorting process to decide who gets this money and who does not."

So they go through a decisionmaking process in the awarding of grants. The Vice President's National Performance Review outlined that in one of these grant applications in the Department of Education the process went through 487 different steps to move dollars from Washington actually back to a school board, back actually to the kids.

Washington then sends money to a school board or to a local school district. Of course, we cannot trust the people at the local level to do what we ask them to do, so of course we have rules and regulations and we have reporting structures back into Washington that says, "Yes, we received your money," and "Yes, here is proof that we spent it exactly the way you wanted us to." We in Washington, of course, cannot believe those, so we have to put in place an auditing program that says, "Make sure you keep your records, because we may want to come back and audit that you actually spent the money the way we intended you to spend it."

The bottom line is when parents send $120 billion to Washington and they funnel it through the 760 programs that we lose at least, conservatively we lose at least 15 cents of the Federal dollar. If you take a look at how much we lose at the State and the local level as they go through the process of applying and meeting the rules and regulations in the local cost, we probably lose somewhere in the neighborhood of 35 to 40 cents of each and every education dollar that goes to Washington to funnel it back.

We are not getting the money into the classroom. Most of this money or a good portion of it, probably 35 to 40 percent of the dollars that we think we are investing in education, gets sucked up into the bureaucracy and into the paperwork, and what happens is rather than school boards focusing on and working with parents as to what they need to do in their local district, what we have created is a model that says, kids are important, but I need to meet the rules, the requirements and the regulations from Washington. So their focus goes to a bureaucracy in Washington and not to parents and not on kids.

We have got to break the cycle. We have to focus on what is important, the basics, local and parental control and getting dollars into the classroom. We need to focus and we need a model where the people who are involved in education and setting the direction for education for our kids are parents, kids, and local leaders in the community.

I can say that with conviction because of the success we have seen around the country. We visited the Vaughn Charter School in L.A. 2 weeks ago, south central Los Angeles, one of the lowest performing schools when it was part of the Unified Los Angeles School District. It is now a charter school. It is still a public school. It is still accountable to the taxpayers. But what they did when they became a charter school, they cut the strings of bureaucracy. Dr. Chan, who is heading that school, saved the school district,

and the number is a little bit disputed, but somewhere in the neighborhood of $1.5 million. But more importantly, talking to the parents, talking to the kids, going into the classrooms, sitting around a table and talking about what makes this school different today, the parents, Dr. Chan, and the students are all saying it is because this is the model.

The model is one where the school, the principal, and the teachers have a partnership with the parents, and they are focused on the kids. Parents talk about we got our school back. As a matter of fact, it is now a neighborhood school. The kids in this neighborhood were being bused all over. The kids now have the choice of where they want to go to school. They are now going back to this school. They not only took control of the school back for the parents, but it is now a neighborhood school and in a very rough part of Los Angeles. It is kind of like a bright beacon in that community about what a local community can do when it cuts the strings from a bureaucracy and is empowered to take over a small part of its own community, and it is empowered to take over a very important part of its community, which is the schools.

There are a couple of other interesting statistics when we talk about what happens when dollars go into Washington.

We know we lose at least 15 cents here in Washington and we know that we lose at least another 20 cents when you go to the costs incurred by the local schools and the State, but it is kind of interesting how these dollars get distributed. Dollars do not follow kids. Dollars go all over the place.

If you are in Alaska, sending dollars to Washington and increasing the Washington bureaucracy is a good deal, because even though you maybe lose 40 cents of every dollar you send to Washington, with Alaska, when you send $1 in, you get $3.12 back. So the dollars coming in, the share back to you is very positive. It is a disproportionate share back to Alaska.

If you are in Connecticut, it does not really pay. Connecticut gets all of 39 cents back to that State. If you are in Mississippi, you get $2.41, if you are in New Mexico, you get $2.34. If you are close to New Mexico, in Nevada, too bad, you only get 39 cents back.

So it is a huge shell game in Washington that is not focused on kids. It is not focused on improving education. It is focused on bureaucrats and politicians trying to do something that really parents and local school districts can do a whole lot better.

As we take a look at this, this system does not work, when we take a look at what is going on and some of the proposals that the President has to improve learning, to improve education. It is interesting, one of the proposals he has, and I have oversight over this area, is the President proposes $809 million for the Corporation for National and Community Service. National and community service. It sounds great. Our volunteers through the Corporation for National Service cost us as taxpayers about $27,000 apiece, or as high as $27,000. They are going to go out and they are going to get tutors. I think that is a laudable objective. Schools are doing this today. Community groups are involved, and I am not sure what the Federal Government can do to help and assist in that process.

We fund and send money through the Corporation for National Service, and it would be one thing if we knew where now another roughly $1 billion going into this model, we know we are going to lose some of that in the structure and in the hierarchy and in the bureaucracy. We also know that, at least for the Corporation for National Service and for many of these other agencies, we are not actually going to know where the money goes.

The Corporation for National Service, this is an agency that spends about $600 to $700 million per year. The books still are not auditable. Think about it. Sending taxpayer dollars to an agency that was set up and was going to be the model for a government agency and how government should run but cannot have an independent accounting firm come in and audit its books.

That is one example. The Heritage Foundation cites a number of other examples that says these 760 programs do not have the kind of oversight necessary to determine whether they work and where the dollars are going and whether they are efficient or not. Is it not interesting that we know we have a problem in reading, we know that our kids are not reading at competitive standards, that in certain States a high percentage of them need remedial education, and rather than focusing on the real problem as to why kids are not learning in the classroom, the response in Washington is to create another program.

We have known that this has been an issue. We have got 14 literacy programs. And now what we are doing is we are funding an overlay of perhaps volunteers reading 2 hours per day or 2 hours per week with students, but we are not asking the fundamental questions as to why are kids not learning to read in the classroom.

Is there something going on in the classroom that is prohibiting kids from learning? Why do we not take a look at what is going on in the classroom before we do anything else, and maybe moving dollars into the classroom is a more effective way of addressing this problem than putting another Band-Aid on an open wound. Maybe we ought to go back and take a look at the 14 literacy programs that are already spending over $8 billion per year from a Washington level and saying, why are those 14 literacy programs not driving the kinds of results that we would like to have?

□ 1445

If they are good programs and they are working, why are we not putting more money into those programs? If those programs are not working and we do not feel we should be putting more money into them, but we should be going in this new route or in a different route, why do we not take a look at eliminating those programs and getting true effectiveness into the system? But no, the proposal that we have in front of us is more bureaucracy in Washington, not critically evaluating the programs that we have in place.

Well, that is not going to work in this Congress.

We do have in place a program which we call Crossroads in Education. The Crossroads in Education project that is coming out of the Committee on Education and the Workforce is going to do, and is in the process of doing, a critical analysis of these 760 programs. We want to find out where the dollars go; are they getting results or are they not getting results; how can we make them more effective; and what is working and what is wasted in education today?

So what does that mean? It means that the first step is last year we asked the question: How many programs are there? Nobody had ever asked that question before. We did some work, we did some research; some other outside organizations, some parts of the executive branch helped us. They said 760 programs, 39 agencies—actually the 760 is a little old. Since that point in time they have identified about a hundred more programs that we have. So it is somewhere in the neighborhood of 850 to 900 programs that we really have in Washington.

But we are now going through and we are asking what is the process; how is this money distributed; what are the actual links back and forth between a bureaucracy and the State and a local school board; how are people awarded and granted dollars; what is the largest grant request you get or that you gave out; what is the smallest?

We found a grant request for safe and drug-free schools. The school district went through all of the work, a very thick application, and I will tell you they got their money's worth. They got a grant for $13. The Government cannot even write a check for $13, but that is what the school district got. Maybe that went out and would have paid for lunch for the person who spent considerable time putting this grant request together: $13 for a school district to develop their safe and drug-free school program.

Think of the costs that went in. We are doing that. What is the largest and

the smallest grant request you got? What do these grant requests look like? Are they 2 pages, are they 50 pages? In some cases we found that they may be a thousand pages. How much time and energy? What happens to the grant requests when they come to Washington? How are they sorted through? Who reads them? You then go back and you take a look at when the grants go out, how much paperwork?

The statistics I believe that we had in our hearing in Arizona 2 weeks ago was that of the 6 percent—let me find the exact quote—this was from Lisa Graham Keegan who is Arizona's superintendent of education—said, I will say that the 8 percent Arizona receives from the Federal Government easily accounts for more than 50 percent of the work in my department and school districts.

The paperwork. They receive 8 percent of their money—remember this $120 billion is only about 5 or 6 percent of what any school district gets, but on a national average some get more, some get less. Here in Arizona it is about 8 percent of their total dollars come from Washington and about 50 percent of their paperwork. Is that a good investment? What do bureaucrats in Washington really know about what needs to be done in Arizona?

So what is the paperwork that goes back and forth? We have had meetings, and we asked superintendents to tell us about their paperwork, and one of the things that they keep coming back with is, we appreciate the money we get from Washington. In some cases it does some good and we can work in those areas. But the real problem is when we take a look at our local school district and we take a look at the needs that we have. If we had more flexibility to use that money in different ways, we would spend it in different ways than what you are mandating that we spend it on.

So we know that this process is not an ideal process. Fifty billion dollars of more spending in Washington is not the way to improve education. Spending $50 on education may be a worthwhile effort. It is probably a good exercise. Spending it at the State and the local level, where you have more control and direction about what you need in your community, and actually getting the dollars into the classroom probably makes a lot more sense.

Recognize that when we spend and say we are going to spend $50 billion in Washington, maybe only 25 to 30 billion will actually make it back into the classroom. Twenty billion is going to get lost somewhere else in the process.

A couple of other proposals that the President is talking about that I think need serious consideration: talking about school construction. As soon as we put in Federal dollars, any amount of Federal dollars, into a local school construction, Washington will come in and mandate what contractors need to be paid on an hourly basis for the work that they perform in your school district. It is called Davis-Bacon, mandated from Washington what you will pay. We have an elaborate system in the Department of Labor that is not very good but that tries to track wages in thousands of different communities around this Nation, in a number of different construction categories, and that is what you have to pay. In other projects where you do not have Davis-Bacon, we go through this kind of complex way of determining how much a project will cost. It is called competitive bidding. School districts cannot competitively bid. They have to pay Davis-Bacon wages.

So in effect, when you go on a construction project with Federal dollars or partially funded with Federal dollars, you lose again about 15 percent of your purchasing power by being required to pay the wages established here in Washington versus what you may be able to get in a competitive bid.

I enjoy the discussion about the HOPE scholarships. Making education available to more students on a longer basis I think is a worthwhile goal, saying that Washington is now going to provide scholarships for those that maintain a B average.

The IRS today cannot track our income tax system, our Income Tax Code. Just think of what wonderful work they are now going to have also trying to match tax deductions with information from schools indicating that, yes, these people did maintain a B average and that B averages across the country are consistent, so that the same B that you get in Michigan is equivalent to a B that you get in Arizona.

It is going to create a lot more work for bureaucrats, and it is going to move a lot less money into the classroom.

The evidence is clear. We need to focus on education, but more compelling is the case that rather than increasing and building and expanding this city in Washington, the keys to improving education is moving dollars and power away from this city and moving it back to parents, moving it back to local school boards and empowering teachers.

It is not only school boards. It is teachers that want control of their classroom. It is the parents that want their schools back. They do not want to come to Washington to take a look or to fight for what they want to do in their classroom. They want control of their schools. They know specifically what they need for their kids and their community.

The needs of this country are so diverse. We need to be able to have the flexibility to tailor the programs for our kids from one city and one community to the next, and we need to empower parents.

That is not a concept or a theory. We know that it works. Take a look at the schools that are working, take a look at the schools that are excelling, and that is the bright spot in the picture in education.

Yes, there is some bad news, there is some information that says we ought to be worried about this and that in some parts of the Nation education may be in a state of crisis. But the good news is that we can look at models of success and we can learn from those models of success, we can learn what the characteristics are, and we can then tailor Federal policies and rules and regulations, or whatever, to empower that kind of change and reform to happen at the local level.

And what we learn is very simple: Parents, basics and getting dollars into the classroom, empowering parents instead of empowering bureaucrats, dollars to kids, not to bureaucracy, fundamental basic education, not the latest education fads; it is a key issue, it is an important issue. It is going to be a vigorous debate. I think in the end kids and parents will win, and politicians and bureaucrats in Washington will lose. That is the system that works, that is the model that we will build on, and that is the direction that we need to go.

## PROPOSING A TERM LIMITS AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

The SPEAKER pro tempore (Mr. LATOURETTE). Under the Speaker's announced policy of January 7, 1997, the gentleman from Florida [Mr. MCCOLLUM] is recognized for 20 minutes as the designee of the majority leader.

Mr. MCCOLLUM. Mr. Speaker, I come today to speak about a subject that will be greatly debated tomorrow on the floor of the House; that is, term limits. I am the author of House Joint Resolution 2 which will be out here on the floor. It is the term limits amendment for 12 years in the U.S. Senate, 12 years in the U.S. House, something that better than 70 percent of the American people in principle support.

The issue that will be before us will be a historic debate, the second time that we have heard the subject of term limits debated in the Congress of the United States. First time was in the 104th Congress, 2 years ago when this amendment that I offered received 227 votes, which is a simple majority, more than a simple majority because 218 is that, but not enough to reach the required supermajority of 290 votes to pass a constitutional amendment in the House.

I am hopeful that when we conclude the debate tomorrow that this amendment will receive more than the 227 votes it received last year, that we will be further progressing toward the 290 votes that we need for the ultimate

passage of this amendment, even though I have no illusions that we have yet to reach the numbers in the House who support term limits sufficient to actually pass this amendment tomorrow.

I am hopeful that the debate will be centered primarily upon the divisive issues that normally we debate here; that is, those who favor a differing length of term and those who favor no term limits at all.

There are those who favor 6-year House terms and 12 years in the Senate, and I respect that view. There is certainly a difference of opinion we can all share. I personally think that 12 and 12 is far superior. For one thing, if we are going to limit the Senate to 12 years and the House to 6, we are going to wind up giving the Senate more power than the House in conference committees and elsewhere, and I do not think that is smart. I think we need a balance between the two bodies. We need to have a symmetry. There should be the same length of term limits with respect to the House as there is with the Senate.

So that is why I for one think the 12 and 12 is better than a 6 and 12 or an 8 and 12 limit process.

I also happen to believe that 6 years is frankly too short in the House. I think there needs to be time in grade, if you will, time to learn and time to gain knowledge in this very complex government that we operate, to learn the subject matters that we have to deal with before a Member becomes the chairman of a full committee or ascends to a major leadership post in one of the political parties running this body. And I do not believe, having been here a few years, that 6 years is long enough for a Member in most cases to acquire that kind of knowledge and that experience that we would like to see; and to support a lesser term than 12 years is to support something that is subject to the criticism of those opponents objectively who oppose term limits altogether.

□ 1500

But that is a fair argument to have. Men and women of differing persuasions will come to different conclusions about these things, and I look forward to that debate.

What bothers me more than anything else, though, is that there is a group working supposedly for term limits out there that may in fact be in the process of destroying the effort we are making; may in fact be so intent upon getting their way or no other way that in the end they gridlock this body and we never reach the goal ultimately of getting to term limits.

The reason I say that is because the tactics they are using are such that we are likely to see that instead of 227 votes out here tomorrow, there may be a lesser number than 227 for the one and only proposed amendment that really has any chance of getting to the 290 needed to pass it any time in the foreseeable future. I am referring to an organization known as United States Term Limits. I want to talk about this group and what it has been doing for a few minutes today so that we can focus more tomorrow on the substance of the actual debate over term limits itself.

I, first of all, would like to refer to a column that was written in this week's current issue of Newsweek magazine by a very well-liked and respected columnist, George F. Will. George Will's column of February 17, 1997, is too long for me to read in its entirety into the RECORD, but I would like to request that at the end of my remarks today that the column in its entirety appear in the RECORD, Mr. Speaker.

I do want to quote from one of those:

> United States Term Limits is a bellicose advocate of term limits, and, like fanatics through the ages, it fancies itself the sole legitimate keeper of the flame of moral purity. However, it has actually become the career politician's best friend. That is why it was opponents of term limits who invited a U.S. Term Limits spokesman to testify at recent House hearings on the subject. Opponents understand that U.S. Term Limits' obscurantism, dogmatism and bullying embarrassed the cause.

Frankly, they do more than embarrass the cause. In their effort to have their way or no other way, they have done a lot of damage to the cause. They have embarked in the past on a course of attacking term-limit supporters. In the last Congress they produced television commercials and ran them in a number of districts of term-limit supporters who supported something other than their preferred version, which is the 6-year House limit and the 12-year Senate limit. They took the position that if you were willing to compromise to actually pass a term-limits amendment, and that meant looking for proposals other than the 6-year House limit, then you incurred their wrath. Their view is that 12 years in the Senate is fine, but they declare that a greater limit than 6 years in the House is worthless and the Congressman who votes for a 12-year House limit is hypocritical.

How inconsistent and reckless that is. It is really quite reckless, in fact. They have turned on the prime supporter of 6 years, Mr. INGLIS of South Carolina, and criticized him. He is part of their Rogue's Gallery, now on the Internet, if you want to look it up, and yet he is a strong advocate and will probably offer the 6-year House version here tomorrow.

The reason they turned on him is because when the 6-year version came up, way short of getting anywhere near the number necessary to pass it, he saw the truth of the matter was that the only way we are ever going to get term limits in this body was to vote for the 12-year limit. So after his version failed, he voted for the 12-year limit.

Their latest strategy is the passage of misleading ballot initiatives. Like the wolf in Red Ridinghood, disguised as the sweet old granny, United States Term Limits has deceived voters into believing they were instructing their representatives to vote for term limits. The deception involves passing initiatives in the States that would require legislators to adopt their no-compromise policy on a 6-year limit. Any legislator who runs afoul of United States Term Limits gets the words "disregarded voter instructions on term limits" next to their name on the ballot in the next election.

Let us make this crystal clear. This scarlet letter is placed beside any Congressman's name, even if, in fact, he voted for several term-limit amendments, just not solely for United States Term Limits' 6-year limit. Not only that, but there are nine separate States that have passed this particular initiative, and each of the States has some different language in it, which is why we are going to have a series of nine votes, in addition to the base bill and Mr. INGLIS' and perhaps a couple of other amendments out here tomorrow.

The States of Alaska, Arkansas, Colorado, Idaho, Maine, Missouri, Nebraska, Nevada, and South Dakota have all passed an initiative that United States Term Limits sponsored regarding the 6-year-term limit for the House and the 12-year for the Senate, but each one has some subtle difference, and if you do not follow their instruction precisely, if you are a Member of Congress from the particular State in question and you do not offer and get an opportunity to vote for precisely the language that was put on the ballot in those States and passed, then you get this scarlet letter beside your name on the next ballot when the next election comes around. It is absolutely designed to gridlock this body over the issue of term limits, not help it pass it.

Therein lies the whole problem. For good reason, many Members do not want to appear to be against term limits. So in order to avoid the scarlet letter, Members from these States that have passed the initiatives, who support term limits in general, will vote against the one bill, a 12-year limit in the House and Senate, that has a chance of ever passing the House, much less the Senate. Instead of working to pass term limits, the United States Term Limits' initiatives are actually reducing the number of votes for term limits in the House. How ironic that is.

Here is how this scam works in one particular illustration. In Idaho, one of the nine States that passed the initiative, the actual United States Term Limits initiative text runs 2,286 words. That is four pages of single-type space. However, all that appeared on the ballot were 207 words, not 2,286. The full text and requirements were available

only upon special request from the secretary of state or the elections office.

Most importantly, however, is the clever wording of the short title and the first thing voters see on the ballot:

Initiative instructing candidates for State legislature and U.S. Congress to support congressional term limits requires statement indicating nonsupport on ballot.

That is a very broad statement. I would submit that any citizen who supports term limits, and as I said earlier, about 70 percent do, would wholeheartedly support, I would support that, and the people of Idaho supported that. They voted for it. If United States Term Limits were really sincere in their drive for a 6-year limit, then why did they not declare right up front in the title of the initiative that it requires support for only the 6-year limit?

Their latest effort to attack limit supporters is destructive not only of the term-limit movement itself, but it sets a dangerous precedent for manipulation of the Federal ballot by special interest groups. It does not take much imagination to see that the initiative process could be manipulated by powerful special interest groups on a whole variety of issues to do this sort of destructive thing. It would not be long before every special interest group in the country would seize on the opportunity to gain the ballot to their political and legislative advantage.

So again I have to ask the question, What is United States Term Limits' real objective? Obviously, they are saying they are for term limits. They are a nonprofit organization that goes around the country beating their chest over this issue.

They have every right to be for a different term-limits proposal than I am or the majority of this body is. They have every right to go out and advocate it, and they have a right technically to get on these ballots. But what is their effort really going to amount to, and why would any rational person who really wants term limits be proceeding in this manner that is guaranteed in a suicidal fashion to gridlock this body over the whole issue, and instead of leading us to term limits, will mean the death of the term-limits movement as a practical matter?

There is no way anybody can look forward and see when it will ever occur if they continue this process, even if they pass initiatives in several States that ultimately conform to one methodology and one set of language. There is no way anybody could ever see in the far-distant future how that is going to lead to the passage of a term limits constitutional amendment through Congress or through the several States.

For one thing, only about half the States, actually I think a little less than half, have an initiative process. The State legislatures of other States will not go along with this. Maybe one or two would, but certainly not all. In the most ideal of circumstances, there is no way that United States Term Limits can succeed with this suicidal methodology. It is absolutely replete with a useless type of process, and in addition to that, as I said, is a dangerous type of process.

Now I would like to comment a little bit about why some of us passionately believe in this issue, why we believe term limits is so important. The reason I believe term limits is so important is because I am concerned that Members of Congress are too concerned about getting reelected every time and not enough concerned in each vote that is taken with the best interest of the country as a whole. That is a simple way of saying they are career oriented. They are worried about staying around here, and so they try to please every interest group. That is not true of every vote and every Congressman, of course, but true of too many; too many votes and too many Congressmen at any given time.

Yes, we have had some turnover in Congress. We have had quite a bit in the last couple of years. The problem is those who are really in control and run this place are those who are most senior. While there is not an absolute seniority system since the Republicans took over control of Congress and limited the tenure of 6 years to any committee or subcommittee, and limited the tenure of our leadership to any 6- or 8-year period, there still is, as a practical matter, seniority.

Those who have been here longest serve in the positions of the most power, and that is the way it is going to continue to be. That is the way it has been historically in every legislative body, and that is the way it will continue to be here. If we do not have term limits, we are going to have to chose who do stay, those who choose to stay and be reelected, and the vast majority are. A very high percentage are reelected or run for reelection every time that run for Congress, and they are going to have control of this body. I do not think that is an appropriate thing. I think that we need to change that career orientation. I think it is much better if we have term limits, and as I said, I think 12-year is the best of all.

In the article I cited earlier by George Will that appears in Newsweek, under the last column heading, "Save Us From the Purists," where he discusses the folly of U.S. Term Limits at some length, he also talks about the rationale for term limits, and I agree with him on this. He says, "Term limits are a simple surgical Madisonian reform. By removing careerism, a relatively modern phenomenon as a motivator for entering politics and for behavior in office, term limits can produce deliberative bodies disposed to think of the next generation rather than the next election. This is the argument favored by those who favor term limits, not because of hostility toward Congress, but as an affectionate measure to restore Congress to its rightful role as the first branch of government."

Mr. Will goes on to discuss, intelligent people will differ, as I have said earlier, about the terms and whether they are this term or that term and even whether term limits is a good idea at all. But he wonders aloud, with me, over why an organization like U.S. Term Limits, supposedly dedicated to the proposition, would go about doing what they are doing in such a reckless manner.

He says, "U.S. Term Limits is not merely eccentric, but preposterous and antithetical to dignified democracy because it insists that three House terms is the only permissible option. If U.S. Term Limits", and I am continuing to quote Mr. Will, "merely espouses this position, it could simply be disregarded as a collection of cranks. What makes it deeply subversive of the term limits movement is its attempt to enforce its three-year House term fetish by using a device that degrades what the movement seeks to dignify—the principle of deliberative representation."

"Last November", he goes on to say, "in 9 States with 30 House Members, 19 of them Republicans, whose party platform endorses term limits, U.S. Term Limits sponsored successful campaigns to pass pernicious initiatives. These stipulate precisely the sort of term limits measure for which those States' Members should vote and further stipulate that unless those Members vote for them and only for them, then when those Members seek reelection, there must appear next to their names the statement, "violated voter instruction on term limits."

"More than 70 percent of Americans favor the principle of term limits without having fixed, let alone fierce, preferences about details. But U.S. Term Limits, tendentiously presenting meretricious evidence, baldly and farcically asserts that Americans believe that term limits involving 6-year House terms is not worth having. Because of U.S. Term Limits' coercive device of instruction, there may have to be a dozen votes, which probably will happen, this week on various term limits amendments to the Constitution. And U.S. Term Limits' ham-handedness probably will produce a decline in the votes for the most popular proposal: 6 House and two Senate terms, or 12 years, I might add, in each body. No measure is yet going to receive the 290 votes or 67 Senate votes needed to send an amendment to the States for ratification debates. However, U.S. Term Limits' rule-or-ruin mischief will splinter the voting bloc that last year produced 227 votes for a 12-years-for-each-chamber amendment."

"The thinking person's reason for supporting term limits is to produce something that U.S. Term Limits' instruction of Members mocks: Independent judgment. U.S. Term Limits, which thinks of itself as serving conservatism, should think again. It should think of that noble fountain of conservatism, Edmund Burke. In 1774, having been elected to Parliament by Bristol voters, Burke delivered to them an admirably austere speech of thanks, in which he rejected the notion that a representative should allow "instructions" from the voters to obviate his independent judgment.

□ 1515

He said, "Government and legislation are matters of reason and judgment," and asked: "What sort of reason is that in which the determination precedes the discussion?"

In the 1850's some Abolitionists were interested less in effectiveness than in narcissistic moral display, interested less in ending slavery than in parading their purity. The abolition of slavery required someone [Lincoln] who was anathema to fanatical abolitionists. Similarly, restoration of deliberative democracy will require patient people, not USTL's exhibitionists.

I quoted liberally from Mr. Will, though not his entire text, which will appear, as we said earlier, at the end of these remarks. I think he stated it very well.

Let us hope tomorrow as we debate term limits the debate is civil, and that our Members debate the merits of the various proposals. But understanding that, if we do parade before this body and the country nine separate proposals in addition to the underlying 12 years in the House, 12 years in the Senate, House Joint Resolution 2, that we are doing that because of this rather bullying tactic of U.S. term limits, this self-defeating effort that they are making to try and somehow bring attention to this cause.

It is very obscure to me as to what they think they are going to achieve in this process, other than gridlock on the term limits movement. I would urge my colleagues all to seriously weigh this when they vote tomorrow, and as many as possible who do not feel compelled to follow the instructions in those nine States, take the risk and the chance of facing up to these bullies, and, in the end, after all is said and done, please vote for the passage of the one term limits proposal that is rational and has a chance of ultimately prevailing and being sent to the States for ratification: 12 years in the House and 12 years in the Senate.

I include for the RECORD the article previously referred to.

[From Newsweek, Feb. 17, 1997]

SAVE US FROM THE PURISTS—SOME SUPPORTERS OF TERM LIMITS HAVE DEVISED A TACTIC AT ODDS WITH THE BEST REASON FOR LIMITS

(By George F. Will)

Since the apple incident in Eden, the human race has been disappointing. Hence term limits for Congress may become one of the few exceptions to the rule that when Americans want something, and want it intensely and protractedly, they get it. Only the political class can enact limits, and limits would be unnecessary if that class were susceptible to self-restraint.

That is a structural problem of politics with which supporters of term limits must cope. But the organization U.S. Term Limits is an unnecessary impediment to term limits. As the House votes this week on the issue, consider what happens when a reform movement's bandwagon is boarded by people ignorant of, or indifferent to, the principal rationale for the reform.

USTL is a bellicose advocate of term limits, and, like fanatics through the ages, it fancies itself the sole legitimate keeper of the flame of moral purity. However, it has actually become the career politician's best friend. That is why it was opponents of term limits who invited a USTL spokesman to testify at recent House hearings on the subject. Opponents understand that USTL's obscurantism, dogmatism and bullying embarrass the cause.

The primary argument for term limits is not that, absent limits, there will be a permanent class of entrenched incumbents shielded from challengers by advantages of office. Although incumbents who choose to seek re-election still are remarkably safe—91 percent of them won in the turbulence of 1994 and 94 percent won in 1996—most members of Congress arrived there in this decade. (This rotation in office has been produced partly by something the nation does not wish to rely on—revulsion arising from scandals and other malfeasance.) And the primary argument for term limits is not that Congress is insufficiently "responsive" and hence must be made "closer to the people." Rather, the primary argument is that we need "constitutional space" (the phrase is from Harvard's Harvey Mansfield) between representatives and the represented.

Term limits are a simple, surgical, Madisonian reform. By removing careerism—a relatively modern phenomenon—as a motive for entering politics and for behavior in office, term limits can produce deliberative bodies disposed to think of the next generation rather than the next election. This is the argument favored by those who favor term limits not because of hostility toward Congress, but as an affectionate measure to restore Congress to its rightful role as the First Branch of government. This would put the presidency where it belongs (and usually was during the Republic's first 150 years), which is more towards the margin of political life.

Intelligent people of good will differ about whether term limits are a good idea, and supporters of limits differ concerning the appropriate maximum length of legislative careers. Most supporters consider six House and two Senate terms a temperate solution. It is symmetrical (12 years in each chamber) and allows enough time for professional learning, yet removes the careerism that produces officeholders who make only risk-averse decisions while in office. USTL is not merely eccentric but preposterous and antithetical to dignified democracy because it insists that three House terms is the only permissible option.

If USTL merely espoused this position, it could simply be disregarded as a collection of cranks. What makes it deeply subversive of the term limits movement is its attempt to enforce its three-House-terms fetish by using a device that degrades what the movement seeks to dignify—the principle of deliberative representation. Last November in nine states with 30 House members (19 of them Republicans, whose party platform endorses term limits) USTL sponsored successful campaigns to pass pernicious initiatives. These stipulate precisely the sort of term limits measures for which those states' members should vote, and further stipulate that unless those members vote for them and only for them, then when those members seek re-election there must appear next to their names on the ballot this statement: "Violated voter instruction on term limits."

More than 70 percent of Americans favor the principle of term limits without having fixed, let along fierce, preferences about details. But USTL, tendentiously presenting meretricious "evidence," baldly and farcically asserts that Americans believe that term limitation involving six House terms is not worth having. Because of USTL's coercive device of "instruction," there may have to be a dozen votes this week on various term limits amendments to the Constitution. And USTL's ham-handedness probably will provide a decline in votes for the most popular proposal—six House and two Senate terms. No measure is yet going to receive the 290 House votes or 67 Senate votes needed to send an amendment to the states for ratification debates. However, USTL's rule-or-ruin mischief will splinter the voting bloc that last year produced 227 votes for a 12-years-for-each-chamber amendment.

The thinking person's reason for supporting term limits is to produce something that USTL's "instruction" of members mocks—independent judgment. USTL, which thinks of itself as serving conservatism, should think again. It should think of that noble fountain of conservatism, Edmund Burke. In 1774, having been elected to Parliament by Bristol voters, Burke delivered to them an admirably austere speech of thanks, in which he rejected the notion that a representative should allow "instructions" from voters to obviate his independent judgment. He said "government and legislation are matters of reason and judgment" and asked: "What sort of reason is that in which the determination precedes the discussion?"

In the 1850s some Abolitionists were interested less in effectiveness than in narcissistic moral display, interested less in ending slavery than in parading their purity. The aboliton of slavery required someone (Lincoln) who was anathema to fanatical abolitionists. Similarly, restoration of deliberative democracy will require patient people, not USTL's exhibitionists.

## TERM LIMITS: A SOLUTION FOR A PROBLEM THAT DOES NOT EXIST

The SPEAKER pro tempore [Mr. LATOURETTE]. Under the Speaker's announced policy of January 7, 1997, the gentleman from Tennessee [Mr. DUNCAN] is recognized for 5 minutes.

Mr. DUNCAN. Mr. Speaker, I certainly have the greatest respect for the Member who just finished speaking and, in fact, respect him about as much

as anybody in this body, but I do disagree with him on this issue. If ever there was a solution for a problem that does not exist, it is term limits for Members of Congress.

First of all, more than half of this House has served just since January of 1993, 4 years or less. One-third has served 2 years or less. There is greater turnover in elective office today than at almost any time in the history of this country.

Second, unlike Federal judges, bureaucrats, and members of the military, the terms of Members of Congress are already limited. We face the voters every other year. We are given only a 2-year term in the House. If the voters do not like what we are doing, they can easily kick us out. Elections are the best term limits ever invented. In fact, it is slightly arrogant for someone to say, I am going to limit myself only to 6 or 12 or some other number of years in office. That decision is only up to the voters, and that is the way it should be.

Actually, if term limits are needed, they are needed more for unelected people than for those who regularly have to be approved by the voters already. Many people say the real power lies in the bureaucracy anyway.

Third, term limits are unconstitutional. They were specifically considered by our Founding Fathers and specifically rejected, for a whole host of good reasons.

Fourth, term limits are undemocratic, with a small d. They would prohibit voters from voting for a candidate who might otherwise be their first choice. They would prohibit good people from running for office. They would take away freedoms that we have always held dear in this Nation.

Fifth, term limits would increase the power of unelected bureaucrats and lobbyists. They would become the real experts, and very few Members of Congress would be able to develop experience and expertise about important matters on which they were expected to legislate.

Six, term limits would hurt small, less populous States. A State like California, with 52 Members, would be able to get far more than its share. Many smaller States gain at least some protection and some benefits if they are represented by Members with some seniority.

Seventh, term limits would cause even more money to be spent on elections. Most people want less money to be spent on election campaigns, not more. Now, some incumbents who are doing a good job and doing what their constituents want do not have to spend huge amounts to be reelected, nor do they have huge amounts spent against them. Term limits would cause big money to play an even greater role in elected politics.

Eighth, and perhaps most important of all, we would never consider applying term limits to any other field. We would never go to a great teacher or doctor or engineer or scientist and say, we know you are doing a great job, but even though we cannot prove it, we have this feeling that we need new blood every 6 years or 8 years or 12 years or whatever, so you have to go do something else. Workers in any other field would scream to high heaven if arbitrary time limits were applied to them, except possibly after a full career. I would say to anyone listening to these words, or who later reads these words: Would you want term limits applied to you?

Ninth, term limits would have cut short the careers of some of our greatest legislators. People like Howard Baker, Everett Dirksen, Sam Rayburn, Robert Taft, Daniel Webster, Henry Clay, George Norris, Robert LaFollette, and many, many others have achieved some of their greatest service after they would have been term-limited out by the proposals that we will vote on tomorrow, and several did not become even well known nationally until their later years in office, after they would have been forced out of office by the proposals we will vote on tomorrow. John Kennedy in this country and Winston Churchill in Great Britain would have been term-limited out before gaining national office under these proposals.

Finally, last but certainly not least, term limits are being pushed primarily for political reasons, not because they are needed or are good public policy. There is a great deal of hypocrisy, demagoguery and outright political posturing on this issue. Many elected officials pushing term limits are doing so just as a way to gain higher office. If an officeholder says he believes in a 6-year term limit, ask him if he will leave public office and never run for another public office after 6 years. If he really believed in term limits, he would return to the private sector and not just use advocacy of term limits as a way to gain higher office.

If you really want to see someone squirm, Mr. Speaker, ask your State legislator or any officeholder supporting term limits, will you limit yourself to 6 years in public office or are you just promoting this so you can run for higher office?

Mr. Speaker, I have been told that Mexico is the only Nation that presently has term limits for its national legislators. I do not think many people would hold Mexico up as the best example of good government for us to follow.

Mr. Speaker, as I said at the beginning of this talk, term limits solve a problem that does not exist. We should let the voters decide, and not just arbitrarily limit their choices.

## NINE PROPOSED RESCISSIONS RELATING TO BUDGET RESOURCES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–44)

The SPEAKER pro tempore [Mr. LATOURETTE] laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Appropriations and ordered to be printed.

*To the Congress of the United States:*

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report nine proposed rescissions of budgetary resources, totaling $397 million, and one revised deferral, totaling $7 million.

The proposed rescissions affect the Departments of Agriculture, Defense-Military, Energy, Housing and Urban Development, and Justice, and the General Services Administration. The deferral affects the Social Security Administration.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 1997.*

## REPORT ON CANADIAN WHALING ACTIVITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105–45)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, without objection, referred to the Committee on International Relations and the Committee on Resources and ordered to be printed:

*To the Congress of the United States:*

On December 12, 1996, Secretary of Commerce Michael Kantor certified under section 8 of the Fishermen's Protective Act of 1967, as amended (the "Pelly Amendment") (22 U.S.C. 1978), that Canada has conducted whaling activities that diminish the effectiveness of a conservation program of the International Whaling Commission (IWC).

The certification was based on the issuance of whaling licenses by the Government of Canada in 1996 and the subsequent killing of two bowhead whales under those licenses. This message constitutes my report to the Congress pursuant to subsection (b) of the Pelly Amendment.

In 1991, Canadian natives took a bowhead whale from the western Arctic stock, under a Canadian permit. In 1994, Canadian natives took another bowhead whale from one of the eastern Arctic stocks, without a permit.

In 1996, under Canadian permits, one bowhead whale was taken in the western Canadian Arctic on July 24 and one bowhead whale was taken in the eastern Canadian Arctic on August 17. The whale in the eastern Arctic was taken

from a highly endangered stock. The IWC has expressed particular concern about whaling on this stock, which is not known to be recovering.

None of the Canadian whale hunts described above was authorized by the IWC. Canada withdrew from the IWC in 1982. In those instances where Canada issued whaling licenses, it did so without consulting the IWC. In fact, Canada's 1996 actions were directly contrary to IWC advice. At the 1996 Annual Meeting, the IWC passed a resolution encouraging Canada to refrain from issuing whaling licenses and to rejoin the IWC. However, Canada has recently advised the United States that it has no plans to rejoin the IWC and that it intends to continue granting licenses for the taking of endangered bowhead whales.

Canada's unilateral decision to authorize whaling outside of the IWC is unacceptable. Canada's conduct jeopardizes the international effort that has allowed whale stocks to begin to recover from the devastating effects of historic whaling.

I understand the importance of maintaining traditional native cultures, and I support aboriginal whaling that is managed through the IWC. The Canadian hunt, however, is problematic for two reasons.

First, the whaling took place outside the IWC. International law, as reflected in the 1982 United Nations Convention on the Law of the Sea, obligates countries to work through the appropriate international organization for the conservation and management of whales. Second, whaling in the eastern Canadian Arctic poses a particular conservation risk, and the decision to take this risk should not have been made unilaterally.

I believe that Canadian whaling on endangered whales warrants action at this time.

Accordingly, I have instructed the Department of State to oppose Canadian efforts to address taking of marine mammals within the newly formed Arctic Council. I have further instructed the Department of State to oppose Canadian efforts to address trade in marine mammal products within the Arctic Council. These actions grow from our concern about Canada's efforts to move whaling issues to fora other than the IWC and, more generally, about the taking of marine mammals in ways that are inconsistent with sound conservation practices.

Second, I have instructed the Department of Commerce, in implementing the Marine Mammal Protection Act, to withhold consideration of any Canadian requests for waivers to the existing moratorium on the importation of seals and/or seal products into the United States.

Finally, the United States will continue to urge Canada to reconsider its unilateral decision to authorize whaling on endangered stocks and to authorize whaling outside the IWC.

I believe the foregoing measures are more appropriate in addressing the problem of Canadian whaling than the imposition of import prohibitions at this time.

I have asked the Departments of Commerce and State to keep this situation under close review.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *February 10, 1997.*

## BLACK HISTORY MONTH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from California [Ms. WATERS] is recognized for 60 minutes as the designee of the minority leader.

Ms. WATERS. Mr. Speaker, I come today to open a discussion and create a forum right here on the floor of the House on African-Americans. We are, in the month of February, proudly celebrating American life and history for African-Americans.

We come today to take this time to talk about the contributions of African-Americans, to talk about the struggle of African-Americans, to identify and to celebrate the many contributions that African-Americans have made to this country and this world.

Back in 1926, Dr. Carter G. Woodson, a Harvard Ph.D. who had 11 years earlier founded the Association for the Study of Afro-American Life and History, initiated what was known as Negro History Week. It was Dr. Woodson's hope that through this very special observance, all Americans would be reminded of their ethnic roots, and a togetherness in U.S. racial groups would develop out of a mutual respect for all backgrounds.

Now we have expanded Negro History Week to Negro History Month, so the entire month of February you will see programs and activities all over America. You will see children in elementary schools identifying the contributions of African-Americans to this Nation. You will witness plays, you will see poems written, all kinds of activities basically focusing on the work, the life, the history, and the times of African-Americans.

□ 1530

I come today to share this time with the Members of the Congressional Black Caucus and others who would like to give their observations and to do their documenting of those events and those individuals who have been central and important to the development of African-Americans in this Nation.

It is with that that I will yield to the gentleman from Chicago, IL [Mr. DAVIS], one of our new Members in the House of Representatives, who has come today to share in this very special moment and to give his observations on the life and times of African-Americans in this Nation.

Mr. DAVIS of Illinois. Mr. Speaker, the United States of America is indeed a strong, vibrant, diverse, and great Nation. Much of its strength, character, and greatness stems from the fact that it is rich in diversity.

We are America, a nation that is made up of many different individuals and groups who have contributed significantly to its growth and development.

During the month of February, yes, we celebrate African-American or Black History Month, a period which we set aside to take special note and highlight the accomplishments and achievements of African-Americans who have excelled or made noteworthy contributions.

Mr. Speaker, I should take this opportunity to highlight some of the outstanding African-Americans who grew up in, lived, and/or worked in the district which I am proud to represent, the Seventh Congressional District of the State of Illinois, one of the most diverse districts in the Nation. Downtown Chicago, Chinatown, the Gold Coast, the Magnificent Mile, housing developments like Cabrini, like Rockwell, Abla, the West Side of Chicago, home of the riots, suburban communities, Oak Park, Maywood, Bellwood, Broadview.

It became a focal point of the Negro Free Speech Movement in the 1890's. At that time it was home to one of the most famous black female journalists of all times, Ida B. Wells Barnett.

It was the last port of entry for African-Americans leaving the South in large numbers, migrating to the North, the Northeast, and the Midwest.

It has been a launching pad for many black firsts. The first black woman to receive an international pilot's license, Bessie Coleman, lived there. The world renowned chemist Dr. Percy B. Julian, the holder of 19 honorary doctorate degrees, an individual who helped to shape medical research procedures, lived there.

The famous black daily newspaper, the Chicago Daily Defender, was founded there by Robert Abbot with $25 and a typewriter at his kitchen table.

Johnson Publishing Co., Ebony, Jet, and other components of the business founded by Mr. John H. Johnson and now operated by his daughter, Ms. Linda Johnson Rice, operates in the Seventh District.

Parker House Sausage Co.'s president, Daryl Grisham, lived in the district. Oprah Winfrey, that everybody in America knows, operates out of the Seventh District. Marva Collins, founder of the Westside Prep School and Paul Adams, principal of Providence-St. Mel College Prep, two of the most

successful educators in the country today, live and work in the district.

Earl Neal, one of the top attorneys in the Nation, lived and worked in the district. Jewel Lafentant-Mankarious, the first black woman to become Deputy Solicitor General of the United States of America, lived in the district.

The district has been home to the practice of Dr. Maurice Robb, one of the foremost ophthalmologists in the Nation. It has produced star athletes like Mark Aguirre, Isiah Thomas, Kevin Garnett, Daryl Stingley, Michael Finley, Glenn Rivers, Hershey Hawkins, Russell Maryland, Mickey Johnson, Otis Armstrong, and others.

Michael Jordan and Scottie Pippin have perfected their craft in the Seventh District. And when we see children playing in the James Jordan Boys and Girls Club, you see greatness at work. The renowned writer, producer, and actor, Robert Townsend, grew up in the district.

This inner city district has produced the likes of Jerry (Iceman) Butler, Ramsey Lewis, Tyrone Davis, Alvin Cash, Gene Chandler, the Brown Brothers, the Family Jubilee, Vernon Oliver Price, the Thompson Community Singers, Angela Spivey, and other great entertainers; nationally renowned African-American ministers like the Reverend Clay Evans, Bishop Louis Henry Ford, Rev. Harry McNelty, Rev. Wallace Sykes, Rev. Johnny Miller, Rev. Clarence Stowers, Rev. Charlie Murray, Rev. Jimmie Pettis, Rev. Albert Tyson, Rev. August Minor, and others all live in the district.

I have spoken of contemporaries. I have made a point to do so because so often when we talk about history, we forget about those individuals who are struggling each and every day in an effort to make history real. And so all of the individuals, the people who struggle on a daily basis, who work with our children, who work with our seniors, the chairpersons of local advisory counsels, of public housing units and public housing developments, all of these individuals are my heroes and sheroes. They are my heroes, Mr. Speaker, they are my heroes because they understand what Fred Douglass taught when he suggested that struggle, struggle, strife, and pain are the prerequisites for change. They understand that if there is no struggle, there is no progress. And so Black History Month reminds us that when we glory in the struggle, all of America can rejoice in the victory.

So, yes, African-Americans have indeed contributed and African-Americans have indeed made progress. But I tell you, Mr. Speaker, we must continue to struggle to keep affirmative action alive. We must continue to struggle so that we can prevent redlining. We must struggle for equal protection, for help for the helpless and hope for the hopeless. We must struggle for a livable wage so that as individuals work, they can earn enough to take care of their basic needs.

So, yes, we have made great progress. And as James Weldon Johnson would say, Stony has been the road we have tred, bitter the chastening rod, felt in the days when hope unborn had died, but with a steady beat, have not our weary feet brought us to the place for which our fathers sighed.

Mr. Speaker, we have come over ways that with tears have been watered. We have come treading through the blood of the slaughtered, out from the gloomy past until now we stand at last where the white gleam of our bright star is cast.

I know, Mr. Speaker, that as we celebrate African-American history month, as we face the rising Sun of our new day begun, I am confident that with the leadership of the gentlewoman from California [Ms. WATERS] with the togetherness of the caucus and with the activation of Americans all over this land, as we face the rising Sun of our new day begun, I am confident that we shall march on till the victory is won.

I thank so much the gentlewoman from California.

Ms. WATERS. Mr. Speaker, before moving onto our next presenter, I would like to again take a moment to thank our colleagues who are joining me in the House Chamber today. Again, I would like to reiterate, we gather to mark the congressional observance of Black History Month. I join my colleagues in the Congressional Black Caucus and our colleagues on both sides of the aisle as we acknowledge the contributions of African-American men and women to the building and shaping of this great Nation. African-Americans have a history which is inextricably woven into the economic, social and political fabric of this Nation.

In 1926, the late Dr. Carter G. Woodson really understood that African-Americans were not receiving proper recognition in history for their contributions. To alleviate this, Dr. Woodson proposed setting aside one week during the month of February to commemorate the achievements of African-Americans. In 1976, the observance was changed to Black History Month. As we mark the 1997 observance of Black History Month, we do so with great appreciation to Dr. Woodson for his foresight and leadership.

The Association for the Study of Afro-American Life and History, which Dr. Woodson founded, is responsible each year for establishing the theme for our Black History Month observance. This year the organization has selected as our theme African-Americans and civil rights, a reappraisal. This theme allows us to examine how far we have come in the struggle for civil rights. I am pleased to join my colleagues as we chart our progress and acknowledge the contributions of African-American men and women to the history of the struggle.

Mr. Speaker, I stand here as the chair of the Congressional Black Caucus. Traditionally, we have witnessed at this moment the presentation and the leadership of one of our great leaders in the Congressional Black Caucus. He is here with us today, and he has decided that he shall let us go forward and he will sit by and guide us, as we attempt to make this presentation today. It is my great pleasure to attempt to carry on in the fine tradition of our leader, Congressman STOKES, from the great State of Ohio.

With that, Mr. Speaker, I yield to the gentlewoman from the Virgin Islands, Ms. CHRISTIAN-GREEN, one of our new Members who will share with us her observations of black history.

Ms. CHRISTIAN-GREEN. Mr. Speaker, I want to thank my colleagues, the gentleman from Ohio [Mr. STOKES], the gentleman from New York [Mr. OWENS], and the gentlewoman from California [Ms. WATERS], Black Caucus chair, for organizing this special order and affording me this time to say a few words in recognition of Black History Month and the contributions that people of color have made to this Nation and to the world.

In keeping with this year's theme, African-Americans and civil rights, a reappraisal, I wanted to address reappraisal by especially highlighting and honoring the contributions of Virgin Islanders, the people from the district that I represent. We in the Virgin Islands are proud of our history. The revolt by African slaves on our smallest island of St. John in 1733 is one of the earliest successful revolutions in this hemisphere.

□ 1545

On St. Croix our own Moses Gottleib Buddhoe, along with Anna Heegaard, were credited with playing a major role in bringing about our emancipation in 1848, more than 10 years before our sisters and brothers on the mainland. In 1878, three women, Queen Mary, Queen Agnes, and Queen Mathilda, continued the quest for civil rights and led a "firebun" revolt for fair wages. Later, in 1916, D. Hamilton Jackson and others continued the struggle for increased rights for Virgin Islanders, resulting in better working conditions and freedom of the press.

Many of our firsts have largely gone unrecognized. For example, we had the first black female president of a U.S. State legislature in Senator Ruby Margaret Rouss, and the first African-American woman to be a U.S. Attorney General in J'Ada Finch Sheen.

We look back with pride at our first elected Governor, Dr. Melvin H. Evans, the first African-American to be elected Governor under the U.S. flag. He

was also a Member of Congress and a member of the Congressional Black Caucus from 1978 to 1980.

My father, Judge Almeric L. Christian, was our first native Federal district court judge.

We have also shared our heroes and their contributions with our Nation at large.

Before the relationship between the United States and the Virgin Islands began in 1917, Virgin Islanders migrated to the United States for education, for economics or to join family and friends already located here.

Late in the 19th century and early in the 20th, renowned pan-Africanist Edward Wilmot Blyden, whose written works were a mainstay of African-American intellectuals, was born on St. Thomas. His contemporary, Hubert Henry Harrison, known as the Black Socrates, a native of St. Croix, was well-known for his soap box lectures in Harlem. His were some of the words that fueled the careers of many early workers for civil rights, including Marcus Garvey.

Frank R. Crosswaith, a native of Frederiksted, St. Croix, was an early crusader for the integration of Negro workers in the labor movement. His work channeled thousands of African-American workers into many unions, including those in the AFL-CIO.

It was a Crucian mother who gave us Arthur Schomburg, who collected and preserved many important works by African-Americans during the Harlem Renaissance; and it was St. Thomas that produced the "Harlem Fox," J. Raymond Jones, widely known for his rise through and contributions to the New York City political establishment in the first half of this century.

There are many more, such as Roy Innis of St. Croix, national chairman of the Congress of Racial Equality; and others too numerous to mention who served in the movement in the '40's, '50's, '60's, '70's and even today as students, as marchers, workers, and as other average everyday Americans who made their contributions to the furtherance of civil rights.

It is important for us to recognize that the history of African-Americans is still being written by our hands. As we celebrate this month, we acknowledge that there is still much to be written. And let it be written that we extended health care to everyone; that we educated our children well and kept them safe; and that we rid our communities of drugs.

As we owe this to our forbearers and to those who we now nurture, let it also be written that we saw to it that the celebration of our history, which was once compressed into 1 month, was finally woven into the fabric of everyday American life.

We in the Congressional Black Caucus consider it our solemn duty to keep this history, our history, alive, hopeful and full of the greatness that is deserving of our people.

I thank the gentlewoman for the opportunity to say these few words.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from Guam [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Speaker, I thank the gentlewoman for this time. I want to express my sincerest thanks for my colleagues, the gentleman from Ohio, Representative LOUIS STOKES, and the gentlewoman from California, MAXINE WATERS, for giving me the opportunity to participate in this special order commemorating Black History Month. The trials and tribulations of the African-American people stand as a needed reminder of America's past and the promise of our future as a Nation. And while the days of slavery and social segregation are over, our country continues to face challenges engendered by racism and ignorance.

People from the Territories, the people of Guam, can certainly relate to this disenfranchisement and discrimination when it comes to the level of participation that we are granted within our own Federal system. We do not have complete representation in the House of Representatives, we do not have any representation in the Senate and we do not even vote for the President.

Many years ago Joshua Fishman, the noted linguist, in writing about ethnic relations in America, stated that other minorities in the 1960's got the black disease. By implication this disease was the affliction nonblack minorities contracted after black Americans became conscious of their roots and justifiably defiant in their pride about their origins and their many contributions to American society.

I am proud to say that I was afflicted with this so-called disease in the 1960's, and that the efforts to raise awareness about black Americans not only brought into appropriate line the perceptions and the understandings of black Americans in American society but certainly opened the society to issues surrounding other minorities in this country.

In the context of American history, black heroes and she-roes, to borrow a term from an earlier Speaker, are everyone's property. We all share and we all take inspiration in and we are all motivated by the statements and the actions of a Frederick Douglass, a Malcolm X, a Martin Luther King, a Harriet Tubman or even a MAXINE WATERS.

I know this from my own personal growth as an individual from a faraway island that has not been fully recognized for its contributions and relationship to this Nation. And I know this from my own intellectual growth and the efforts of my people in struggling with the issues of identity and participation and citizenship, in its battle with discrimination, racism and ignorance.

We have much to be grateful for in the commemoration of Black History Month. All of us, black and white and all the colors, which make up the fabric of our great social and political experiment which we label the United States.

And we must be ever mindful of the fact that Black History Month is more than the celebration of individuals who did well. It is the commemoration of a people's struggle to be great despite all of the odds laid before them. I take pride in that struggle, and the people of Guam, I think, continue to be inspired by it.

I cannot emphasize strongly enough how much the civil rights movement benefitted all other minority groups in the United States. And for the people of Guam this meant a push for more self-government and a demand for the resolution of injustices that have occurred throughout the past.

We on Guam also want to celebrate Black History Month with our small but vibrant black community. Several long-time black Guamanians have influenced the community in very special ways.

Fred Jackson of Mangilao is a pioneer businessman on the island, having opened the first black-owned business on Guam in the 1970's. His wife, Dr. Marilyn Jackson, is a respected educator, having taught in many of the island's public schools. And Mrs. Claudette McGhee is yet another pioneer, having been one of the first equal employment opportunity counselors on the island. I also want to finally draw attention to the first black Guamanian Attorney General in the government of Guam, Jack Avery, and Guam's current Attorney General, Calvin Halloway, a long-time island resident and good personal friend.

Mr. Speaker, it is indeed a great day when the entire Nation recognizes the achievements and influence of black communities and individual African-Americans throughout the United States of America. I hope that our efforts in educating the public into embracing equality and basic civil liberties will provide a base upon which we will eventually triumph in our battle against racism and its accompanying politics of division and destruction.

Ms. WATERS. Mr. Speaker, I thank the gentleman from Guam [Mr. UNDERWOOD] and I yield to the gentleman from the State of Georgia, the Honorable JOHN LEWIS.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague, the gentlewoman from California, MAXINE WATERS, for yielding me this time and for calling this special order, along with the gentleman from Ohio, LOU STOKES.

I want to thank MAXINE WATERS, our colleague, the new chairperson of the Congressional Black Caucus, for her leadership, for her vision, for bringing

to the caucus a sense of vigor and vitality.

Mr. Speaker, I am honored to be here today to celebrate Black History Month; to talk about the civil rights movement and all that it has accomplished. Thirty-two years ago blacks in the South could not vote. I could not vote. Blacks were not allowed in the same restaurant as whites, the same hotels as whites. Blacks were not even allowed to drink from the same water fountain as whites.

Growing up in rural Alabama, in the heart of the black belt, I grew up surrounded by the signs that divided our world: white waiting, colored waiting; white men, colored men; white women, colored women.

In the 1960's, during the movement, all of this changed. People from all across our country, men and women, young and old, black and white, red, yellow and brown, came to the South. They came to change the world and they succeeded. We succeeded. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 changed our country. It changed our world. It is a better place. It is a more inclusive place.

So it pains me today to hear people attack these laws. It pains me to hear politicians say that these laws have done more to divide our country than to unite it. These people do not know what they are saying. They do not know how far we have come.

To those who say these laws do not work, I say "Walk in my shoes." I have seen the progress. I have seen us grow as a Nation and as a people. I have seen a poor black man, denied the right to vote, become a Member of Congress because of these laws.

It is not the laws that divide, it is people who divide. It is politicians playing the race card to win votes. It is politicians who attack any solution to the racism that still exists in our society. It is people who ignore the racism and attack those who offer solutions and work to overcome the racism that is still with us.

Yes, Mr. Speaker, we have made great progress as a Nation and as a people. The Civil Rights Act and the Voting Rights Act have made us equal under the law, but we are still not equal. The scars and stain of racism still plague our society.

We must speak up against those who see the world as rich against poor, black against white, us against them. We have heard the political speeches, seen the political ads. They fan the flames of racism, the racism that burned dozens of black churches to the ground last year.

My colleagues, thanks to the civil rights movement, we are all equal under the law. We have come a long way toward being in a country where all men and women are created equal. We have come so far because of the movement, because of the laws, not in spite of them.

It is time, Mr. Speaker, for us to speak openly about race. We must redirect the priorities of our Nation. We must use our resources not to divide but to bring together, not to tear down but to uplift, not to oppress but to set free.

We, every one of us, have a moral obligation, a mission and a mandate from the spirit of history, from our fallen martyrs, Martin Luther King, Jr., Medgar Evers, James Chaney, Andy Goodman and Mickey Schwerner. We have an obligation to work for hope and opportunity for all, to build upon the civil rights movement, to build upon its legacy which has brought us here today.

Yes, Ms. WATERS, as I said earlier, we are a better nation, a better people because of the civil rights movement.

□ 1600

We are in the process of laying down the burden of race, but we must do more. We must continue to fight injustice wherever it rears its ugly head. And we must continue to dialogue between all men and women of good will. I thank the gentlewoman again for holding this special order.

Ms. WATERS. I thank the gentleman from Georgia.

Mr. Speaker, I yield to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I am overwhelmed by the remarks of the gentleman from Georgia [Mr. LEWIS] and those of all of our other colleagues who have spoken in tribute to Black History Month. I want to thank the gentlewoman from California [Ms. WATERS] for having this special order, more importantly for her incredible leadership on issues of concern to our country, which as our colleague says, in promoting civil rights and equal justice and equal economic opportunity, helps make our country grow. So I thank you for that, MAXINE, and to Mr. LEWIS, and I am tempted to call him chairman, I hope I will again, LOU STOKES from Ohio for his great leadership over so many years in this Congress and in our country.

Mr. Speaker, I rise today joining these distinguished leaders and many others in the room to celebrate Black History Month and the history of the civil rights struggle by remembering the life of a man who dedicated his life to peace and civil rights, Dr. Carlton Goodlett, physician, civil rights activist, newspaper publisher, champion of world peace and San Franciscoan. Dr. Goodlett, who was 82 when he passed away just this January 25, established his medical practice in San Francisco in 1945 and also became an aggressive civil rights advocate. He would associate himself with that characterization of aggressive.

His role as president of the local branch of the NAACP represented the start of a long and fruitful public service. Dr. Goodlett denounced police brutality, demanded improvements in public housing, exposed the exclusion of Jews and African-Americans from the draft boards in San Francisco and often single-handedly demonstrated against restaurants that refused to serve people of color.

In 1948, Dr. Goodlett joined with a partner to purchase The Reporter, a community weekly newspaper which then overtook its competitor to become the Sun Reporter. Perhaps you have heard of it. It is a very famous newspaper in our area. Under Dr. Goodlett's stewardship, the Sun Reporter became the main African-American newspaper in northern California. Anybody who wanted to be involved in politics in our area had to go see Dr. Goodlett, and he always, if not his endorsement, always gave very good advice.

Dr. Goodlett juggled many activities and passions but never dropped a ball. In addition to his achievements in medicine, publishing and civil rights activism, he also placed himself directly at the forefront of liberal causes with his activity in the Democratic Party. Are we allowed to say the Democratic Party on the floor of the House? Is that partisan?

In 1950 he joined with my predecessor, the great Representative Phillip Burton, in founding the San Francisco Young Democrats. He put his heart into supporting the campaigns of candidates he believed in, like Phillip Burton, John Burton and Willie Brown, our current mayor of San Francisco.

On Friday, we all participated in Dr. Goodlett's memorial service. Three generations at least of Californians and Americans were present there. It was a joy to see the elderly join with the young people and talk about how they had received hope from Dr. Goodlett. They joined our distinguished colleague, Congressman DELLUMS, who gave the eulogy and summed it up with his usual eloquence when he stated, "Carlton had zero tolerance for injustice * * * And he helped me understand that I am not only a citizen of the Bay Area or the United States. I was a citizen of the world. Now, I look and wonder, where are the new Carltons? Who will rise to take his place?"

Dr. Goodlett's presence was deeply felt. His absence will be felt equally. He was a man who did many things, all of them well. As we celebrate Black History Month, we need look no further for inspiration than Dr. Carlton Goodlett. He was a renaissance man who mobilized the intellectual resources of his area to fight for civil rights. He was a healer, a mentor, a courageous leader, an activist and advocate and truly a citizen of the world. As the world will mourn his loss, we must remember that he is an inspiration to us all.

He was famous in our area. We have other inspirations, maybe not so famous in their own right. One of them that I would like to recognize today is Louise Stokes, mother of her namesake LOUIS STOKES, because she must have been a very remarkable woman. I have heard our colleague LOU STOKES talk about his mother with great pride and affection, but we know how great she must have been to have produced such a magnificent son, Congressman, chairman and another son Carl Stokes, mayor, judge and ambassador, representing our great country abroad. Carl had passed away within the last year and it was a tremendous loss again to all of us, but Louise Stokes is as much an inspiration and as much a leader in the fight for civil rights and justice in our country because of her role as mother in the civil rights movement.

I mentioned that Carlton Goodlett was a leader in the NAACP, and I was so pleased to see our former colleague Kweisi Mfume, the president of the NAACP now, here in the Chamber this afternoon. He indeed is also another answer to the question, who will take Carlton's place.

As we look around and see our colleagues serving in this House from the African-American community, we can be encouraged that the future is bright and, as our colleague Mr. LEWIS so eloquently said, that you will all help to grow our great Nation.

With that, I once again want to commend Congressman WATERS not only for calling this special order but for your leadership, most recently your speech that you made that was on TV at least three times yesterday talking about our budget priorities in our country and providing the kind of leadership that we truly will need so that the hope and the dream of hope will be kept alive for all Americans, regardless of color. Thank you for allowing me to be part of this special order.

Ms. WATERS. I thank the gentlewoman from California.

Mr. Speaker, I yield to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. I thank the gentlewoman from California for yielding, and I thank her for her leadership in drawing us together and following and lifting up both the par excellence leadership of my friend and colleague, the honorable LOU STOKES. I hope he will allow me to do so inasmuch as it gives me a boost up in terms of youth, but I know he will challenge that, that I had the privilege to be tutored by him as a member of the congressional staff of which he was a leader on the Select Committee on Assassinations. So a long time I had the opportunity to watch this gentle giant move in the U.S. Congress.

This is a special day, and, Congresswoman WATERS, as I indicated, I am gratified to join my colleagues for this important occasion to commemorate black history, African-American history, to raise it up, not only as a history of a people of which I certainly am a part of, but to raise it up as a commemoration that should be part of the entire United States of America.

I am honored to have this opportunity to speak to the American public during this time that we have set aside to celebrate the enormous accomplishments of African-Americans in the United States. I must say that 2 minutes do not do justice to the enormous contribution given to our Nation by African-Americans, but I am gratified of the kindness of the gentlewoman to allow us to spill over.

I am thrilled to stand here on the floor of the House as an American and as an African-American Member of Congress. I am able to stand today, Mr. Speaker, because other brave African Americans stood boldly before me. That is one of the challenges that I offer this afternoon, as the theme becomes a reappraisal to not forget from whence we have come, to never forget that no matter what party you are in, no matter how you may have thought you have achieved, you could not have achieved without the blood and sweat and tears of those who marched before us.

The theme, as I have said, is a reappraisal of the civil rights movement. I want to use my time to herald the accomplishments and contributions of African-American men and women in all facets of our Nation's history.

I can think of no better time than now to let the American people know that it was 126 years ago that the first speech ever delivered by an African-American Representative on the floor of the House of Representatives was given by Jefferson Franklin Long of Georgia on February 1, 1871. He also had the unique distinction of being the first black Congressperson elected from Georgia.

Representative Long probably did not know that in February, 126 years later, we would be informing the American people of his name in honor of his novel achievement. One can only imagine the pride of this former slave as he stood to deliver his speech to his fellow Members of Congress. When he stood he spoke for black people all across America. How proud they were in this period of reconstruction after the Emancipation Proclamation to have someone speak for them.

The subject of his speech centered on his opposition to an alteration of the oath of office for former Confederates who sought to have their political rights restored. Congressman Jefferson Franklin Long set the stage for African-Americans to take their rightful place here on the floor of the House of Representatives, to proclaim to the world their concerns for themselves and the good of the American public.

The voice of Jefferson Franklin Long of Georgia will resound throughout this Chamber for as long as this Chamber exists. It will be a challenge to each and every one of us to recognize that we must never forget from whence we have come. We must always speak for the people that we represent, even though it may be a hard and difficult position to be in. Those who follow in his footsteps continue the spirit of his first breath here on the floor of the House of Representatives. We in spirit echo his voice.

As I take my place here on the floor of the battlefield of democracy to debate the pressing issues that affect every American, I am reminded of the courage that it took for Congressman Long to be the first African-American to speak on this floor. In part it was his courage that today gives me courage to speak on the floor today.

As a female African-American in Congress, I must pause and pay tribute to the African-American woman in whose giant footsteps I now follow. The Halls of Congress were once graced with the presence of Congresswoman Barbara Jordan, who was an African-American woman of many firsts: The first Representative of the then newly created 11th State Senatorial District in Texas, the first African-American to be elected to the Texas Senate since 1883, the first African-American woman ever to be elected to the Texas Senate, the first African-American to serve as the Speaker pro tem of the Texas Senate, the first African-American to serve as Governor for a day in Texas, and the first African-American of the then newly created 18th Congressional District.

As I come to a close, let me point now to the pride that I have in the 18th Congressional District, in Houston, and the State of Texas. First of all we practice and celebrate Juneteenth. That means that yes, we learned of our freedom some 2 years later, but now we have come of age and no one bows their head about celebrating Juneteenth. We are proud to be able to say we learned our freedom in 1865, but we have never, never looked back.

In keeping with the mind of that spirit, let me salute these organizations that have brought about young people and given them the self-esteem that allowed them never to forget their history: The Martin Luther King Center in the 18th Congressional District; Shake Community Center in the 18th Congressional District; the PABA that works with young men who, yes, they want to put on a boxing glove and not put a knife in their hand; and the NAACP, whose first secretary was Christie Adair, a strong and valiant woman; and the Akers Home Citizens Chamber of Commerce that brings about individuals in the Akers Home and all over the city who are interested in economic development.

Certainly let me say that the President called us to challenge education and to have that to be the clarion call. Here is my reappraisal of the civil rights movement as we go forward. It is to challenge African-Americans to remember that now we must do a lot of this ourselves, not go it alone but do a lot of this ourselves.

As endowments are being created all over this Nation by the likes of Texas A&M, Harvard, and Yale, where are we with supporting our educational institutions? I call upon you today to recognize that each of us must support our traditionally black colleges. Why not give $1,000 a year to some college that you support? Why not recognize that in this time of reappraisal we must stand up to the call, we must support education, we must ensure that our young people have the opportunity. Where are you? I hope you are listening.

Finally, as I said, I am glad to join Congresswoman WATERS to be assured that we celebrate black history in a manner that it should be, recognition, commemoration, celebration but also a reassessment and an acceptance of the challenge that we must stand up to the bar. I come to renew my commitment to say that I will not allow institutions to fall, I will support them in the future, and certainly most of all I will be a supporter of our traditionally black colleges and ask all America to support me as well.

Mr. Speaker, I am honored to have this opportunity to speak to the American public during this time that we have set aside to celebrate the enormous accomplishments of African-Americans in the United States. I must say that 2 minutes do not do justice to the enormous contributions given to our Nation by African-Americans.

I am thrilled to stand here on the House floor as an American and as an African-American Member of Congress. I am able to stand today, Mr. Speaker, because other brave African-Americans stood boldly before me.

The theme of this years celebration of black history month is African-Americans and Civil Rights: A Reappraisal.

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The first Representative of the then newly created 11th State Senatorial District in Texas;

The first African-American to be elected to the Texas State senate since 1883;

The first African-American woman ever to be elected to the Texas State senate;

The first African-American to serve as the Speaker pro tempore of the Texas Senate;

The first African-American to serve as Governor for a day in Texas; and

The first Representative of the then newly created 18th Congressional District.

This month in which we celebrate black history, let us remember the awesomeness of those that have come before us and renew our commitment to build on their strong foundation on which we stand.

Ms. WATERS. I thank the gentlewoman from Texas. I yield to the gentleman from Illinois [Mr. JACKSON].

Mr. JACKSON of Illinois. I thank the gentlewoman for yielding me this time, in light of the reality that this special order will shortly be coming to an end and with the knowledge that before this month will have concluded, I will have had three special orders through which I will specifically address issues of concern to black history.

While there are those of us who would suggest that the civil rights movement, and it was a crucible in our history, our history in this Nation dating from 1619, and every facet of American life during these special orders will be explored.

□ 1615

The first of these special orders, Mr. Speaker, will be this coming Thursday, and it will be an indepth look at our criminal justice system and the role which African-Americans have played. I have entitled this particular special order O.J. and Race Entertainment. But I want to take just a minute or so, and a minute is about all that I will need, to pay homage to a particular Member of Congress who finds himself sitting in the House Chamber on this occasion.

I was born, as a matter of African-American history, on March 11, 1965. On March 7, 1965, in our history it is known as bloody Sunday. It is the Sunday that the gentleman from Georgia [Mr. LEWIS], Martin Luther King, Jr., and Jesse Jackson and many others in our history walked across the Edmond Pettis Bridge for the right to vote. Because of the struggle that they engaged in in 1965, I now stand here as the 91st African-American to ever have the privilege of serving in the U.S. Congress. The gentlewoman from California [Ms. MILLENDER-MCDONALD] has the privilege of being the 92d, and the gentleman from Maryland [Mr. CUMMINGS], the 93d.

Because of a struggle that our foreparents engaged in, it made it possible for us to serve in the U.S. House of Representatives to represent disenfranchised and locked-out groups, whether they are African-American or whether they are white or Asian-American or Anglo-American. So, while we will reflect upon the contribution of those who have come before us to make it possible for us to serve, each and every one of us as African-Americans in this institution.

Mr. Speaker, as women in this institution, as Asian-Americans and Latino-Americans in this institution, we owe a tremendous debt of gratitude to the gentleman from Georgia [Mr. LEWIS] and others who made it possible for us to serve.

And so these are some of the contexts that we will place over the course of this month as we look at our history and as we look at the racial debate in our country, as we move from O.J. Simpson to race entertainment and what race entertainment has really done and taken us off of the course of civil rights and fairness for all Americans. I am particularly honored on this occasion to thank Congressman LEWIS for making it possible for me to serve in the U.S. House of Representatives.

Ms. WATERS. Mr. Speaker, I yield to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. You know, as a former South African, I have seen great history made, history made by people who refuse to bow down to the horrors of apartheid, and with many of my colleagues in 1994 in Pretoria, South Africa, we saw the wonder of President Mandela taking the oath of office of President of South Africa; finally, a just South Africa.

Mr. Speaker, history is made by people, by individual people, black history is made by black people, black individuals, and I want to speak today of one

of those individuals who makes history every day in my community. Her name is Ruby Haughton. Ruby was the first African-American to be named vice president of a large bank in Oregon, the U.S. Bank. This position would be consuming enough to fill any life, but for Ruby it is just a start. She is a national figure in the fight against diabetes. Her passion for a cure and better treatment for this devastating disease is fueled by her love and admiration for her mother who suffers from diabetes. I understand that passion, as my beloved daughter Amanda suffers with diabetes.

Ruby Haughton has been named to the prestigious National Institutes of Health, the board that oversees grants for diabetes research. She chairs the cultural diversity committee of the American Diabetes Association. Ruby is a member of the Urban League of Portland, the NAACP Portland branch and serves on the United Negro College Fund advisory board of directors.

Ruby Haughton is a role model. Her two sons have been guided by her passion for justice, community service, and personal responsibility. But Ruby's influence must not just touch those who know her, she is far too valuable. She deserves to be recognized for her accomplishments so that all, all of our sons and daughters, can learn from her dedication. She is talented, beautiful, humorous, deeply spiritual, unyielding in her commitment to public service, and unlike so many who are quick to criticize, to judge others, Ruby has neither the time nor the interest in pointing her finger at people. She is too busy extending her hand to help them.

Mr. Speaker, it is an honor for me to count myself as a friend of this great lady.

Ms. WATERS. Mr. Speaker, I thank the gentlewoman from Oregon. I yield to the gentlewoman from Florida [Mrs. MEEK].

Mrs. MEEK of Florida. To my esteemed chairwoman and to my good colleague, the gentleman from Ohio [Mr. STOKES], we owe both of you a debt of gratitude for giving us this opportunity. I want to thank you, and I want to thank everyone in this great country of ours, especially black Americans who helped to build this country and are now waiting and hoping that justice and freedom will come to everyone.

Certainly the history of people of African descent is interwoven, Mr. Speaker, with the history of America. Since the first Americans arrived on what is now American soil, black Americans have played an important part in the development of this great Nation.

I want to limit my remarks this afternoon to selective passages from historic speeches from black Americans, and I have chosen quite a few. I will mention them to you, but because of time constraints I will only quote two or three of them.

First is a Congressman, Robert B. Elliott, who came to this Congress, Congresswoman Shirley Chisholm, Frederick Douglass, Malcolm X, and the Reverend Jesse Jackson. They are some of my heroes; I have many of them, but they are included, and I want to, as I stand here this afternoon, think about Congressman Robert Elliott. He was one of the 22 African-Americans to serve in Congress during Reconstruction.

His last term in Congress was highlighted by his eloquent support of a civil rights bill designed to secure equality for and prohibit discrimination against African-Americans in all public places. This is what Congressman Elliott said, and I can imagine that each of us could perhaps give this speech now, and I quote him:

> I regret at this day it is necessary that I should rise in the presence of an American Congress to advocate a bill which simply asserts equal rights and equal public privileges for all classes of American citizens. I regret, sir, that the dark hue of my skin may lend a color to the imputation that I am controlled by motives personal to myself in my advocacy of this great measure of national justice. Sir, the motive that impels me is restricted by no such narrow boundary but is as broad as your Constitution. I advocate it because it is right. The bill, however, not only appeals to your sense of justice, but it demands a sense of response from your attitude.

In the end, after a long and very passionate speech, Congressman Elliott's bill was defeated, but he stands in my memory today as fighting the same fight that we are trying to fight here.

And I mention Shirley Chisholm. You know her very well. She is still alive. Those of you who are as old as I am call her "Fighting Shirley," but now she is in Florida. She worked very hard for Head Start. Well, Shirley Chisholm was a great heroine, and she still is. I will not quote from any of her speeches because of time constraints, but I do want you to know that Congresswoman Chisholm went on to really chastise the Congress to say, it was Calvin Coolidge, I believe, who said that the business of America is business, and she went on to sort of challenge them for spending so much money on things that certainly were not for the benefit of the social significance of black Americans.

And of course I choose Frederick Douglass as well. Most of you know the work of Frederick Douglass who was an abolitionist, but he contributed a lot because he was very active politically in the fight for justice in America. A very intelligent man, he called upon America to make the Constitution its mandate in making its righteous laws. And Frederick Douglass said:

> If liberty, with us, is yet but a name, our citizenship is but a sham, and our suffrage thus far only a cruel mockery, we may yet congratulate ourselves upon the fact, that the laws and institutions of the country are sound, just and liberal. There is hope for a people when their laws are righteous.

Frederick Douglass went on to say:

> Who would be free, themselves must strike the blow.
>
> That is why we are all here today. We do not believe, as we are often told, that we are the ugly child of a national family, and the more we are kept out of sight the better it will be. You know that liberty given is never as precious as liberty fought.

My next hero is Malcolm X. It is shown Malcolm was another great black voice. He was a strong leader with a very revolutionary cause, and in his December 31, 1964, speech to a delegation of Mississippi youth Malcolm encouraged these young African-Americans to think for themselves, to recognize their enemies, and to be assured that they were not standing alone.

And Brother Malcolm said, one of the first things I think young people, especially nowadays, should learn is how to see for yourself and listen for yourself and think for yourself. And he went on with this elegance to the end of a farewell and constructive speech.

My last hero as I move along, and I am not forgetting Martin Luther King or any of the greats, but I choose Rev. Jesse Jackson. I am a great advocate and a great lover of Rev. Jesse Jackson because he is a world famous Baptist minister, civil rights activist, and political leader. I followed him from his first time in politics as he ran for the President of this country. Reverend Jackson said:

> We must continue to dream, but the dream of 1963 must be expanded to meet the realities of these times.

Incidentally, the Reverend Jackson told me that our chairwoman, the gentlewoman from California [Ms. WATERS], had a lot of input in his speech for that particular convention.

We must dream new dreams, according to Jesse, expand the horizons of our dreams and remove any ceiling or barrier that would limit our legitimate aspirations. Democracy at its best provides a floor for everyone but imposes limits upon no one. The sky is the limit. Let us continue to dream.

Reverend Jackson went on to say, 20 years ago we came to this hallowed ground of the Lincoln Memorial as a rainbow coalition to demand our freedom. Twenty years later, we have our freedom, our civil rights. On our way to Washington today we did not have to stop at a friend's house or a church to eat or use the bathroom. Apartheid is over. But 20 years later, we still do not have equality. We have moved in. Now we must move up.

I was fortunate enough to have participated with Reverend Jackson at that time.

Twenty years ago, he said, we were stripped of our dignity. Twenty years later we are stripped of our share of power. The absence of segregation is not the presence of social justice or equality.

And that is the end of Reverend Jackson's quote.

I am privileged to be here to thank you and Mr. STOKES for holding this special order so we can share with America the richness of our heritage and the richness of our history.

Ms. WATERS. I thank the gentlewoman from Florida.

Ms. BROWN of Florida. Mr. Speaker, this year as we observe Black History Month we should reflect on the all-out attack that has occurred on civil rights, voting rights, and affirmative action programs. We need to renew our commitment to progress on these political fronts. We have witnessed the Hopwood case in Texas, the attack on affirmative action, as well as a number of majority-minority districts being found unconstitutional and ordered to be redrawn by State legislatures. This happened in my district, the Third Congressional District of Florida, as well as districts represented by Representative SANFORD BISHOP, Representative CYNTHIA MCKINNEY, Representative EVA CLAYTON, Representative MELVIN WATT, and just late last week Representative BOBBY SCOTT, Representative SHEILA JACKSON-LEE, and Representative EDDIE BERNICE JOHNSON. To say the least, the past 2 years have indeed been hostile.

I, and others, would not have the privilege of serving in Washington today, if it were not for the courage and sacrifice of those great leaders who led the way. The progress we, as a race, have made could not have occurred without the groundwork having been laid by great African-Americans like former Supreme Court Justice Thurgood Marshall, educator Dr. Mary McLeod Bethune, tennis great Arthur Ashe, poet Zora Neale Hurston, Gwen Cherry, Mary Singleton, and James Weldon Johnson, composer of the Negro National Anthem.

Let me share with you a little information about Florida's first Member of Congress. In 1879, Josiah Wells was first elected to the U.S. House of Representatives from Gainesville, but his election was challenged and he lost his seat after only 2 months in office. However, by that time, he had already been reelected to a new term. Believe it or not, his next term was challenged after ballots were burned in a courthouse fire. And, thus ended the congressional career of Florida's first black Representative.

Once Reconstruction began, 21 black Congressmen were elected in the South between 1870 and 1901. Following 1901, Jim Crow tightened his grip and it took over for 70 years before another black person would be elected to Congress in the South.

For the first 100 years of American's history, African-Americans did not have the right to vote because they were enslaved. Eventually the Constitution was amended to change the status of blacks from three-fifths of a person to a whole person. Following the Civil War, some African-Americans were able to exercise their right to vote but this lasted for only a brief time. After Reconstruction, things actually worsened and Jim Crow ruled the South. The civil rights movement exploded because African-Americans were fed up with living as second-class citizens in America, "home of democracy."

Dr. Martin Luther King, Jr., and numerous others, sacrificed their lives to have the Voting Rights Act passed into law in 1965. It has, however, taken almost 30 years to implement in the South. The initial reason majority-minority districts were redrawn was because of a long history of violations of the Voting Rights Act.

Following the 1996 congressional elections, many journalists reported that the fact that myself, CYNTHIA MCKINNEY, EVA CLAYTON, MELVIN WATT, EDDIE BERNICE JOHNSON, and SANFORD BISHOP won reelection proved that blacks no longer needed majority-minority districts to be elected to Congress. Therefore, as majority-minority districts continue to be challenged, it is important that we not lose sight of the fact that had it not been for the creation of majority-minority districts through voting rights remedies, it is very likely that many Members of the freshman class of 1992 would not have been elected. Keep in mind it took 120 years before Florida elected another African-American to Congress.

As African-Americans continue to make progress in education, business, and government, there will continue to be attacks. It is important that we continue to press ahead because there are still people who would like to turn back the hands of time and return African-Americans to the back of the political bus. Congress now more closely resembles America than it has in the past.

Furthermore, it is important that African-Americans continue to fight for their right to vote for a candidate of their choice, civil rights, and for affirmative action programs that help promote diversity in the workplace. It is important that we continue to support affirmative action programs because they give qualified minorities and women the opportunity to work in professions they, historically, had not been represented in. While we have made gains, there is still a long way to go.

As we approach the new millennium, it is crucial that young African-American children are prepared and able to walk across that bridge to the 21st century.

Mr. COYNE. Mr. Speaker, I rise today with great enthusiasm to join in this special order to observe and celebrate Black History Month. Black History Month provides Americans with an important opportunity to educate ourselves and our children about the many important contributions that African-Americans have made to our country. The annual observation of Black History Month should also remind us that the legacy of America's greatest tragedy—more than 300 years of slavery and the racial discrimination that was used to justify it—remains with us and must continue to be addressed.

I want to thank Representatives LOUIS STOKES and MAXINE WATERS for organizing this special order today. This special order has become an annual event. It allows Members of Congress to pay tribute to the many African-Americans who have had prominent roles in our country's history. It allows us to recognize, understand, and appreciate the unique nature of the African-American experience in our history. And it allows us to celebrate African-American accomplishments in the arts, sciences, education, business, and politics that have made our country immeasurably richer and more diverse.

Black History Month was the creation of Dr. Carter G. Woodson, a noted African-American historian and educator. Dr. Woodson established the Association for the Study of Afro-American Life and History in 1915 to encourage greater appreciation for the many contributions that African-Americans have made to this country. Dr. Woodson subsequently created Negro History Week as a vehicle for advancing this goal, and this event, which has evolved into Black History Month, has been observed annually since its inception in 1926. Each year the Association for the Study of Afro-American Life and History selects a common issue or theme for consideration during Black History Month.

This year, the association has chosen "African Americans and Civil Rights: A Reappraisal" as its theme. I think that the association has chosen a most timely and important topic. The history of the United States can perhaps best be interpreted as the history of a people's long and often painful struggle to provide the greatest possible experience of civil rights to the largest majority of its citizens. In our pursuit of a more perfect union, we have repeatedly had to broaden the eligibility for membership in that union and to define more perfectly the rights that accrue to its members. A serious reappraisal of our current civil rights policies requires that we look at where we started and how far we have come as well as what we may need to do in the future. I will attempt to provide my own evaluation of the civil rights struggle here today.

While the Declaration of Independence, the Constitution, and the Bill of Rights represented a remarkable advance in democratic self-government—the likes of which the world had never seen before—the society that the early Republic erected around them had a number of major shortcomings. The most glaring and horrifying of these shortcomings was of course slavery.

The next major expansion in civil rights came as a result of the Civil War—slavery was abolished by the 13th amendment, and the 14th amendment to the Constitution was ratified in an attempt to guarantee African-Americans the rights of full citizenship. These constitutional changes, significant and well-intentioned though they were, failed in the end to deliver on their promote of equal rights for all Americans. Despite the temporary gains achieved during the Reconstruction period, African-Americans continued to suffer the ill effects of discrimination, segregation, political disenfranchisement, and—in many parts of the country—outright violence. African-Americans were consistently and systematically denied their civil rights for another 100 years after the abolition of slavery.

World War II marked the beginning of the modern struggle to deliver on the promise of equal rights for African-Americans. In the Civil War, African-Americans had served in large numbers in the Union Army in order to prove their merit and buttress their demands for equality. After some initial and temporary successes, their hopes were dashed. Eighty years later, their descendants still faced discrimination and segregation in the Armed Forces as the United States fought to preserve our own imperfect freedom. Conscious of this glaring inconsistency, the Pentagon began desegregating the military on a trial basis during the war, and President Truman ordered that the Armed Forces be desegregated in 1948.

After the war, the NAACP began an effort to expand civil rights for African-Americans through a series of court challenges. This strategy proved extremely successful in expanding educational and residential opportunities for African-Americans. At the same time, African-Americans brought their civil rights struggle to the attention of the rest of America by directly confronting many of the existing Jim Crow laws. African-American leaders contrasted the accomplishments of African-American servicemen during the war with the discrimination that they still faced at home. Other brave African-Americans risked arrest, imprisonment, and physical violence to challenge such laws. Rosa Parks refusal to abide by such laws in 1955 led to the Montgomery, AL, bus boycott—the first mass protest by blacks in the South. In subsequent years, sit-ins, boycotts, and freedom rides provided important tools for illustrating the need for new civil rights laws.

As the civil rights movement grew and became more successful in the early 1960's, many white Americans began to reconsider their own attitudes about race. Many concluded that Federal action was necessary. As a result of the civil rights movement—and after lengthy and often acrimonious debate—Congress passed the Civil Rights Act of 1964, which prohibited racial discrimination and called for equal opportunity in employment and education, and the Voting Rights Act of 1965, which banned poll taxes and provided Federal supervision of voter registration and elections in places where African-Americans had previously been denied the right to vote. In 1968, Congress passed the Fair Housing Act at the President's request. This legislation prohibited racial discrimination in the sale and rental of housing. These three bills effectively abolished most State and local laws that supported discrimination and segregation.

The experience of these previous generations, however, has affected the current generation as well-decades of discrimination have left many African-Americans today convinced that many opportunities are still denied to them. This perception is not without justification. The long history of racial discrimination in this country has also produced a situation today where many African-Americans start life with fewer resources and further to go than many equally capable white Americans. It seems inconceivable to me that we could step back today and say seriously say that racism and discrimination have been eliminated from our society. While the legal foundation of discrimination and segregation has been obliterated, racism and discrimination—as well as the legacy of generations of racism and discrimination—are still pervasive in our society. African-Americans still face civil rights problems like discrimination, police abuse, and an unreliable system of justice. Consequently, the civil rights struggle must go on. And we still need affirmative action. I thank Representatives STOKES and WATERS and the Association for the Study of Afro-American Life and History for providing us with a forum and a stimulus for discussing this painful but important issue.

Mr. DELAHUNT. Mr. Speaker, I am proud to join with my colleagues in this special order celebrating Black History Month. It is truly a magnificent history—an heroic history if you will. I thought I would take this opportunity to say a few words about a remarkable chapter in that history which is being retrieved and returned to us by a dedicated band of preservationists in Massachusetts.

That chapter concerns the African Meeting House of Nantucket—once a church, a meeting hall and a school for children prevented from attending public school because of their race.

The one-room meeting house was built in the 1820's, and is one of the oldest standing structures of its kind in the United States. It embodies a rich history. When the meeting house was built, Nantucket was a center of a whaling industry in which blacks played an integral part. Among the whaling ships that set sail from the island was the *Industry,* with a black captain named Absalom Boston and an all-black crew. Absalom Boston later became one of the four trustees of the African Baptist Church which was to become known as the African Meeting House.

Absalom Boston's grandfather was a slave name Prince Boston, who took a whaling voyage in 1770. At the end of the voyage, Prince Boston's white master demanded that he turn over his earnings. With the help of a white shipmate, Prince Boston went to court and won his earnings and his freedom, became the first slave set free by a jury verdict. That year, Nantucket freed its slaves, 13 years before the rest of Massachusetts followed suit.

In 1845, the daughter of one of the founders of the meeting house went to court to demand admission to the public high school, and the next year Nantucket became one of the first districts in the country to desegrate its schools. With its strong Quaker tradition, the island became a stronghold of abolitionist sentiment. It was there that Frederick Douglass delivered his first public address before a mixed-race audience.

Once the public schools had been integrated, the meeting house ceased to operate as a school, but continued to function as a vital institution in the community. In 1910 the meeting house was sold to the owner of a trucking business and eventually it fell into disrepair. Now, thanks to the efforts of the Friends of the African Meeting House and the Museum of Afro American History, this extraordinary landmark is due to open to the public in 1998. I can think of no more fitting commemoration of Black History Month, and I commend all of those who have brought this project to fruition. I yield back my time.

Mrs. KENNELLY of Connecticut. Mr. Speaker, one of our great blessings as a nation is our extraordinary cultural diversity. This varied heritage makes the mosaic of American life one of unparalleled richness and beauty. And a key part of that mosaic is our African-American heritage, which we honor and celebrate each February during Black History Month.

No area of American accomplishment or achievement has remained untouched by African-Americans. Educators like Johnetta Cole open minds. Entrepreneurs like Earl Graves create successful businesses. Jurists like Leon Higginbotham protect our rights. And astronauts like Mae Jemison explore the very nature of our universe.

This year, Black History Month's theme is "African-Americans and Civil Rights—A Reappraisal." Today, as our Nation struggles to redefine its commitment to affirmative action and to ensure that all Americans enjoy equal opportunity, we have the chance to reflect on how far we have come and to judge how far we have yet to go. But even as we honor those whose courage and leadership in the cause of equal rights made their names familiar to every American, we should also recognize those who may not be as well known, but who nonetheless have served well.

Such a man was John Stewart, Sr., who was active in the civil rights movement in my own city of Hartford, CT, beginning in the 1920's. He was an original member of the Hartford Independent Political Club, founded in 1928 to advance the political interests of Hartford's African-American community. In the 1950's, he founded the Citizens Community of the North End. In the late 1960's, he became active in High Noon, a group that reached out from the African-American community to other civic and business organizations. Through it all, he worked with the NAACP and the Urban League. This grandson of a slave lived to see his son become majority leader of the Hartford City Council and the city's first African-American fire chief.

But remarkable as he is, he is just one of many extraordinarily talented individuals who worked in the early days of the civil rights struggle in Connecticut. Collin Bennett, entrepreneur and minister, was the first Caribbean American to be elected to the Hartford City Council. At the University of Connecticut, law professor John Brittain has become a national expert on civil rights law. The late State senator Wilber Smith was an eloquent champion of equality and justice who helped Connecticut become the first State to adopt enterprise zone legislation for urban centers. Arthur Johnson, the first executive director of Hartford's Human Relations Commission, presently serves on the Hartford Inquirer's editorial page, his social commentary as insightful as ever. The late Isabelle Blake, a longtime proponent of elementary education and welfare rights, was one of the founders of the Connecticut African-American Day parade. And Elizabeth Horton Sheff, a former member of the Hartford City Council, continues to blaze trails: along with her son Milo, she is leading the quest for equal educational opportunity and better schools for Connecticut students.

Mr. Speaker, American history contains few chapters as inspiring and uplifting as our Nation's struggle to achieve full civil rights for its African-American citizens. The pioneers of the civil rights movement led all of us not only to a more just society, but also to a better understanding of what America was truly intended to be. The enormous debt we owe them should be remembered, not only during Black History Month, but throughout the year. And the best way to honor them is to continue their struggle. Thank you very much.

Mr. KILDEE. Mr. Speaker, in honor of National Black History Month, I rise today to pay special tribute to the African-American people, both past and present, who have made American a better place to live. it is because of their tremendous sacrifice and faith, as well as their educational, economical, and social contributions, that helped make the United States of America the leader of the world.

Our Nation owes its African-American citizen a debt it can never repay. During the Revolutionary War, African-American patriots fought and died defending the civil rights described in the U.S. Constitution before they were allowed to enjoy these rights themselves. In every war since then, African-American people have fought and died with the utmost valor and courage, yet without equal protection under the law. The segregation of U.S. military troops is just one example in a long line of injustices perpetrated against African-Americans in our Nation's history.

Our country learned invaluable lessons from the African-American people who led the civil rights movement in the 1950's and 1960's to eliminate racial barriers. As a schoolteacher, I will never forget hearing Thurgood Marshall speak after the winning the Brown versus Board of Education Supreme Court decision which declared separate but equal was unconstitutional. His work helped open up our schools so children of all races can learn and grow up together. And I was never so proud than seeing Ms. Rosa Parks refusing to give up her seat on that bus in Montgomery, AL. Or watching James Meredith's courageous efforts in desegregating the University of Mississippi.

Every day I try to live by the principles set forth by one of the greatest leaders in history, Martin Luther King, Jr. His teachings of tolerance and nonviolence profoundly changed America. It was the contributions of these great African-Americans, and millions of others, that made out country realize that we can be a better nation and that we must work to end racial bigotry.

As a member of the Michigan State Legislature, I introduced the very first Open Housing Act which outlawed housing discrimination in Michigan. In my 32 years in public office, I have consistently voted in favor of civil rights legislation because I believe out country must grant every person an equal chance to succeed in America. And while we have made significant progress in eliminating racial discrimination in our country, there is no question we still have a ways to go. During this month of observance of Black History Month, let us rededicate ourselves to eliminating discrimination against all people so our country can reach its full potential, and America can truly be the beacon of light for the world.

Mr. WYNN Mr. Speaker, as we celebrate the history and culture of African-American people this month, let us pauses to pay tribute to someone to whom we owe a debt of gratitude for the "first" he provided us. This year marks the 50th anniversary of Jackie Robinson's integration of major league baseball. He was the first African-American allowed to play on a major league team—the Brooklyn Dodgers—with white athletes. A Pasadena, CA, native, he effectively paved the way for African-Americans to be active participants in professional sports.

More importantly, his actions on and off the baseball diamond have served as an example for confronting racial hypocrisy in this country and beyond. The dignity with which he handled racism among his teammates, fans, hotels, and restaurants stirred the conscience of America and held people accountable for their actions. Beyond establishing the black man's right to play baseball, he transcended racial barriers and proved that mutual respect is an essential element of sportsmanship. He was not only an athlete, but a person that truly earned the title of role model. His name continues to live on through the Jackie Robinson Foundation, established by Rachael Robinson in 1973 for the purpose of developing the leadership potential of minority and urban youth.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in recognition of Black History Month.

Since 1976, Americans have celebrated, in the month of February, the accomplishments and heritage of African-Americans. Brought here as slaves, shackled, and beaten, African-Americans now represent 12 percent of the U.S. population, approximately 30 million. Despite many obstacles and hurdles, this large group has made significant achievements in the building and shaping of America.

Most African-Americans have on their list of movers and shakers Crispus Attucks, the first man to die in the Boston Massacre of 1770; Harriet Tubman, the leader of the Underground Railroad; Dr. Martin Luther King, Jr., a drum major for justice; and Rosa Parks, the mother of the civil rights movement. And, the list goes on.

But, if we stop and reflect on where we have gone since the marches and sit-ins and boycotts of the 1960's, have we really gone far?

Despite African-American contributions to society, African-Americans are still not fully recognized for their worth and potential to this Nation. This is ironically portrayed by the title "Black History Month," the time set aside to learn the history of a people. One month cannot capture the infinite historical treasures that African-Americans have embedded into the fabric of this society. A more appropriate title would be "Black Emphasis Month" symbolizing that black history should not be a separate course taught only in February. Rather, we should make daily efforts to correct the history that is taught to our children. Our children deserve to know that their forefathers and foremothers had the creative minds and intellect to make important contributions to this society that we may sometimes take for granted, such as the inventions of the light bulb filament and the traffic light.

Importantly, we should use this month as a time to reflect not only on recognizing the contributions of African-Americans to the American society, but we must also think of February as a month in which we ponder the travesties suffered by an entire race of people.

The battles are not over. Hopwood versus Texas was a blow to many individuals hoping to further their educations. This decision, which rendered admission criteria which take race into account unconstitutional, shattered the hopes and dreams of would-be legislators, attorneys, and teachers.

To be sure, the decision did not raise standards; the intellectual capacity is ever-present. Rather, it took away the incentive, that extra push needed by someone that may be from a broken home or a first-generation college student. This measure tried to kill the aspirations of our Nation's youths. Affirmative action gives those less fortunate than others the initial opportunity to prove themselves—nothing more, nothing less. We will not need race-based criteria once we have the initial opportunity.

In 1996, the Supreme Court, the highest court in the land, struck another blow to minority voters. Bush versus Vera, which declared unconstitutional congressional redistricting plans that gave black and Hispanic voters more clout was a setback because it could ultimately mean that those constituents may have a harder time gaining representation in Congress. Rising to the challenges they faced, many U.S. Representatives, including myself, were not defeated.

However, you must take note that we won reelection because we first had the chance to serve. Affirmative action is that opportunity. Affirmative action is what is needed to first prove yourself. It is needed as a corrective action to change disparities from the past. When such corrective action is taken away, we may not have any more initial opportunities for success. We got the message out to our constituents, and I want to get the message to you today, to see that now more than ever it is a time to stand up for what so many others have died for—our freedom, our rights.

In light of these abhorrent things that are going on today, we must reevaluate, reappraise our civil rights gains. Glass ceilings are not being removed. Affirmative action is being challenged from every angle. We have the opportunity to use these stumbling blocks and make them stepping stones. But we must be active in order to be instrumental in this struggle.

What underground railroad are you leading? Are you a drum major for justice, for peace, for equality? We must look the grim facts in the face. We must not be passive. We must stand up and take charge of our own destinies and take someone else with us. Then, and only then, can we, as a people rise up and fight the injustices that have plagued our people since we stepped foot on American soil.

Mrs. CARSON. Mr. Speaker, I would like to thank the gentleman from Ohio [Mr. STOKES] and the gentlewoman from California [Ms. WATERS] and the other members of the Congressional Black Caucus for allowing me this opportunity.

In celebration of Black History Month, there are literally hundreds of individuals from the past that could be remembered for their achievements for African-Americans. The one I would like to remember today was once a member of this auspicious body, and her work in this Chamber will be remembered throughout history for its honesty and integrity.

Barbara Jordan has often been described as having "the voice of God," one which could shake the rafters if necessary, and one which always weaved a sense of urgency through an audience. Yet Ms. Jordan's legacy lies far beyond her oratorical skills. Her reputation will be one of a role-model for her devotion to public service, her unabashed faith in the Constitution, and her ethical fortitude which is all too rare in today's political climate.

In the summer of 1974, our democracy faced its greatest test, and our Constitution its greatest challenge. As the House Judiciary Committee considered the fate of President Nixon during the Watergate hearings, it was a young African-American woman from Houston,

TX, that pointed the way through the fog of the time to the correct path to pursue. Representative Jordan stated in plain language that no one, not even the President, was above the law of the land. Her faith in the Constitution, she said, remained strong despite the fact the Founding Fathers did not originally include her in their definition of "we the people." Subsequently, during one of our Nation's darkest hours, Ms. Jordan helped restore our faith in the foundations of democracy and carried us forward to form a more perfect union.

Following her service in Congress, Ms. Jordan began a second tier of public service by teaching public affairs at the University of Texas. Despite the fact that her body was crippled by multiple sclerosis, her spirit and her mind grew stronger. For over a decade, she taught students at the University of Texas a class on ethics which demanded students search their souls for the answers to tough dilemmas. Ms. Jordan's class was extremely popular despite the difficult reputation it gained, requiring a lottery each semester to select the handful of students to have the honor of taking Ms. Jordan's class. Thus, Ms. Jordan carried on the task of teaching the lessons of citizenship to another generation, and preparing our young people to carry out the tasks so vital to our democracy.

Barbara Jordan passed away a little over a year ago. Her reputation will precede her for years to come. It is important to remember Ms. Jordan today and always as not only a great African-American, but as one of the central figures in American history in the late 20th century. As we took towards the next millennium, with the need for racial harmony and the collective healing of our wounds as tantamount as ever, it is imperative that we look towards the example Barbara Jordan set for all of us. Her standards may have been high on the bar, but they were nonetheless the measuring stick we should all aspire to reach. She defined what it means to be an American for many of us, and her accomplishments will not soon be forgotten.

Mr. HASTINGS of Florida. Mr. Speaker, I take great pride in this opportunity to join the Congressional Black Caucus and other Members of this body to pay tribute to African-Americans who have contributed enormously to this great Nation. I, too, want to thank the gentleman from Ohio, Mr. STOKES, and Representative MAXINE WATERS, chairperson of the Congressional Black Caucus for their efforts in organizing this special order.

As we celebrate Black History Month, we must remember the origins of this celebration, as it dates back to 1926. It was then, that Dr. Carter G. Woodson, a noted historian, and author, initiated the observance of "Negro History Week."

Each February, Dr. Woodson, whose own contributions were inestimable, advocated setting aside a week to honor the achievements of African-Americans. The lives of black Americans have improved since the 1950's, and, indeed, there is no doubt that relations between blacks and whites have improved. However, segregation, poverty, discrimination in jobs, housing, and many related problems continue to persist, and continue to erode the so-called American dream.

Today, we celebrate an America that is more culturally enriched, intellectually developed, and technologically advanced because of the contributions of African-Americans. However, as the 20th century nears it close, there is still widespread ignorance about African-Americans and our contributions to this society.

Of the 40 African-Americans elected to Congress this year, many came from districts supported by black voters. However, the districts were ruled unconstitutional if race was the predominant factor in designing them. But, a 90-percent white congressional district in Texas is ruled constitutional, whereas, a 5-percent black Texas district that sent the late Barbara Jordan to Congress is ruled unconstitutional.

Imagine what kind of effect these and other related issues have on the life and mind of a young African-American who knows less about hope and faith than I do.

Mr. Speaker, the acceptance by some Americans of Dr. King's message—that men should not be judged by the color of their skin but by the content of their character has made it possible for blacks to gain considerable influence in various fields.

For example, in politics, blacks now serve in unprecedented numbers in elected and appointed positions in Federal, State, and local government, including this great body. We have won recognition in such art forms as literature, film, and theater. We have received some of entertainment's highest awards, including the Oscar, the Tony and Golden Globe honors. We have reached the highest levels in professional sports such as basketball, boxing, tennis, football, and track and field. And, in music, we have made significant influence by creating new musical categories and delighting audiences at home and abroad.

These accomplishments are all good news. But they are still not enough.

As we continue to debate affirmative action policies, we realize that the struggle to ensure equal opportunity for African-Americans continues. The real issue is civil rights—civil rights that redeem our fundamental American sense of hope and rights that affirm our basic values and aspirations as a Nation.

African-Americans continue to have an uphill struggle. However, it is my hope that this Nation would heed the words of the late Justice Thurgood Marshall who said: "We will only attain freedom if we learn to appreciate what is different, and muster the courage to discover what is fundamentally the same."

Today, I call on this society to give the ordinary people of this great Nation an equal opportunity, a quality education, and a fair shot at the American dream. Let history record that we in our time faced our challenges remembering who we are and believing that we are more than our brother's keeper.

Mr. VISCLOSKY. Mr. Speaker, I am pleased to participate today in this special order to commemorate Black History Month. As we celebrate the great contributions of African-Americans throughout the history of our country, we can look to the civil rights movement of the 1960's as a pivotal time when what "was" and what "could be" were brought into striking relief through sometimes violent conflict.

The civil rights movement was a period of enormous growth for our country. As a nation we were forced, by great African-American leaders such as Dr. Martin Luther King, Jr., Malcolm X, and others, to examine ourselves and confront the forces of hate and ignorance that were cleaving our society. That tumultuous period is now behind us, and many great things have happened as a result of that struggle. The African-American community was strengthened, and as it was, so was the entire Nation.

As we face the present, and look ahead to the future, however, some stark realities exist. The fact remains that much still needs to be accomplished before true equality and racial harmony is a fact of life in this country. Now, more than ever, we need strong African-American leadership. We must have African-American activists who, like the leaders of the civil rights movement, are able to take action and inspire.

One such activist-leader lives in Indiana's First Congressional District. Mr. James Piggee has been a teacher and coach in the Gary, IN, school system for 30 years, and his activism is unique in that it focuses on educating young black students about their past, while at the same time giving them an opportunity to prepare for the future.

For the past 12 years, Mr. Piggee has been actively involved in organizing and leading the historical black college tour in which over 1,800 students from across the United States have participated. This experience has allowed African-American students to experience various parts of their history and culture as it has developed in traditionally black colleges and universities throughout the country. In addition to gaining an historical perspective on African-American intellectual life, they get a chance to learn about the schools they may one day attend.

One of the many positive results of Mr. Piggee's work is that over 60 percent of the students who participated in one of the tours enrolled at one of the colleges they visited. As part of his work, Mr. Piggee has helped over 500 students secure grants, scholarships, and financial aid to historically black and other colleges and universities in the United States.

Mr. Piggee, who tragically lost his son Marc in a drive-by shooting on November 12, 1996, is an active member in many civic and community organizations in northwest Indiana, including the board of directors of Indiana Black Expo, the State Board of Minority Health Coalition, and Healthy Start. He is a recipient of many distinguished awards, such as the Governor's Voluntary Action Programs and Excellence in Education Award, Indiana University's Outstanding Teacher Award, Gary and Merrillville, IN, Lions Club Teacher of the Year Award, Inland Steel Teacher of the Year Award, Gary Community Corporation Heritage Award, National Council of Negro Women, Gary, IN, Chapter Outstanding Service Award, and the Indiana State Board of Health Outstanding Service Award.

Besides his continued dedication to teaching, Mr. Piggee is also the coordinator of the developing options opportunity for responsible students, or DOORS, program. This program provides an environment that is conducive to the successful transition from high school to

secondary education, the military, or the work force.

Mr. Speaker, activists like Mr. Piggee will ensure that, at all levels, the fight for equality will not end. His work should inspire us all to look to the future and know that change is always at hand. His work shows us that what is today, can be better tomorrow. In closing, I would like to commend my colleagues, Representatives LOUIS STOKES and MAXINE WATERS, for organizing this important special order on Black History Month.

Mr. GEPHARDT. Mr. Speaker, I am pleased to rise today with my colleagues in celebration of African American History month. The theme for this year's African American History Month Observance is "African Americans and Civil Rights: A Reappraisal." When we reappraise we take stock, we review, and we measure the value of the item in question. As we reappraise the civil rights laws that we have passed in this body, laws that have helped realize for many of our citizens the promise of equal opportunity embodied in our constitution, I can say without question that they have appreciated in value and are worth more today to our Nation and our people than they were 30 years ago. They are of greater value because we can look back and see how far we have come and recognize that we are a better Nation because of the existence of these laws. Thirty years ago as the fog of racial oppression was only beginning to clear we could not have made such an assessment.

As we make this reappraisal of civil rights we also mark an important anniversary. It was 15 years ago that we passed the 1982 major improvements to the landmark Voting Rights Act of 1965 which extended and strengthened the enforcement provisions of the law. Some have described the Voting Rights Act as our Nation's most effective civil rights legislation, and I count myself among that group. I consider the votes that I have cast in support of the extension of the Voting Rights Act among the most important votes of my 20 years in Congress. Because of the Voting Rights Act there has been a dramatic increase in the participation of African-Americans and other minorities in the electoral process at all levels of government. As a result of the Voting Rights Act African-American voting participation in some congressional districts has increased tenfold. I look around this institution and I see the power of the Voting Rights Act. Today there are 39 African American members of this body and if we were to poll them, I believe they would tell us that their presence here is due in no small measure to the Voting Rights Act. One of those members is BILL CLAY who in his 28 years of congressional service is the dean of the Missouri Congressional Delegation. He was a civil rights leader in St. Louis, our home town, during the struggles of the 1950's and 60's, and he is my leader in the Missouri delegation. I have had the pleasure of serving with BILL for all the years that I have been a member of this body. This institution is a better place because of the presence of BILL CLAY and the other African American members of the 105th Congress and those who have come before them, and we are a better nation because of the Voting Rights Act.

In addition to BILL CLAY, who was the first African American Member of Congress from Missouri, I would also like to recognize another civil rights leader from St. Louis. In 1977, Gwen B. Giles became the first African American woman elected to the Missouri Senate and the first woman elected to the office of city assessor in St. Louis. Mrs. Giles was a tireless advocate for civil rights and for the rights of the disadvantaged. As an elected official and in her roles as executive secretary of the St. Louis Council of Human Relations, Director of the Civil Rights Enforcement Agency and as a founder of the West End Community Assoc., Mrs. Giles was a builder of community between the races. Mrs. Giles died on March 26, 1986, but she remains a pioneering spirit in St. Louis for her dedication to the principle and the practice of equality for all citizens. Today, I honor her historical achievements and contributions as well as those of other African Americans in Missouri and throughout our Nation.

We celebrate this anniversary of the Voting Rights Act and we commemorate African-American History Month as we approach a new century at the crossroads of civil rights and race relations in our Nation. There are those who look at the gains that African-Americans have made in the ballot box, in employment, in business and in education, and they no longer recognize the need for vigorous enforcement of our civil rights laws. They tolerate both direct and indirect attacks on the cornerstones of our most monumental civil rights achievement. We have seen these attacks take many forms. From the wholesale attacks on affirmative action to the more subtle and strategic strikes against the Voting Rights Act through the recent court challenges to minority congressional districts, these attacks have the collective impact of moving us backward toward our past of racial intolerance rather than forward toward the promise of the new century. They could not be more wrong. For those of you who say you support our civil rights laws in principle but through inaction dilute their effectiveness and drive wedges that further racial division and hostility, today I challenge each of you to make your deeds match your rhetoric. I challenge you to stop pulling at the dangling threads of intolerance that threaten to unravel the great blanket of civil rights protections we have all worked so diligently to weave. As we make this reappraisal of civil rights in this month that we celebrate black history, we must all recommit ourselves to supporting the enforcement of our civil rights laws. We cannot fail to leave this important legacy intact and of greater value to those who may stand in this place 30 years from today and make a similar reappraisal.

Mr. ROTHMAN. Mr. Speaker, I rise today to join with my colleagues in honoring the African-American community, as we commemorate Black History Month.

The fabric that is America owes an important debt of gratitude to the accomplishments and genius of the African-American community. We are, in a very real sense, a whole nation due to the untold contributions of African-Americans in the fields of science, education, politics, commerce, sport, culture, and in so many other fields of endeavor.

I am proud to represent thousands of African-Americans in the Ninth Congressional District of New Jersey. From Englewood to Maywood, Jersey City to Teaneck, African-Americans represent the very best that our region of New Jersey has to offer. Hard working and active in the civic life of their respective communities, African-Americans constitute an important part of what makes northern New Jersey such a special place to live.

But while prosperity is increasingly being secured by African-Americans in New Jersey and across the United States, we should not forget the recent past. Racism, embodied in so many aspects of American culture years ago, has still not disappeared. The civil rights struggle, which so honorably sought to erase racism, has not ended. And so today, like every day, all Americans, of all backgrounds, need to take a look at ourselves and recommit ourselves to erasing racial prejudice.

Mr. Speaker, almost 35 years ago Dr. Martin Luther King, Jr., spoke to America from Washington, DC. He said, "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." On this day, February 11, 1997, and every day, let us make Martin Luther King, Jr.'s dream our own, and everyday, let us make Martin Luther King, Jr.'s dream our own, and work toward a nation that can rid itself of racial injustice.

Mr. FROST. Mr. Speaker, I would like to take this opportunity to pay tribute to the African-American men and women who have helped make our Nation strong. Through mutual tolerance and understanding we have made significant strides in acknowledging and appreciating our diversity.

In our Nation's short history we have learned that differences between people can be addressed in one of two ways: either through strong division and aversion, or through understanding and real cooperation. Division solves nothing, understanding is the key. Throughout much of this century, African-Americans have been the driving force in building an appreciation and understanding of diversity.

One cannot look at the United States without acknowledging the contributions African-Americans have made in a variety of different areas. They have been involved in nearly every major event in U.S. history and have enriched American culture throughout. Undeniably, African-Americans have played key roles in the progress and prosperity of the Nation and the world. Only when we recognize these accomplishments can we truly see the richness of our country.

In 1926, Dr. Carter Woodson first called for a period of time to be set aside for the recognition of important historical achievements by African-Americans. Fifty years later, our Nation acknowledged February as Black History Month. With each annual celebration, we find ourselves recognizing new milestones African-Americans have made and barriers that have been broken.

For example, this year for the first time in our Nation's history, seven African-Americans were awarded the President's Medal of Honor for their bravery during World War II. These men were among the bravest of the brave, they risked their lives for our country. These African-Americans gave so much, so that the rest of us might be free. We owe them a huge

debt of gratitude. I am only sorry it took so long to give these men the recognition they so rightly deserve. This honor was well overdue. It illustrates well the point that, we have come a long way, but we have a long way to go.

Racial tensions still exist within our borders. It is clear to me that there is still work to be done. In schools, neighborhoods, and communities, we should seek out commonality and celebrate our diversity, instead of looking to separate as a result of our differences.

This is why we need to embrace all cultures and not only recognize, but celebrate the achievements of black Americans. As we trace our history, we can point to African-Americans who have made significant contributions to our country, from authors and sports heroes to political icons, including: Booker T. Washington, Willie Mays, Thurgood Marshall, Marcus Garvey, Barbara Jordan, Langston Hughes, and many other great men and women.

As a nation, let us always acknowledge the accomplishments of African-Americans and celebrate them. Not only today, or during Black History Month, but every day.

Mr. DIXON. Mr. Speaker, America is a Nation built from the labor, love, and dreams of people from all corners of the globe. Black History Month offers America a chance to celebrate the achievements and contributions of one of her many peoples—African Americans.

To help preserve our history it has taken the herculean efforts of such people as Dr. Carter G. Woodson, a Harvard Ph.D. who started Negro History Week in 1926 and founded the association for the study of negro life and history; Arthur Alonzo Schomburg, a Puerto Rican-born New Yorker who amassed a collection of books, manuscripts, and letters by blacks of the Caribbean, Europe, and America; and Daniel Alexander Payne Murray, a black man hired as an assistant librarian for Library of Congress in 1881 and whose collection of books, documents, manuscripts, and letters laid the foundation for the Library of Congress' current expansive holdings in African American history.

We must continue the work of Woodson, Murray, and Schomburg because, as Dr. Woodson argued in "The Miseducation of the Negro," a greater understanding of black history provides African Americans with potent weapons in the fight against racism and attempts to devalue the contributions of African Americans.

Even more important than just celebrating black history to counter negative views of African Americans or for its academic value, we must continue to celebrate it because current and future generations need this knowledge.

I challenge each of you to talk to a young person and ask them what they know about black history, and I bet you'll find that Martin Luther King, Malcolm X, and slavery will be the majority of answers you receive. As adults we know that the sum total of our history is more than just the civil rights struggles of 1950's and 1960's. However, knowing is not enough. We must continue to impart the story of our history to our youth, whose perspective on life will only be enhanced by learning of the great achievements of their ancestors.

Imparting this history means we must continue to educate ourselves and share the stories of lesser known, but equally important figures in black history.

The association for the study of Afro-American life and history reports that the theme for the 1997 Black History Month observance is "African-Americans and Civil Rights: A Reappraisal." In keeping with this theme, we should examine the progress blacks have made in developing political power.

No study of African-American contributions to American political life would be complete without a recognition of the life and work of Louis Emanuel Martin, who the Washington Post once referred to as the "godfather of black politics" and who passed away only a few short weeks ago.

Born in Shelbyville, TN, November 18, 1912, and raised in Savannah, GA, Louis E. Martin attended Fisk Academy High School and received his bachelor's degree in English from the University of Michigan in 1934.

A journalist by profession, Martin joined the staff of the Chicago Defender after completing his education at the University of Michigan. In 1936 he became publisher of the newly-created Michigan Chronicle. During his tenure at the Chronicle, he published a book of poems by Robert Hayden and aided Walter Reuther who was organizing the United Auto Workers.

In 1947 he moved back to Chicago to become editor-in-chief of Chicago Defender publications and helped found the National Newspaper Publishers Association, serving as its president. Three years later Martin was named editor-in-chief of Sengstake Newspapers. During this period he also wrote a weekly column on politics and was an active civic leader, lending his support to black entrepreneurs, artists, and civil rights leaders.

A pivotal moment in Louis Martin's life came when fellow Chicagoan R. Sargeant Shriver asked Martin to work on the election campaign of his brother-in-law John F. Kennedy. Martin, who was named deputy chairman of the Democratic National Committee in 1960, was instrumental in arranging the sympathy call that Kennedy placed to Corretta Scott King when her husband Martin Luther King, Jr. was jailed in Atlanta on a traffic violation.

Louis was an indispensable adviser to Presidents Kennedy, Johnson, and Carter, playing a key role in garnering support for landmark legislation such as the Civil Rights Act of 1964 and the Voting Rights Act. He helped open doors for a number of talented African-Americans, influencing the appointments of Solicitor General Thurgood Marshall to the Supreme Court, Andrew Brimmer as the first black member of the Federal Reserve Board, and Robert C. Weaver as Secretary of Housing and Urban Development.

Probably Martin's most lasting legacy will be the Joint Center for Political and Economic Studies, which Martin founded in 1970 to provide technical assistance and support for black office holders and scholars across the country. The joint center has blossomed into one of the premier research institutions in the Nation and the only think tank which focuses the majority of its efforts on issues of importance to African-Americans.

Although Louis Martin traversed the corridors of power, he did so without vanity or desire for notoriety. He reveled in working behind the scenes to bring about real opportunities for African-Americans. As his daughter Trudy Hatter of Diamond Bar, CA summed it up, "he worked hard all the time, but not for himself."

I urge all of my colleagues to join me in celebrating his life and extending heartfelt condolences to Louis Emanuel Martin's wife Gertrude and their children Trudy, Anita, Toni, Linda, and Lisa. His vision, compassion, intelligence, and courage have blazed trails for his fellow African-Americans and have left an indelible mark upon the history of this Nation.

Mr. BOYD. Mr. Speaker, we celebrate America as a nation of diverse peoples who share a common vision: freedom, independence, and liberty. Throughout our history, this diversity has served us well. The fabric of our communities has been strengthened by the contributions of all of our people.

So as we celebrate Black History Month, we should be mindful of the rich history and vast contributions that African-Americans have made—and continue to make—to our society. We marvel at the courage of Dr. Martin Luther King. We are humbled by the eloquence of Barbara Jordan. And we are enriched by the brilliance of Ella Fitzgerald.

And there are thousands more. In north Florida, Rev. R.B. Holmes fights for a better future for all children through his efforts to build the best charter school in our Nation. Al Lawson works hard every day in our citizen's legislature to improve the lives of all of our families. And, at FAMU, JIM DAVIS makes a difference by trying to open the doors to higher education for all of our children.

So, today, we proudly recognize the great role that African-Americans play in every facet of our human society. In that recognition we also seek to build a more perfect America. We seek to work together as leaders, parents, thinkers, artists, and students to make tomorrow's America better than today's. Our common goals are built on the common ground that all families seek: safety, security, and opportunity. We know that we can only realize those goals when we work as one.

Mr. SABO. Mr. Speaker, it is my privilege to participate in the celebration of Black History Month this year by honoring two extraordinary civic leaders of Minnesota. I rise today to honor Cecil Newman and Gleason Glover, both of whom were influential and notable figures in Minnesota's civil rights history.

Cecil Newman is most noted for founding both the Minneapolis Spokesman and the St. Paul Recorder, the oldest African-American-owned newspapers in Minnesota. In 1935, when the newspapers were first published, Cecil delivered them by foot. Today, the Spokesman and the Recorder are disbursed to over 26,000 Minnesotans.

The newspapers were two among many of Cecil's remarkable achievements before he died in 1976. Mr. Newman was also responsible for persuading many African-Americans to exercise their right to vote and was a prominent leader in the fight for fair employment laws in Minnesota.

I believe Hubert Humphrey's statement about Cecil best sums up the kind of man he was: "Cecil Newman is a good citizen—responsible, active, wise, and influential. I have been enriched by his friendship, strengthened by his support, and helped by his advice."

Gleason Glover dedicated his life to bettering the lives of African-Americans. His list of accomplishments and awards is long. I

am proud to say I knew Gleason on a professional level and he was a close personal friend.

Gleason came to Minnesota to serve as the executive director, and later the president and chief executive officer of the Minneapolis Urban League, one of the most forceful advocate organizations for African-Americans, minorities, and the poor. The league, which started in New York City in 1910 to help African-Americans in their transition from rural to urban living, has expanded to provide assistance in areas such as employment, housing, education, and social welfare. It has also taken on additional challenges including adolescent pregnancy, single female-headed households, and crime in the African-American community.

By the time Gleason retired in 1991, his strong leadership brought the Minneapolis Urban League from a staff of three and a budget of $45,000 to a staff of over 100 and a budget of $3 million. Before his untimely death in 1994, Gleason was responsible for making the Minneapolis Urban League one of the most important civil rights/social service agencies in Minnesota.

Again, I am proud to recognize the impact and influence both Cecil Newman and Gleason Glover had on the lives of many Minnesotans. Their dedication and commitment to public service made them great community leaders who will be long remembered.

Mr. GILMAN. Mr. Speaker, I rise today to join my colleagues in honoring black history month for 1997. I would like to thank the gentlewoman from California [Ms. WATERS.] for arranging the time for this special order.

Black history month is an appropriate time to recognize the outstanding black men and women who have contributed so much to our society. As my colleagues have pointed out, our history books do not yet recount the significant efforts of many African Americans and all they have accomplished to make America the great Nation that it is today.

For example, Crispus Attucks, a free black man who, at the Boston massacre, was the first American to die for the revolutionary cause. After our war of independence was won a black man by the name of Benjamin Banneker laid out our Capitol City of Washington, DC.

African Americans were among the most courageous and determined fighters in the war to end slavery. While thousands of black men and women were dying at the hands of their owners as examples to their peers, thousands more were escaping to the north by way of the underground railroad founded by Sojourner Truth and Harriet Tubman. And of course, let us not forget the tens of thousands of black soldiers who sacrificed their lives to end slavery in the Civil War.

While the Civil War helped to end slavery in policy, it did little to eradicate social slavery. When Jim Crow laws threatened to prevent black men and women from assimilating into the American culture that had been denied to them for so long, leaders such as Frederick Douglass and W.E.B. DuBois fought to end such hypocritical and racist policies.

The struggle for equality throughout the 20th century is one of the great sagas of all time. So many courageous black Americans risked everything in order to pave the path for those who followed. Jackie Robinson broke the color barrier in professional major league baseball, while Marian Anderson became a symbol of equality in the world of music. Mrs. Rosa Parks unwittingly became a great national symbol through her decision not to move to the back of the bus.

A little more than 30 years ago, it was announced that for the first time in history, a black man—a man who until that point had achieved modest fame as a stand up comedian—would costar in a dramatic television series. Within the last few weeks, the entire world saw, as this great entertainer faced a deep personal tragedy, how much love and respect all Americans have for Mr. Bill Cosby. He has done so much single-handedly to destroy hate and prejudice in our Nation that the outpouring of grief and sympathy upon the murder of his son has been phenomenal.

So many barriers have been broken that there are very few segments of our society still closed to blacks. Tiger Woods has become the most famous black golf player in history, thus knocking down one of the remaining color barriers left in our society.

Alvin Alley's contributions to the dance; Wilt Chamberlain's revolutionizing the game of basketball; Arthur Ashe teaching the Nation how to play tennis and how to face devastating disease with grace; Barbara Jordan articulating love of our form of Government; James Baldwin breaking new ground with the art form of the novel; Henry Johnson, a black man who was the first American soldier to be decorated by France during World War I; Dr. Mae C. Jemison, our first female black astronaut; William Brown, mayor of San Francisco; Alex Haley, who single-handedly revived the pursuit of family genealogy while instilling pride in black history; anthropologist Zora Neale Hurston; poet and Amnesty International leader Akua Lezli Hope. The list of prominent Afro-Americans in every field of human endeavor in the United States is endless.

In the 1960's, the moral conscience of the entire Nation was finally awakened, and our laws were finally brought into compliance with the principles of our own American Revolution, Declaration of Independence, Constitution, and Bill of Rights. Mr. Speaker, I never cease to be amazed at how many young people today have trouble understanding how controversial the quest for civil rights was at the time, and how severe the sacrifices were of those who fought at the time. We must not let future generations grow up unaware that a steep price was paid for equality and justice.

Black history month is an appropriate time to recall and recite the events in which black Americans changed our Nation's policies and attitudes. But we must also remind our students and our citizens that the struggle for equality continues today not only in the United States but also abroad. Fortunately, today we are blessed with heroic black men and women who work to bring our races closer together and set a shining example for our youth.

It is imperative that we not simply acknowledge black history this month, forgetting it in the months to come. The appreciation of black history and its contributions to our Nation should be an ongoing process. The contributions of African-Americans to our society are truly exemplary, yet are too often taken for granted. I urge my colleagues to bear these contributions in mind throughout our deliberations.

Our Nation's rich diversity sets it apart from every other nation on the face of the Earth. It is one of our greatest strengths and will be fundamental in our Nation's future success. If we embrace that diversity and learn from its ideals, then nothing will stand in our way. Black-Americans have significantly contributed to every facet of our society and therefore our culture. This, Mr. Speaker, is the lesson we must teach our children, in hopes that they too will one day teach their children these thoughts and pass along the importance of diversity in the Nation.

Mr. STOKES. Mr. Speaker, I want to thank our distinguished colleague from California, Congresswoman MAXINE WATERS, who chairs the Congressional Black Caucus, for joining me in sponsoring this Special Order. We gather today to mark the congressional observance of Black History Month. The occasion affords us the opportunity to acknowledge the contributions of African American men and women to the building and shaping of this great nation.

We gather in the House Chamber 71 years after the late Dr. Carter G. Woodson proposed the observance of Negro History Week. In 1926, Dr. Woodson understood that African Americans were not receiving proper recognition in history for their contributions. Woodson proposed setting aside one week during the month of February to commemorate the achievements of African Americans. In 1976, the observance was changed to Black History Month. Our theme for the 1997 observance of Black History Month is "African Americans and Civil Rights: A Reappraisal." I am proud to join my colleagues as we reflect upon this theme. It causes us to examine how far we have come in the struggle for civil rights.

The civil rights movement of our time set its roots in the field of education, with assistance from the United States Supreme Court. In 1954, in *Brown* v. *Board of Education,* the Court announced its ruling that segregation in the Nation's public schools was unconstitutional. A year later on December 1, 1955, in Montgomery, AL, Mrs. Rosa Parks was told by the driver on the bus on which she was riding to get up and give her seat to a white man. This seamstress, who was tired from a long day's work refused this order and was arrested.

In protest, black leaders organized a boycott that lasted for 382 days. It ended with the courts ordering integration and the abolishment of a legal requirement that black people had to stand up and let white people sit down whenever both races were riding on public transportation.

The Montgomery bus boycott brought to the helm of the Civil Rights Movement a 27-year old black baptist minister whose name is forever etched in the annals of history. Dr. Martin Luther King, Jr., used the teaching of Mahatma Gandhi to preach a doctrine of love and nonviolence. During his lifetime, Dr. King's faith, perseverance and determination served as a symbol of the hope for equality for all Americans.

Mr. Speaker, history records that on September 9, 1957, President Eisenhower signed a new Civil Rights Act which markedly enlarged the federal role in race relations. It established a Civil Rights Commission and a Civil Rights Division at the U.S. Department of Justice. It also gave the Attorney General authority to seek injunctions against obstruction of voting rights.

One of the most climatic point in the campaign for equality came on August 28, 1963, when over 200,000 demonstrators of all races and religious denominations assembled in Washington, DC, in the largest civil rights march in the history of this Nation. It was at that march that Dr. King delivered his famous "I Have A Dream" speech.

The civil rights movement of this century has passed through three phases, each one distinct in character. The first, desegregation, was an effort to break down the barriers of an old and corrupt social order. The second phase, integration, was concentrated on the opening up of opportunities—as in the case of the provisions of the Civil Rights Act of 1964 which guaranteed the right to vote, access to public accommodations, mandated non-discrimination in federal programs, and required equal employment opportunity.

Mr. Speaker, we gather today to reflect upon our civil rights gain and to measure our progress. What I have outlined is a glimpse of our Nation's civil rights history. Let us turn for a moment to the challenges we face. Two of the greatest challenges to continued progress of the civil rights movement are in the areas of redistricting and affirmative action. Since its enactment over 30 years ago, the Voting Rights Act has altered the face of American government. In 1965, the south had only 72 African American elected officials; by 1976, there were 1,944. Today there are nearly 5,000—68 times as many as when the Voting Rights Act was passed. Then, on the last day of its 1993 term, the Supreme Court again lowered the boom on years of progress with its decision in Shaw versus Reno and Hays versus Louisiana, and Johnson versus Miller in 1995. Each of these cases called into question the constitutionality of remedial race-conscious districting. Against this backdrop, on June 13, 1996, the Supreme Court rendered two more opinions that turned back the clock on voting rights. In Shaw versus Hunt and Bush versus Vera the Court simply nullified four congressional districts held by African Americans.

Despite these setbacks, the struggle continues. My colleagues and I will continue to fight for equal opportunity and equal access for all minorities in the electoral process.

The issue of affirmative action also impacts our civil rights progress. Within the last 2 decades, affirmative action has been the primary tool that has allowed minorities and women to break through the many barriers of discrimination that have contributed to keeping them unemployed, underpaid, and in positions of limited opportunity for advancement.

Unfortunately, despite 3 decades of progress in this area, we are now faced with a new threat. We now face legislative and court initiatives that attempt to turn back the clock by attacking equal opportunity in America.

The Rehnquist Supreme Court struck down a minority set-aside program requiring Richmond, VA contractors to hire minority-owned subcontractors for 30 percent of its contracts in City of Richmond versus J.A. Croson Co. The Court ruled in the Croson case that set-asides by State and local governments were allowed only in cases of past discrimination. On June 12, 1995, the United States Supreme Court decision in Adarand Constructors versus Pena, established radical new standards for evaluating affirmative action programs. While the court does require "strict scrutiny" be applied to the review of affirmative action laws, the vast majority of affirmative action programs will easily survive such close examination. The court's opinion clearly acknowledges the value of well-tailored affirmative action programs as an important tool to end discrimination.

On June 19, 1995, in response to questions raised about affirmative action, President Clinton presented a clear, unequivocal statement and plan to support and improve our Nation's efforts to promote equal opportunity and justice through the affirmative action laws of the United States. This support is particularly important because of the confusion and misinformation that is currently being circulated about the status, mission, and future of affirmative action programs.

Mr. Speaker, I take pride in joining my colleagues for this special order commemorating Black History Month. I hope that our remarks will help all Americans to remember the important contributions that African Americans have made to this Nation.

## GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentlewoman from California?

There was no objection.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 581, FAMILY PLANNING FACILITATION AND ABORTION FUNDING RESTRICTION ACT OF 1997

Mr. GOSS (during the Special Order of Mr. MAJOR R. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 105–3) on the resolution (H.Res. 46) providing for consideration of the bill (H.R. 581) to amend Public Law 104–208 to provide that the President may make funds appropriated for population planning and other population assistance available on March 1, 1997, subject to restrictions on assistance to foreign organizations that perform or actively promote abortions, which was referred to the House Calendar and ordered to be printed.

## REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 2, CONGRESSIONAL TERM LIMITS AMENDMENT

Mr. GOSS (during the Special Order of Mr. MAJOR R. OWENS), from the Committee on Rules, submitted a privileged report (Rept. No. 105–4) on the resolution (H.Res. 47) providing for consideration of the joint resolution (H.J.Res. 2) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives, which was referred to the House Calendar and ordered to be printed.

## THE ROLE OF CIVIL RIGHTS ORGANIZATIONS IN HISTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. OWENS] is recognized for 60 minutes.

Mr. OWENS. Mr. Speaker, I want to congratulate the gentlewoman from California [Ms. WATERS] and also the gentleman from Ohio [Mr. STOKES] who continues a long tradition of special orders during African-American History Month. I would like to continue in the same set of rules that they were following, whatever they were. If you have a list of people, I will follow that list. I will make a few opening remarks and then go back to the list as you have come because I think that we want continuity between the two sets of special orders.

Mr. Speaker, I just want to open up by saying I thought that the topic chosen by the gentleman from Ohio [Mr. STOKES] relating to civil rights organizations and their role in history is a good focus in terms of our civil rights organizations ought to be congratulated for what they have done up to now.

□ 1630

They are to be congratulated. We ought to use history to sort of reappraise where we are and where we are going.

Ken Burns today, at a speech at the National Press Club related to his forthcoming film on Thomas Jefferson, said that history is a record of everything that has happened up to this moment. Everything is history, whether you are talking about the history of science, the history of technology. So Black History Month is a time when a lot of people are reminded of certain kinds of achievements of individual African-Americans, achievements related to inventions; related to first steps in terms of organizations; first steps related to leadership that has been provided in various ways by African-Americans. All that is in order.

But there is another dimension of black history which I think we have

neglected, which I would like to discuss in greater detail later on, and that is our civil rights organizations need some underpinning now and would be greatly strengthened if we were to really decide where we are in history now, what our past history has meant, and how we should use the lessons of our past history.

South Africa has a Truth and Reconciliation Commission, and the Truth and Reconciliation Commission is designed to help get the country on a smooth path toward the future and not have it become bogged down in its past. I think it is most unfortunate that at the end of the Civil War America did not establish a Truth and Reconciliation Commission, because some of the problems we are facing now are rooted in an unjust history: 235 years of slavery.

What did 235 years of slavery do to a people, and how are the repercussions of 235 years of slavery now impacting upon those same people; and can we go on and really deal with our problems currently if we do not really force America to own up to that history? We need a Truth and Reconciliation Commission in order to get on with the discussion of reparations.

We have had some legislation introduced by JOHN CONYERS and others talking about reparations. That seems like such a radical idea that most people dismiss it right away. We had some steps toward reparations when we voted to try to do something to compensate the victims of internment in Japanese camps during World War II. We made some steps in that direction. I do not want to go into reparations and alienate everybody. Let us just have a Truth and Reconciliation Commission which might come to the conclusion that reparations should also be on the agenda.

But in that Truth and Reconciliation Commission we should talk about some other things, like 232 years of slavery. What did that mean in terms of accumulation of wealth? Wealth is accumulated, certain books have told us recently, by passing it from one generation to another. Most wealth is accumulated that way. People do not really work hard and accumulate their wealth; they do get a break from the previous generation. If you have 232 years of slavery, that means there was 232 years where no wealth was passed on from one generation to another.

Is it any wonder then that African-Americans, the middle-class African-Americans are becoming closer and closer to white Americans, mainstream Americans, in income, the money they earn through salaries and wages, but there is a great gap between white mainstream Americans and African-American middle-class people in terms of wealth. There is a great gap. The gap is explained by the fact that there were 235 years where no wealth was accumulated.

We ought to take a look at that. We ought to take a look at what that means to the very poorest people of course; we ought to take a look at what it meant in terms of the impact on a people where their children were denied education and laws were made to make it a crime to teach slaves to read. All that may be examined in the Truth and Reconciliation Commission.

Civil rights organizations I think really need underpinning now of, really, where are we? How hard should we fight against laws which take away aid to families with dependent children. How does that relate to race? Is there a race base for demanding that you do something for the poorest people, especially those who are descendents of slaves. Is there a reason why we should make greater demands for education?

The President says he is going to move Head Start by the year 2000 to the point where Head Start will encompass 1 million children. Well, should not something be done in terms of compensation in recognizing the great need for special treatment for the descendents of slaves. Those children ought to be taken into Head Start right away. There are a number of ideas like that which would grow out of an understanding that the civil rights agenda should be broadened and the civil rights agenda should take into consideration what the history of slavery did to the people who are major victims of denial of those rights.

I am going to come back to this later on, but we have several colleagues here who are waiting to speak, and I would be happy to take them first. I am pleased to have at this point remarks on African-American history month from our colleague from New York, the Honorable CAROLYN MALONEY.

Mrs. MALONEY of New York. Mr. Speaker, I rise today in honor of Black History Month, and I thank my colleagues, Congressman OWENS, Congresswoman WATERS, and Congressman STOKES, for organizing this Special Order.

There are many black Americans who are important to our history, and I am pleased to speak of four African-American women who hail from the great State of New York. These women, ranging from the early 1800's to the present day, have each left their mark on New York and America.

Sojourner Truth was born a slave in Huron, NY. After receiving her freedom, she moved to New York City where she dedicated her life to the abolition of slavery and suffrage for all women. She was the first person to publicly acknowledge the relationship between slavery with the oppression of all women.

After the Civil War she worked tirelessly for women's rights, gaining the support and respect of fellow suffragettes, Susan B. Anthony and Elizabeth Cady Stanton. At the Equal Rights Association in 1867 she gave one of the most quoted speeches in feminist history, "Ain't I A Woman".

Lorraine Hansberry was the first African-American female Broadway playwright. Her play, "Raisin in the Sun," opened in 1959 to outstanding reviews. It focused on discrimination and family values. She was the first black and the youngest person to win the Best Play of the Year Award of the New York drama critics. Though she died in New York City at the age of 34, Hansberry opened the door for all future young black playwrights.

Shirley Chisholm has the distinct honor of being the first black woman elected to Congress and the first woman to run for President of the United States. She was elected to the New York State Assembly in 1964 and went to Congress in 1968. She was an early member of the National Organization for Women and the National Women's Political Caucus. A former Head Start teacher, she did a great deal to help the children of this Nation. Congresswoman Chisholm not only paved the way for more black Representatives, but for all women.

Judge Constance Baker Motley attended New York University and Columbia. She worked for the NAACP Legal Defense Fund, where she won seven lawsuits before the U.S. Supreme Court. In 1964 she became the first black woman elected to the New York State Senate. A year later she became the first black woman elected as Manhattan Borough president. In 1966 President Johnson nominated her to the U.S. District Court for the Southern district of New York, making her the first woman named to the Southern District bench and the first black woman named to the Federal bench. In 1993 Judge Motley was inducted into the National Women's Hall of Fame.

From Sojourner Truth to Judge Constance Baker Motley, these women have worked to make our lives better. Civil rights is not just a place in time; it is an outlook we should all strive toward in our life. I salute them and all who are here in our collective appreciation of Black History Month, and I thank my colleagues for organizing it.

Mr. OWENS. Mr. Speaker, I am pleased to yield to continue this discussion on African-American history to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman and my good friend from New York. I also would like to thank the gentleman from Ohio, and Mr. Speaker, I thank the gentlewoman from California, not only as the chairperson of the Congressional Black Caucus, but someone not only as a national leader whom I have the highest regard and respect. I certainly appreciate this opportunity of sharing my sentiments concerning Black History Month.

Mr. Speaker, I too would like to echo the sentiments expressed earlier from the gentleman from Illinois, [Mr. JACKSON], as he paid a special tribute to my good friend and colleague from Georgia, Congressman JOHN LEWIS, certainly one of the living giants of the civil rights movement. Mr. Speaker, 6 years ago the gentleman from Georgia invited me to join him to visit Selma, AL to commemorate the 25th anniversary of that famous march from Selma, and it was one of the most spiritual experiences I have ever had in my life. I would like to urge and encourage my colleagues to go to Selma, AL. It will give you a real sense of what the civil rights movement is all about.

Mr. Speaker, I would like to thank my colleague for the opportunity this afternoon to speak at this year's congressional recognition of Black History Month. The idea of celebrating black history began in 1926, where noted educator Dr. Carter Woodson set aside a special period of time in February, February because that was the birth month of Frederick C. Douglass and of Abraham Lincoln, to recognize the heritage, the achievements and the contributions of African-Americans.

African-American history is of course, Mr. Speaker, a much larger subject than 1 month could possibly encompass. We all know the names of famous African-Americans, artists, performers, and writers such as Paul Robeson, Lena Horne, James Earl Jones, Cicely Tyson, Imamu Amiri Baraka, Paul Laurence Dunbar, Zora Neale Hurston, Maya Angelou, Jessye Norman, Duke Ellington, and William Grant Still. African-American athletes like Jackie Robinson, Jackie Joyner-Kersee, and Wilma Clodean Rudolph broke records and barriers in their striving for excellence.

African-Americans have expanded all of our horizons as explorers: Guion S. Bluford, Jr. was the first African-American to fly in space. Mathew Alexander Henson, a member of Adm. Robert Peary's fourth expedition, may have been the first person to set foot on the North Pole. From George Washington Carver, recipient of the Roosevelt Medal for Distinguished Service to Science, to George Carruthers, the physicist and the designer of the Apollo 16 lunar surface ultraviolet camera/spectrograph that was placed on the moon in April 1972, African-Americans have made significant contributions in the areas of science and technology.

African-American political activists like Nat Turner and Fannie Lou Hamer changed the course of history. Leaders such as Adam Clayton Powell, Joseph Hayne Rainey, the first African-American Member of Congress, Ralph Bunche and Shirley Chisholm, and activists like Martin Luther King, Jr., Malcolm X, and A. Philip Randolph and Sojourner Truth moved their people forward with them. All of these stories are inspiring to all of us.

Mr. Speaker, the contributions of African-Americans to all aspects of U.S. culture have been significant, and all of us as Americans have been moved forward by the achievements of these great individuals. However, the history of African-American people is much more than simply the stories of great and famous individuals.

The people whose names we never hear, the women who participated in the Birmingham bus boycott led by the late Dr. King, the many individuals who, inspired by the actions of Rosa Parks, refused any longer to sit in the back of the bus; the people who sat in at segregated lunch counters; the people who stood firm in the face of fire hoses and growling dogs; the people who registered for college and went to their classes; the people who registered to vote and came to the polling places on election day, these are also people worthy of celebration and worthy of a place in history.

Mr. Speaker, not all children will grow up to be Martin Luther King, Jr., or Shirley Chisholm, but all children should grow up knowing that their greatness is a part of our heritage, that its celebration is not confined to only 1 month out of the year, and that the dreams and aspirations of African-Americans are as worthy of fulfillment and as likely to come true as the dreams and aspirations of all of our fellow Americans.

So as we celebrate Black History Month, Mr. Speaker, let us also keep in mind those whose names are not in the books, those whose private and unpublicized heroism in word and deed also contributed to this story which all Americans should celebrate and all of which all Americans can be proud.

□ 1645

Mr. OWENS. I thank the gentleman from American Samoa. Mr. Speaker, I am pleased to yield to the gentleman from Connecticut [Mr. MALONEY].

Mr. MALONEY of Connecticut. Mr. Speaker, I would very much like to extend my thanks and appreciation to the gentleman from New York and the other Members of this Chamber who have organized this special order today.

Mr. Speaker, this year's theme for Black History Month is "African-Americans and Civil Rights: A Reappraisal." It is most fitting, therefore, to take a moment to honor a very special woman, a longtime resident of my hometown, who is not only acclaimed for her glorious God-given voice, but for the historic contributions she made on behalf of all African-Americans.

Marian Anderson, of Danbury, CT, who was the first African-American singer to perform with the Metropolitan Opera, stands out as a leading example of African-American pride and achievement. This month would have marked, or does mark, the 100th anniversary of her birth.

As a young woman developing her singing career, Ms. Anderson faced many obstacles and was often the victim of racism. Probably the most widely known incident occurred in 1939, when, after a triumphant appearance through Europe and the Soviet Union, she was prevented from performing in Washington's Constitutional Hall by its owners. To apologize for that mistreatment, First Lady Eleanor Roosevelt invited Ms. Anderson to perform at the Lincoln Memorial on Easter Sunday, 1939.

Ms. Anderson proudly sang to an audience of 75,000 people, while millions more listened over national radio. Her inspirational performance that April day is considered by historians as the first crucial victory of the modern civil rights movement.

Even after her artistry was recognized in the United States, Ms. Anderson still faced racial prejudice on a daily basis. Well into her career, she was turned away at restaurants and hotels. Even America's opera houses remained closed to her until Rudolph Bing invited her to sing at the Metropolitan Opera.

Throughout all of her trials and struggles, Ms. Anderson did not give up. Her undaunted spirit fought on and her determination opened doors for future black artists that had been firmly bolted shut.

The soprano Leontyne Pryce, one of the earliest artists to profit from Ms. Anderson's efforts, once said, "Her example of professionalism, uncompromising standards, overcoming obstacles, persistence, resiliency, and undaunted spirit inspired me to believe that I could achieve goals that otherwise would have been unthought of."

Soprano Jessye Norman said, "At age 10 I heard for the first time the singing of Marian Anderson on a recording. I listened, thinking, this can't be just a voice, so rich and beautiful. It was a revelation, and I wept."

Later in life, Ms. Anderson was named a delegate to the United Nations by President Dwight D. Eisenhower and was the recipient of the Presidential Medal of Freedom from President Carter. She died in 1993, but her successful fight to give every individual an opportunity to achieve their own greatness helped our country become a stronger nation. Her contributions will live on forever.

As President Clinton pointed out in his State of the Union Address last week, American race relations have certainly come a long way, but our country is still plagued by bigotry and intolerance. Each of us must learn from the example set by Marian Anderson to eliminate hate and violence and create a stronger, more tolerant America.

Mr. OWENS. Mr. Speaker, I want to thank the gentleman from Connecticut, and again congratulate him

on his hard-won race in order to get to this House of Representatives.

Continuing the discussion on Black History Month, African-Americans, and civil rights, I am pleased to yield to the gentleman from Texas, Mr. KEN BENTSEN.

Mr. BENTSEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to join our Nation in celebrating Black History Month. Today I want to recognize and pay tribute to community leaders in Houston whose vast accomplishments and contributions have helped to revitalize a very large segment of our city.

In 1996, Pastors James Dixon, Harvey Clemons, Bill Lawson, Ed Lockett, and Kirbyjon Caldwell were awarded the Mickey Leland Humanitarian Award by the Houston chapter of the NAACP for their outstanding contributions to the community.

While all are deserving of recognition, Reverend Dixon for his work in north Houston, Reverend Clemons for his work with the Fifth Ward Development Corporation, Rev. Ed Lockett, who runs the Sunnyside Up Corp., and of course, Rev. Bill Lawson, the dean of Houston's clergy, and for many, the conscience of the city as well, I want to pay special tribute and highlight as an example the contributions of Pastor Kirbyjon Caldwell of the Windsor Village United Methodist Church.

Reared in Kashmere Gardens, a low-income neighborhood in Houston, Pastor Caldwell, at age 43, is today one of Houston's most prominent clergymen. Pastor Caldwell has emerged as a strong advocate for civil rights in Houston. His intellect and creativity and caring have made him a leader in the quest for civil rights through economic empowerment and cultural awareness.

Pastor Caldwell is best known for founding the Power Center, a multimillion dollar community service facility located in southwest Houston, in my district. The 104,000 square foot complex meets a tremendous range of community needs, including education through the Houston Community College, financial services through Texas Commerce Bank, a Federal women, infants and children nutrition program, and health care through Herman Hospital, as well as a private grade school. Through the Power Center, Pastor Caldwell is making the connection between economic empowerment and political empowerment.

A former investment banker on Wall Street, Pastor Caldwell used his banking and financial background to persuade the property owners to donate a $4.4 million building, a former KMart, to realize his dream. The Power Center will generate some $26.7 million in cash flow for the Windsor Village/South Post Oak community over the next 3 years. While constructing the Power Center, Mr. Caldwell started several nonprofit ventures, including a shelter for abused children and low-income housing developments. These nonprofit ventures created jobs for more than 125 people. In addition, the Power Center has provided hundreds of jobs, ranking it among the largest black-owned employers in Houston.

In the pulpit, Pastor Caldwell delivers potent sermons filled with the vernacular of modern life. His preaching style, along with a vast variety of community outreach programs, attracts people from all walks of life.

As we reappraise African-Americans and civil rights in 1997, it is also important to recognize the triumphs that have been made in the past by leaders such as Dr. Martin Luther King, the Honorable Barbara Jordan, and Supreme Court Justice Thurgood Marshall.

Nonetheless, we should not forget those present-day leaders such as Rev. Kirbyjon Caldwell, who may not be mentioned in the pages of American history now, but are working just as hard to open the doors of opportunity for all Americans through economic empowerment and cultural awareness.

Mr. OWENS. I thank the gentleman from Texas, Mr. Speaker. I am pleased to yield to the gentleman from North Carolina [Mr. MEL WATT].

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman from New York for yielding to me.

Mr. Speaker, I start kind of like the author of the cartoon, Curtis, with the understanding that you really cannot do justice to practice Black History Month in either 3 minutes or a month. The contributions that black people have made to this country require an ongoing education and input about the many facets of the contributions.

So I want to limit my remarks today to a very, very narrow window, and that is some things that came out of my congressional district in Greensboro, NC, starting on February 1, 1960 at the Woolworth lunch counter where the sit-ins started, to give us the right to be able to go into a restaurant and sit down and have a meal. I mean, this is something that in 1996 is so far removed from anything that we can imagine that so many people have started to take it for granted.

It was at the Woolworth's lunch counter that these sit-ins started on February 1, 1960, and they were started by four students who were attending the North Carolina A&T State University in Greensboro, NC. Those four students were freshmen Ezell Blair, Junior; David L. Richmond; Joseph McNeil; and Franklin McCain. Franklin McCain happens to be a personal friend of mine who now resides in Charlotte, NC. But all of these four individuals started a movement that picked up steam, gained momentum, that led ultimately on July 25, 1960 to black people being able to go into the Woolworth's store in Greensboro and sit down at the lunch counter and have a hot dog, buy a drink, things that we now take for granted.

Throughout the South, this kind of movement was going on all across the South to provide that opportunity. To these four gentlemen, we will forever be in debt.

North Carolina A&T is one of six historically black colleges and universities in my congressional district in North Carolina. I could spend hours talking about the contributions of graduates of any one of these institutions, but just to focus on North Carolina A&T, since that is where I started, that is where our current colleagues, the gentleman from Illinois, Mr. JESSE JACKSON Jr., and the gentleman from New York, Mr. ED TOWNS, your colleague, graduated. They are illustrious graduates of North Carolina A&T.

Former astronaut Ronald McNair, to whom we all owe so much in the field of space exploration, is a graduate of that institution. State Justice Henry Frye, on our State supreme court in North Carolina, is a graduate of North Carolina A&T university. I could go on and on and on talking about these people, but I will end, and reemphasize what the Curtis cartoons have been saying throughout this year: We cannot do justice to black history by having a month for it. We all have to give it the kind of ongoing respect that the kinds of contributions that our people have made over the years to the history, the culture, the music, the vitality, and the economy of this United States, deserve.

The more we can come to grips with that, the more we can put this, parts of history like the sit-ins, behind us, and we can all become one Nation, indivisible, under God, with liberty and justice for all. I thank the gentleman for yielding time to me.

Mr. OWENS. I thank the gentleman. I hope we will never put the spirit of the sit-ins behind us. I do hope the gentleman will take out additional time. He could spend a whole hour on the spirit of A&T and the first big sit-in.

I think we may need to instruct this generation and this group of people right here, in the year 1997, that there is a time when we must go down, we must confront the authorities. We may have to confront the authorities on the attempt to remove Medicaid as an entitlement. I think there are some points in the history right now that we are going to have to come to grips with that are just as important as our civil rights, such as the importance of the right to life that emanates from having health care for everybody. There may be a number of other issues where we may have to follow history, and understand there is a time when we confront the authorities and tell them we will not accept this.

Mr. WATT of North Carolina. I will just reaffirm what the gentleman has

said, Mr. Speaker, if he will continue to yield. It took a tremendous amount of guts and determination for these four students to stand up and confront a system. The need for us to continue to confront issues head on, without fear of intimidation or being called down by our colleagues, even here in the House, certainly should be apparent to us.

Mr. OWENS. Mr. Speaker, I thank the gentleman. I lived in the South for 20 years. I was born in Memphis, TN. I know all about the kind of courage it took to stand up at that lunch counter.

Mr. Speaker, I yield to the gentleman from New Jersey, Mr. DONALD PAYNE, the distinguished former chairman of the Congressional Black Caucus.

□ 1700

Mr. PAYNE. Mr. Speaker, I rise today to join my colleagues in commemorating Black History Month. Let me take special attention to the gentleman from Ohio [Mr. STOKES], who has led us in this over the years and of course our distinguished chairwoman of the Congressional Black Caucus, the gentlewoman from California [Ms. WATERS], for organizing this, too, and thank the gentleman from New York for yielding time to me.

Much has happened over the course of the year since we last gathered for this commemoration, had both successes and setbacks. But we stand here today stronger and more determined than ever to continue moving ahead regardless of the obstacles we face.

This past year the Congressional Black Caucus took action on a number of issues, particularly the devastating fires which ravaged African-American churches throughout this Nation, mostly in the southern part of our country, but all over. In response to the caucus, we galvanized forces to focus national attention on the magnitude of this tragedy. Our actions led to the passage of new legislation to strengthen Federal law enforcement so that these cases could be solved.

We convened public hearings and pointed out that during the early days of the civil rights movement, as we heard MEL WATT talk about, the churches were places where we met and the churches were places where we gathered not only for worship but for strategy. We cannot forget the 16th Street Baptist Church in Birmingham, AL, in the mid-1960's, four little girls, Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley, lost their lives.

Another young lady, Sarah Collins, was partially blinded, and so that brought back those dark days when there was an attack. This year, the past year we also were disappointed by several court hearings undermining the Voting Rights Act guaranteeing minorities fair participation in the political process. While we remain deeply concerned about the dismantling of majority-minority voting districts, we are pleased at the determination of our colleagues who, in spite of the blatant attempt to turn us back, were still returned to office.

Over this past year there were also assaults on affirmative action, which helps minorities and women move ahead to make this country a greater place. However, despite much misinformation from opponents, we have worked hard to educate the public to understand that affirmative action is about fair opportunity and not about quotas or unfair advantages.

The theme chosen this year for Black History Month is African-Americans and civil rights, a reappraisal. It is certainly fitting during this month that we reassess where we have been, where we are, and where we want to be. We remember with deep respect those in the early history who never gave up in their quest for justice and equal rights for African-Americans. We were inspired by the courage of the great abolitionist and orator, Sojourner Truth. Born in 1797, she traveled across this country in a tireless crusade against slavery.

In that same era, my home city of Newark, NJ, was the home to an abolitionist, journalist, and a minister by the name of Samuel Cornish. He became the pastor of the First Presbyterian Church on Plane Street working for the advancement of the black community.

Another prominent figure who spent time in New Jersey was the famous fugitive slave, abolitionist, nurse, and social reformer Harriet Tubman, who spent some of her retiring days in New Jersey. She made about 19 trips to various States to lead slaves to freedom, and her work with the Underground Railroad brought her to New Jersey between 1849 and 1852.

We remember Booker T. Washington and W.E.B. DuBois as early people who had different ways of going about bringing black people to their final fruition, but we feel that they both earned a place in history.

As I conclude, I just want to mention one last person who will be celebrating her 84th birthday very soon, just celebrated it, Mrs. Rosa Parks, who refused to give up her seat on a bus in Montgomery. She changed the course of history.

Soon we will enter a new era of history with the dawn of the 21st century. President Clinton in his State of the Union Address talked about our Nation finding strength in diversity. As we celebrate the contributions of African-Americans to this Nation, we must also renew our commitment to the next generation, our children. African-American children must get an education, must have skills to compete in the rapidly advancing world of technology. They look to us just as we look to those before us for hope and inspiration. And therefore, it has been a long journey but we will continue to move ahead with faith and determination.

Mr. OWENS. Mr. Speaker, I thank the gentleman from New Jersey for his most appropriate remarks. I think it is very important that you mentioned the burning of the churches.

I would like to point out that the reaction to the burning of the churches, the people who started the burning of the churches know that the church is the center of the black life all across the country. They wanted to get at the core of our organization and inspiration, and it was a devastating blow to go after our churches. But our Government is to be congratulated, our President is to be congratulated, the general public, foundations, and various people are to be congratulated for the manner in which we have reacted.

If only we had had a similar reaction to the Ku Klux Klan and the kind of violence perpetrated after the freeing of the slaves, history might tell a different story. If only our Government had not capitulated, if only it stood behind General Howard and General Armstrong and Thaddeus Stevens from Pennsylvania and Charles Sumner from Massachusetts and resisted the kind of violent response of the white former Confederate officers and soldiers in reorganizing a violent overthrow of legitimately elected black governments in the South and a number of other institutions that were upset by violent and illegal means. If only our Government had stood firmly then, we should congratulate our President for the fact that he stood firmly, offered leadership from the bully pulpit of the White House and stood firm on the ravages of affirmative action at a time when hysteria was being generated.

It makes a difference and it is a pity that we do not have that kind of leadership from all sectors of the American leadership community during the second Reconstruction. We would not have lost so much so fast. I thank the gentleman from New Jersey.

Mr. PAYNE. Let me just say that it was, I believe, the Congressional Black Caucus coming together, calling a hearing, bringing witnesses together, all-day hearing focusing the attention and then really pushing the administration to really become as involved, visiting black churches.

Mr. OWENS. Not for one moment would I want to minimize the role of the caucus in stimulating, the caucus stimulated the activity from the general community and from the White House. We played a major role. The leadership of the first Reconstruction, we must pay homage to them. They tried very hard. They were up against bullets and fire, and they did not succeed in playing the kind of role that stimulated the rest of the country to do the kind of things they ought to do.

But we played a major role. I certainly do not want to minimize that, of the Congressional Black Caucus.

I yield, to continue the discussion on Black History Month, African-Americans and civil rights, to the gentleman from Massachusetts [Mr. DELAHUNT]. I want to congratulate Mr. DELAHUNT. He is new here. I welcome him to the floor and congratulate him on his victory.

Mr. DELAHUNT. Mr. Speaker, I am proud to join with my colleagues in this special order celebrating Black History Month. It is truly a magnificent history as has been recounted by previous speakers and a history that is truly a history of heroism.

I thought I would take this opportunity to say a few words about a remarkable chapter in that history, which is being retrieved and returned to us by a dedicated band of preservationists in Massachusetts. That chapter concerns the African Meeting House of Nantucket, once a church, a meeting hall and a school for children prevented from attending public school because of their race.

The one room meeting house was built in the 1820's and is one of the oldest standing structures of its kind in the United States. It embodies a rich history. When the meeting house was built, Nantucket was the center of the whaling industry in which blacks played an integral part. Among the whaling ships that set sail from the island was the *Industry* with the black captain named Absalom Boston and an all-black crew. Absalom Boston later became one of the four trustees of the African Baptist Church which was to become known as the African Meeting House.

Absalom Boston's grandfather was a slave named Prince Boston who took a whaling voyage in 1770. At the end of the voyage, Prince Boston's white master demanded that he turn over his earnings. With the help of a white shipmate, Prince Boston went to court and won his earnings and his freedom, becoming the first slave set free by a jury verdict in this Nation. That year Nantucket freed its slaves, 13 years before the rest of Massachusetts followed suit.

In 1845, the daughter of one of the founders of the meeting house went to court to demand admission to the public high school. In the next year Nantucket became one of the first districts in the country to desegregate its schools. With its strong Quaker tradition, the island became a stronghold of abolitionist sentiment. It was there that Frederick Douglass delivered his first public address before a mixed race audience.

Once the public schools had been integrated, the meeting house ceased to operate as a school but continued to function as a vital institution in this community island. In 1910, the meeting house was sold to the owner of a trucking business and eventually it fell into disrepair. Now, thanks to the efforts of the Friends of the African Meeting House and the Museum of Afro-American History, this extraordinary landmark is due to be opened to the public in 1998. I can think of no more fitting commemoration of Black History Month, and I commend all of those who have brought this project to fruition.

Mr. Speaker, much of this fascinating history is recounted in a superb article by Don Costanzo that appeared in the Nantucket Beacon on January 29, 1997. I include the entire article for insertion in the RECORD.

[From the Nantucket Beacon, Jan. 29, 1997]

RESURRECTING THE HEART AND SOUL OF NEW GUINEA

(By Don Costanzo)

Pending a thumbs-up from their local school board, about 460 children in Florida will be saving their pennies to help restore the African Meeting House on Nantucket.

Last fall Len Kizner, an elementary school teacher at the Bay Vista Elementary School in St. Petersburg, Fla., saw a segment on "This Old House" about the meeting house. Last week, he read an article in the New York Times about it.

Today, Kizner has become so inspired by the project he is about to ask a Florida county school board for permission to raise money within the school to give to the Nantucket landmark.

"What better way to celebrate black history month (February) than to tie it into the first schoolhouse for free black people on your island," said Kizner. "It's a great project. We're teaching children, celebrating black culture, and preserving a piece of it too.

"It supports black history heritage, and by doing that supports American heritage."

Kizner expects to build a scale model of the meeting house, and incorporate the project into geography and social studies classes to help the children better understand where their money is going.

But what is happening at Bay Vista is only part of the impact this restoration project is having nationally.

On Martha's Vineyard, a Black Heritage trail has been developed in direct reaction to Nantucket's initiative. And, Helen Seager, Convener of the African Meeting House, has further inspired the people of Portland, Maine to generate more ideas on how they could save the Abyssinian Baptist Church, considered one of the oldest black churches in the country behind one on Beacon Hill in Boston, and Nantucket's.

"They have said over and over again," said Seager, "that the Nantucket experience was setting an example for them and inspiring them to go on."

But, there would be no 'Nantucket experience' today had it not been for the tribulations and accomplishments of men and women from another time.

A SENSE OF PLACE

Although Nantucket was 13 years ahead of the Commonwealth in freeing its slaves in 1770, and more than 100 years ahead of the nation in desegregating its schools in 1845, scars from the fight for freedom and equality here are explicit. Just before 1770, Prince Boston, a slave belonging to William Swain, took a whaling voyage with William Rotch, a highly successful entrepreneur. When Boston returned from his working journey with Rotch in 1770, Swain insisted that the black man turn over all his earnings—since, of course, he owned the slave.

But Rotch was well-respected on the island by this time, and decided to defend Boston in court. They won the case and Boston was the first slave set free by a jury's verdict. It is believed that blacks on Nantucket shed the chains of slavery for good following this court decision.

Fifty years later a laborer and mariner named Absalom Boston, Prince Boston's grandson, was establishing his place in history too.

Boston captained an all-black crew aboard the whaling vessel *Industry*; he ran an inn and opened a store in an area on the island known as New Guinea, where he worked hard for the betterment of Nantucket's black community.

By 1821 the nearly 300 blacks who lived on Nantucket had formed a common bond in New Guinea (the name indicated the African roots of its residents, and was used to specify particular section of many cities and towns).

New Guinea—thought originally to be bordered by Williams Land, Prospect, Silver, and Orange streets—consisted of a cluster of houses and gardens, as well as its own stores, and inn, and eventually a school, cemetery, and two churches.

One church, the African Methodist Episcopal Church was established in 1835 in a building (which no longer exists) on West York Lane. Little is known about the activities of this church and the participation of blacks there.

But just a few yards down the street stood another building, which today is a historic testament to the struggle and triumphs of Nantucket's black inhabitants.

One event that defined black/white dissension on the island was the Anti-Slavery Convention at the Nantucket Atheneum in 1842. In a speech, Stephen Foster called Town Meeting voters who had supported segregation in schools "pimps to satan."

Foster hurled fierce words at members of many of the island's churches, charging they were guilty of adultery, theft, kidnapping, and the murder of slaves. He called the clergy and church membership a "brotherhood of thieves."

The pro-slavery faction, incensed at Foster's accusations, shot back with rotten eggs and stones—a riot ensued. While police did almost nothing to calm the fighting, many blacks sought refuge and prayer in a place born as the African Baptist Church, but known then as the African School.

It was at that time that the building we know of today as the African Meeting House further distinguished its place in black history on Nantucket.

TRUCKS INSTEAD OF PEWS

Absalom Boston was one of four trustees of the African Baptist Church built in the heart of New Guinea on the corner of York and Pleasant Streets. That said a lot for the church, for Boston was, perhaps, the most respected and wealthiest black man who ever lived on Nantucket.

Though construction on the building likely began in 1824, the land upon which it eventually stood was not purchased until two years later, Jeffrey Summons, a black man who worked as a carpenter on the island, purchased the land in 1826 for $10.50.

The building was used as a school, church, meeting house, for anti-slavery lectures, and even used as a makeshift medical clinic where vaccinations for small pox were given in 1834.

When the Nantucket Public Schools integrated in 1846, the building was no longer

needed as the island's only educational center for black children. Yet, it was still used for everything else up until about 1910—about the same time Nantucket was reeling from economic disaster.

Suffering financially, Edgar Wilkes, who had taken over the church in 1888 from the Rev. James Crawford, was forced to sell the building to a trucking business owner named Henry Chase for just $250. Chase needed a place to put his trucks, so he remodeled the former black schoolhouse to accommodate his rigs.

Then in 1933 Florence Higginbotham, who was already living in the house next door on York Street, bought the building and two adjacent outhouses from Chase for $3,000.

"Rumor was that she bought it because she didn't want anybody else between her and the corner," said her son, Wilhelm, in a phone interview last week from his home in Oakland, Calif.

Over the next several years the once proud symbol of black life on Nantucket continued to fall into grim decay, used for nothing more than a storage space for bicycles and construction equipment.

Wilhelm, an Afro-Indian, inherited the property when his mother died in 1972. But Wilhelm didn't really have much interest in the property, or Nantucket for that matter. The winters were too harsh and the work was too erratic (he did work at Glidden's Island Seafood market for a time), and 24 years after he arrived, Wilhelm left Nantucket in 1948. He worked as a postal clerk and managed the island property from his home in Oakland.

While Mrs. Higginbotham used the building as a source of income, actively marketing it as rental property, Wilhelm owned it "free and clear" and didn't care much about renting it out at all, said Seager.

So it sat there, virtually empty up until about 20 years ago when then Nantucket Bike Shop owner Morgan Levine, who was using the building as a bicycle repair shop, became fascinated with the old relic.

It was Levine who raised the money for a historical study of the building, and after nearly five decades of degeneration, the wheels of transformation had begun for the old Baptist Church because of a man who just wanted a place to fix bicycles.

REVIVAL

It's been called the African School, York Street School, African Church, York Street Colored Baptist Church, Colored Baptist Church, and Pleasant Street Baptist Church. Today, we know it as the African Meeting House on Nantucket.

In 1981 Byron Rushing, then president of the Museum of Afro American History (MAAH) and now a State Representative, wrote a historical summary of the building.

By 1986 a historical and architectural study was performed. Three years later MAAH purchased the building to preserve and restore it, and to help provide education about the history of blacks on Nantucket.

The building's earlier neglect may also have been its saving grace. A full 70 percent of the building was original material when the museum purchased it in 1989.

"You have to remember that neglect is a wonderful preservation strategy," mused Seager.

Since last fall, the meeting house has slowly begun to rise again as an icon to the history of blacks on Nantucket. Artifacts have been found, and the architect and builders are finding out what of the structure that now stands can and cannot be used in the restoration.

"We're able to save and use quite a bit of what remained," said John James, architect for the project, who added that the building is being restored according to how it looked in 1880.

The wall facing York Street and the east wall are both going to have to be entirely new, said James. The south wall was cut out and a rolling door installed in 1922 to accommodate truck storage. The east wall, bearing the brunt of harsh weather, collapsed and was rebuilt with simple two-by-four construction in the mid 1970s.

Those two walls, said James, are being rebuilt in keeping with framing techniques of the original building, post and beam—not two-by-four. The west and north sides of the building were in much better condition and can be preserved. And though the windows could not be saved, they are, said project foreman Mike DeNofrio, being virtually duplicated. White cedar shingle will, of course, be the exterior's finishing touch.

The Friends and Committee of the African Meeting House are hoping to raise $600,000 to complete restoration of the building (exterior is expected to be finished by April, but funds are still being sought for interior restoration) so that future plans for the meeting house can be realized.

Earlier this month, a group of people involved in the project, community members, and others met to define what the interior of the building should look like and discuss future goals.

"They wanted the integrity and respect for the place to remain intact," said Sylvia Watts McKinney, executive director of the Museum of Afro American History in Boston.

McKinney said replicas of the pews will be placed in the building, matching them with markings on the original floor and walls.

Boards on the walls and floors had outlines of the pews, so James knew the length and width of the aisles based on those markings.

"They are absolutely clear," said James. In explaining how the markings were made, the architect said to imagine painting a wall a light color, then putting an object, like a pew, up against the wall and painting around it a darker color. When the object is removed, the outline of where it was would be quite clear.

When the building was used as truck storage earlier this century, a reinforcing floor was built on top of the original floor. Yet, oil and gas dripped down through the newer floor and saturated much of the original floor. The stench could force use of new floorboards in place of many of the original ones.

"We just don't know how much of the original flooring we could use," said James, who added that pews would still be placed in their original positions even if the original floor cannot be preserved.

Also, a round wooden canopy is on the ceiling where a chandelier had once hung. The original chandelier, donated to the church by a group of whites in 1837, has yet to be found. A raised platform will also be built at the north end of the building, and a stove, originally used for heating, will be installed for "ambiance of space," said McKinney.

Much of the original ceiling has rotted and will need to be replaced.

"Our primary goal has been and will continue to be that this building is restored," said McKinney.

A HISTORY WITHIN

Upon complete restoration of the building the African Meeting House will be more than an educational center for black history on the island.

McKinney explained that the nation's oldest meeting house on Beacon Hill is used for such things as press conferences and weddings, and envisions the same on Nantucket.

Also planned is an audio system playing gospel and spiritual music, reenacted sermons on abolition, and more contemporary themes like Martin Luther King's speech.

In the 1940s and 50s the building was used, said Seager, for "an occasional record hop" with jazz and blues music.

McKinney said the restored landmark should be "perceived as a living history where anyone who visits can get a sense of what it was like.

"We don't want people to just point and say 'that's where it used to be.' We want people to feel that they're a part of it."

And Kelly Hanley Goode, a member of the steering committee, added that the original church was not just the center of black life in New Guinea, but on Nantucket and the country as well.

"We want to be the impetus and motivation for more research, to draw black history within Nantucket's history where it becomes a part of it—not a separate part," said Goode.

Seager believes deeply in the project, not just for Nantucket, but also for other communities inspired by what is being accomplished here. She said the African Meeting House restoration project has now caught the attention of a church in Savannah, Ga. The priest there is a Nantucket native.

"The story of the people is preserved," said Seager, "when the building is preserved."

Mr. OWENS. Mr. Speaker, I thank the gentleman from the great State of Massachusetts. We should take note of the fact that Massachusetts was one of the first to heed the call of President Lincoln and with great fervor their soldiers went into the lines and the civil rights battles. Also Massachusetts produced Charles Sumner, one of the great defenders of slave rights and later on one of the architects of the legislation that led to 13th, 14th, and 15th amendments. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from Virginia [Mr. MORAN], a neighbor from Alexandria.

Mr. MORAN of Virginia. Mr. Speaker, I thank my friend, the gentleman from New York.

I gather there are other speakers so I will not take time. I have a statement that I am going to submit for the RECORD that pays tribute to the people within my district that have put so much effort into preserving the memory, the artifacts, the books, recordings of black history in northern Virginia, the Society for the Preservation of Black Heritage, the Parker-Gray Society, we have a number of groups that have been very successful. I want to honor them within the RECORD.

I would also mention some of the history that cannot help but be recalled at this time. In fact, it is relevant to some of the issues that we deal with today.

For example, in 1846, there was a secession of Alexandria from the District of Columbia and our newspaper reports how African Americans, who had been brought here involuntarily for the purpose of slavery but then had been freed

because they were part of the District of Columbia, having lived in Alexandria lined the way to all the polling stations, begging those whites, because white people were the only ones allowed to vote at the time, not to—what it was was a secession from the District of Columbia to make that populated part of northern Virginia part of the Commonwealth of Virginia and thus they would no longer be freed people.

They were unsuccessful in that effort and Alexandria immediately slipped back to some of its darkest days and became a center for slavery. I want to thank the Washington Urban League for purchasing the buildings now that at one point were slave quarters, to remind young people growing up in our community of the relatively recent history that gives us cause to renew our efforts to be vigilant and not to take our freedoms and progress for granted.

□ 1715

Because we are only talking about 150 years. Almost exactly 150 years ago when this occurred. It took a Civil War to restore dignity and freedom to those citizens.

We, today, are in a similar struggle, although it may not be as clear, to establish dignity and opportunity for all of our citizens, particularly within the District of Columbia, our capital city. And so I would hope that as we focus on Black History Month, that we would have more than the African-American Representatives within the Congress contribute to this.

We are all representing districts of our country that have been profoundly affected by the most scandalous era within America's history, and it is up to all of us not just to contribute words but to contribute a sincere commitment to build upon the progress that our African-American brothers and sisters have achieved. We are where we are, in large part, because of the pain, the suffering, the perseverance and the immense contribution they have made to our culture and our history.

Mr. Speaker, the prepared statement I referred to earlier follows herewith:

Mr. Speaker, today, as we come together to celebrate the contributions that African-Americans have made to this great Nation, I would like to pay special tribute to the many African-Americans in my district that have helped northern Virginia grow into the diverse and distinguished place it is today.

Since 1983, the Alexandria Black History Resource Center has been educating northern Virginia about the history of our community. In addition to giving lectures and tours of the center, the Resource Center houses an impressive collection of memorabilia which documents the history of the African-American experience in Virginia. Upon visiting the Resource Center, guests learn of the great efforts made by the Alumni Association of the Parker-Gray School and the Alexandria Society for the Preservation of Black Heritage, Inc. to remind everyone of the contributions that African-Americans have made across the country. Their efforts also remind us that only by working together do we achieve an understanding of who we are as individuals.

The Parker-Gray School and the Alexandria Society for the Preservation of Black Heritage, Inc. both have an impressive history of their own to tell. The society began as the response of African-Americans in the Parker-Gray section of Alexandria to protect the Alfred Street Baptist Church from demolition. This church served as a catalyst for the black community in Alexandria. During an unstable time for African-Americans in this area, the church was not only a place of worship, but it was also a place for blacks to meet, plan, and build the community into what it is today. The Alexandria Society for the Preservation of Black Heritage, Inc. succeeded in its efforts. It continues to use the same perseverance to maintain and expand upon the black community.

The Parker-Gray School, which is named for two African-American principals of earlier schools that added greatly to the community, became the first 4-year high school for blacks in this area. The descendants of those who fought long and hard for the opening of this high school continue to work to build our community.

Another important project in the Eighth Congressional District is the Slave Memorial at Mount Vernon. The memorial, whose design was contributed to by students of the Howard University School of Architecture and Planning, consists of a gray granite column at the center of three concentric brick circles. The center column bears the inscription "In memory of the Afro-Americans who served as slaves at Mount Vernon." The three brick circles around the column are inscribed "Faith," "Hope" and "Love"—to symbolize the virtues that sustained those living in bondage. This memorial serves as a reminder of all of the thousands of visitors who come to Mount Vernon every year that this country was built by the labor of all of our ancestors.

This is the only known monument of its kind. It is a permanent tribute to enslaved African-Americans, whose skills, talents and spiritual strengths were an integral part of America's past. Every year, for the past 13 years, Black Women United for Action, an organization which serves as a strong voice of the black community, and the Mount Vernon Ladies' Association, the non-profit organization that owns Mount Vernon, organize a wreath-laying ceremony at the Slave Memorial to honor these men and women.

All of the organizations and people mentioned above have done much to honor the rich contributions of African Americans, not only in northern Virginia but across the Nation. Their hard work is important to all of our communities to grow as one, remembering the struggles of our past and building the blocks to our future.

Black History Month is a time for celebrating the strength and diversity that African-Americans provide to these United States of America. And I thank you for giving me this time to add to the celebration. I only wish I had more time to give thanks to all of the groups and highlight all of the sites in the Eighth District of Virginia which add to the community. I would like to encourage everyone to come across the river to experience this rich environment.

Mr. OWENS. Mr. Speaker, I would ask if there is anyone in the House that has not spoken yet that would like to speak?

If not, I would like to yield to the gentlewoman from California to make a closing statement, and the gentleman from Ohio if he would like to make a closing statement, also, after the gentlewoman.

Mr. STOKES. Yes, after the chairwoman.

Mr. OWENS. Mr. Speaker, I yield to the gentlewoman from California, the leader of our Black Caucus.

Ms. WATERS. Mr. Speaker, I want to thank the gentleman for the additional time he took out here to ensure that all those who would like to make a statement about the contributions of the history, the development, the involvement of African-Americans in our society, in our country, in our Nation, would have that opportunity to do so.

I would additionally like to thank Congressman STOKES, because we do this today because he engineered this tradition for us in this House. Today he was able to sit here and advise us, and to instruct us and to help us learn protocol and to do all those things that we must learn to do to make these kinds of presentations.

I am grateful to him for his assistance, for his leadership, but I am eternally grateful to him for the role that he played in the founding and the development of the Congressional Black Caucus. It is because of his work that we understand our power. It is because of his work that we understand what it means to be unified. It is because of his leadership and the others that had the vision about where we could go and what we can be that we stand here today and share with the world who we are, what our aspirations are and what our vision is for the future.

Mr. OWENS. Mr. Speaker, I thank the gentlewoman from California for her leadership in also organizing this special order, and I yield to the gentleman from Ohio, if he would like to speak.

Mr. STOKES. Mr. Speaker, I would just like to thank the gentleman in the well for having taken this last hour and providing us the opportunity to extend this special order for a 2-hour period. I particularly want to recognize the contribution the gentleman is making as a member of the Congressional Black Caucus and one of the new leaders. So we are particularly proud to have had your participation this afternoon.

GENERAL LEAVE

Mr. OWENS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within

which to revise and extend their remarks on Black History Month.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OWENS. Mr. Speaker, I also want to thank the members of the majority for yielding us this time in a way which allowed us to present this special order in a 2-hour format back-to-back.

I want to close with just a few remarks thanking my colleagues and thanking Mr. STOKES again for the tradition that has been established here by the Congressional Black Caucus. This is just the beginning. I hope that we stimulate a more thorough discussion all year round within the African-American community in general, but all of our organizations and all of our leaders ought to take another close look at history.

What we need is more profundity. We need to dig deeper into our history and follow the example of the South Africans. The South African Truth and Reconciliation Commission is a model that is still pertinent for America. I think we ought to understand that some of the tensions within our society are there because people do not understand what the history of slavery is all about. They do not understand, even our own young people do not understand, how great their ancestors were.

I talk to young people and I say, all your ancestors were members of an aristocracy, an aristocracy of survivors. Survivors. Just to survive, just to survive the Atlantic crossing, just to get here to these shores alive, to survive 232 years. Two hundred thirty-two years. And remember Shakespeare's phrase, "Tomorrow, and tomorrow and tomorrow."

What was 232 years like? What did slaves have to look forward to? Two hundred thirty-two years. What are the economic implications of being in America, a people being in America for 232 years and not being paid for their labor? What are the economic implications of a people not being able to save anything? What are the economic implications of not being able to pass anything on to your children?

Some of our young people are ashamed that it seems that blacks are always at the bottom. They are at the bottom of the economic structure, et cetera. It would take a miracle for us to get to the top when we consider the fact that most wealth is inherited.

The researchers have established the fact that wealth is inherited. It is passed on from one generation to another. Sometimes it may be a small amount, but in order to have a small amount to invest and to make that amount grow you have to have it to begin with.

As I said before, the gap between the black middle class in America and the mainstream middle class is not great when it comes to income, the salaries being earned, the kinds of jobs being occupied; but when we compare the wealth, wealth means property, wealth means stocks and bonds, wealth means cars and things that have value beyond a few years. When we look at wealth, it is not there.

One of the reasons wealth is not there is because 232 years went by without us earning wages, being able to save. Nothing could be passed on to the young people. We need to study that. We need to look at the implications of it.

The South African Truth and Reconciliation Commission is dealing with more immediate kinds of things that happened, all of the killings and maiming and murders that took place in South Africa, perpetrated by one group, the minority whites on the majority blacks. In order to deal with that and not have that poison their present, not have the past poison their present, to be able to go forward for the future, they have this Truth and Reconciliation Commission.

I do not have time to talk about it, but, Mr. Speaker, I want to enter into the RECORD an introduction which explains what the Truth and Reconciliation Commission of South Africa is all about. I say in introducing this, this background paper on the Truth and Reconciliation Commission of South Africa, that I intend to introduce legislation which calls for the establishment of a Truth and Reconciliation Commission in the United States related to slavery and the condition of people of African descent, the descendants of the slaves.

The gentleman from Michigan [Mr. CONYERS] has introduced for several years a bill related to reparations. I am not going to add reparations. That is money. It excites people. It leads the discussion in the wrong direction. I want to talk about truth, truth before reconciliation.

We are not reconciled. We have too many people out there among the descendants of slaves who do not understand where they came from and who do not have the right self-esteem and sense of self-worth. We have too many people out there among the descendants of slave owners who are not willing to admit that there was a great injustice done and that injustice had repercussions.

Some of the people who stand on the floor and yell loudest about welfare and the need to make everybody go out and overnight get a job, et cetera, when the jobs do not exist and the economy does not favor certain kinds of people, they are descendants of slave owners.

We need to put these things in perspective. We need to study in a deeper and more thorough way some of the major documents of our own history, the Truth and Reconciliation Commission.

And again I want to emphasize the fact that reconciliation is more important than justice. We are not seeking justice. Justice means we have to go fight wars and make people pay us reparations, and really justice would be out of the question.

Just as the people in Haiti have given up on justice, and they are not trying to punish anybody, they want reconciliation. They want reconciliation with the people who perpetrated the murders. In Bosnia and the Balkans they will not get anywhere unless they give up any quest for justice. Seek reconciliation but do not seek reconciliation in a phony way. Do not think you can have reconciliation unless you deal with the truth first.

Let us take a document like the 14th Amendment and deal with it truthfully. The 14th amendment, like the 13th amendment and the 15th amendment, were perpetrated, were created by the Members of Congress in response to the aftermath of slavery. We had set the slaves free. Actually the 13th amendment set the slaves free, and what should we do now? The 14th amendment came along to give the slaves equal rights.

But the 14th amendment has some other things in it, and I want to call my colleagues' attention to the other things in the 14th amendment because it is more than just equal rights. The 14th amendment is now being distorted to take away any programs which offer special treatment for the descendants of African slaves. That is turning history on its head, because the interpretation of the Constitution, most of the time the Supreme Court wants to know what was the intent of the founders.

The 14th amendment says the intent of the founders in the 14th amendment was to correct injustices related to slavery. And there are other parts which go on to talk about getting rid of that three-fifths count and counting everybody whole. Every male is to be counted equally.

And there are other parts that talk about punishing, punishing the people who rose up in rebellion against the Union. That is all in the 14th amendment. I cite those things because that makes it clear the 14th amendment is not about equal rights for everybody. It is about making adjustments in this society to take care of the evils of slavery. And when we set aside laws and voting rights laws which favor the descendants of African slaves, then we are in harmony with the 14th amendment.

We need to study these things in more detail. We will be back in the future, and I hope my colleagues will join me. Civil rights organizations need to update their own quest for the truth in history. We need to support a Truth and Reconciliation Commission in

order to move forward toward the year 2000 with a more just society.

There are issues that will be coming up this very year: putting a cap on Medicaid, denying medical services to the poorest Americans. The proportion of the poorest Americans is great among African-Americans, the descendants of slaves. We are moving in a direction which is refusing to recognize that we ought to take some steps to reconcile with the former victims of slavery.

These things are part of history. The small individual achievements of individuals are part of history, and that has been cited in many cases here, but we need to take a more profound, in-depth look at history, the history of America and the awful institution of slavery; how the repercussions of that institution keep going on.

Mr. Speaker, I thank everybody who has participated today.

Mr. Speaker, I want to enter into the RECORD at this point an introduction which explains what the Truth and Reconciliation Commission of South Africa is all about.

INTRODUCTION BY THE MINISTER OF JUSTICE, MR. DULLAH OMAR

After a long process of discussion and debate, inside and outside of Parliament, the scene is finally set for the appointment of the Truth and Reconciliation Commission. It is important to understand the context in which the Truth and Reconciliation Commission will take place. The Commission is based on the final clause of the Interim Constitution which reads as follows:

"This Constitution provides a historic bridge between the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and a future rounded on the recognition of human rights, democracy and peaceful co-existence and development opportunities for all South Africans, irrespective of colour, race, class, belief or sex.

"The pursuit of national unity, the well-being of all South African citizens and peace require reconciliation between the people of South Africa and the reconstruction of society.

"The adoption of this Constitution lays the secure foundation for the people of South Africa to transcend the divisions and strife of the past, which generated gross violations of human rights, the transgression of humanitarian principles in violent conflicts and a legacy of hatred, fear, guilt and revenge.

"These can now be addressed on the basis that there is a need for understanding but not for vengeance, a need for reparation but not retaliation, a need for ubuntu but not for victimisation.

"In order to advance such reconciliation and reconstruction, amnesty shall be granted in respect of acts, omissions and offences associated with political objectives and committed in the course of the conflicts of the past. To this end, Parliament under this Constitution shall adopt a law determining a firm cut-off date which shall be a date after 8 October 1990 and before 6 December 1993, and providing for the mechanisms, criteria and procedures, including tribunals, if any, through which such amnesty shall be dealt with at any time after the law has been passed.

"With this Constitution and these commitments we, the people of South Africa, open a new chapter in the history of our country.

I could have gone to Parliament and produced an amnesty law—but this would have been to ignore the victims of violence entirely. We recognised that we could not forgive perpetrators unless we attempt also to restore the honour and dignity of the victims and give effect to reparation.

The question of amnesty must be located in a broader context and the wounds of our people must be recognised. I do not distinguish between ANC wounds, PAC wounds and other wounds—many people are in need of healing, and we need to heal our country if we are to build a nation which will guarantee peace and stability.

A critical question which involves all of us in how do South Africans come to terms with the past. In trying to answer this important question honestly and openly, we are fortunate in having a President who is committed to genuine reconciliation in our country and to the transformation of South Africa into a non-racial, non-sexist democracy based on a recognition of universally accepted human rights.

The President believes—and many of us support him in this belief—that the truth concerning human rights violations in our country cannot be suppressed or simply forgotten. They ought to be investigated, recorded and made known. Therefore the President supports the setting up of a Commission of Truth and Reconciliation.

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AMENDMENT XIII

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss of emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article.

AMENDMENT XV

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

## SALUTE TO BLACK HISTORY MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise tonight to join with my colleagues to salute Black History Month in the United States.

Just recently, Mr. Speaker, the Nation held a dual celebration, the inauguration of the President of the United States and the birthday of the late Rev. Martin Luther King, Jr. Mr. Speaker, this was a leader who inspired a generation to dream of a society where prejudice has no place and intolerance is without a foothold.

□ 1730

Now as we stand on the threshold of a new century, we must reevaluate how we have held to the principles espoused by Dr. King. His message, in fact his very life, was a call to arms for millions of Americans. During his all too brief life, he raised the conscience of America and, in doing so, made the greatest Nation on Earth even greater. At times it seems as though his dream has been forgotten, it seems as though the differences of race cannot be overcome.

I was shocked and saddened last year, as many of my colleagues were and the citizens across the country, when depraved arsonists burned down black churches throughout the South. This throwback to a dark era hinted at the

underlying and unresolved issue of racism in America. But once again America did not allow darkness to reign. Instead, Americans of all faiths and colors came together to rebuild those churches and as the walls rose, so did the promise of America.

Mr. Speaker, the promise of this Nation was born in the belief that we were all created equal and entitled to certain inalienable rights. That promise grew as our Nation grew until we realized that some were excluded from the promise of freedom and justice. Black Americans suffered greatly, not just in the South but also in northern States, where poverty and hopelessness were the norm for free blacks. But it seems that in our darkest hours, Americans always rise to a new level of decency and honor.

During the American Civil War, it was Abraham Lincoln who gave voice to the truth that America cannot truly be free as long as we excluded men and women based on the color of their skin. As the civil rights movement in the 1960s grew, a new voice was heard, the voice of a preacher who reminded all Americans that only God could determine what was in a person's heart and a colorblind system of justice could establish equality in America.

Now at the dawn of the 21st century, Mr. Speaker, only a free and equal society can shape the future of this great Nation. Only by working together as a unified nation can we truly realize the potential of all of our citizens and the beauty of our more perfect union. Even today we have not reached a place where all minorities share equally in the American dream. President Clinton in his inaugural address issued a challenge to the Nation to reshape our society by creating a new government for a new century, a government humble enough not to try to solve all our problems for us, but strong enough to give us the tools to solve our problems for ourselves.

I agree with his challenge, but I add that all Americans must have access to the tools necessary to solve those problems. And so here in Black History Month, Mr. Speaker, I join my colleagues from the House on both sides of the aisle and the Senate as well and join with the executive branch and all Americans across the United States to make sure that we rededicate ourselves to the principles of Abraham Lincoln, the principles of Dr. Martin Luther King, Jr., and to make sure that we correct the inequities and to make sure that opportunity for all, whether it be in education, housing, jobs, in training, access to public accommodation, is equal to all, and we will rededicate ourselves to that purpose and to those goals.

## HOUR OF MEETING ON TOMORROW

Mr. FOX of Pennsylvania. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## AMERICAN PATENT SYSTEM UNDER THREAT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from California [Mr. ROHRABACHER] is recognized for 60 minutes.

Mr. ROHRABACHER. Mr. Speaker, I am asking my colleagues today to join me in cosponsoring the Patent Term Restoration Act. This piece of legislation is basically the same bill that I offered last year as H.R. 359. H.R. 359 had over 200 cosponsors; 81 of them were Democrats. H.R. 359 had the support of major universities, pharmaceutical companies, energy companies, energy innovators, biotech companies, venture capitalists, and, most importantly, it had the support of every small inventors organization in the country.

Last year H.R. 359, my piece of legislation, never made it to the floor of the House of Representatives for a vote. This year, we have every indication that it should get to the floor and have a vote here on the floor of the House of Representatives by the August break.

Last year there was another patent bill, as well as my own, that was introduced. This was a far different bill. It was introduced by Congressman Carlos Moorhead and Congresswoman Pat Schroeder, who are now, of course, retired from this institution. This bill had a dozen or so cosponsors, but it had the tremendous support, the enormous support, of multinational corporations and those people in the political and economic establishment that are struggling to create what they are calling a global economy.

You see, the Patent Term Restoration Act, H.R. 359, which I will be submitting and asking Members to join me in cosponsoring, takes a totally different approach than what last year's bill by Mr. Moorhead and Mrs. Schroeder was taking. In fact, their bill now, H.R. 3460, has been reintroduced as H.R. 400, which will also come to the floor by the August break.

So we have two different approaches, and I thought that today I would discuss this major decision that Congress will make that seems like it is such an obscure issue and a complicated issue that many Americans will probably not even understand that there is an important decision about to be made that will impact so directly on their lives and the lives of their children.

First of all, let us note that patent protection in the United States of America is something that has reaped tremendous rewards for our people. We have had, in the United States of America, the strongest patent protection of any country in the world.

In fact, Thomas Jefferson, Benjamin Franklin, and others of our Founding Fathers insisted that the concept of patent protection be written into the Constitution of the United States. We in fact had the strongest patent protection because our Founding Fathers believed it, it was written into our Constitution, and throughout our history the idea of the ownership of one's creative genius was always supported by the American Government.

Thus, over the years, as people came here from every part of the world, people who wanted to work hard and people who had the creative spirit and a revolutionary spirit about them, these people brought with them new ideas, and they were confronted with a society that protected their ideas and gave them the right to own those ideas, just as we gave people the right to own property.

Many of the countries from which our Founding Fathers and Mothers came from, the right of property ownership for the average person did not exist. In fact, people were repressed, and the right of ownership, just like other rights, the right of religion and speech, were not things that were granted to the common man. These were things that were meant for the aristocracy. That is why people came to the United States of America, because they read Thomas Jefferson and they read Benjamin Franklin and they read Thomas Paine and Patrick Henry and John Adams and George Washington, and they read our Declaration of Independence and they knew something was going on in the United States of America. It was a place where the common man could come, he could raise his family, and a family could expect that their children would have opportunities beyond anything that was accessible anywhere else in the world. Part of this opportunity came from the fact that we recognized property rights. The property rights to own land, as I say, was also protected by the Constitution. The right of contract, and other economic liberties that were only thought of as rights for the elite in these other countries, were turned over to every person who was an American, and every person who came here who wished to become a citizen was given freedom. They were not given any subsidies or any type of welfare, but they were given freedom, and they were given the promise that their rights would be protected. As I say, interestingly enough, one of these rights that is so often ignored and often overlooked was the right to own one's own creative genius, the product of one's own creative genius, the patent right.

Traditionally, this is how the patent system worked in America. As I say, it was the strongest of any place in the

world. Someone who had a new idea, whether it was Eli Whitney with the cotton gin or whether it was Samuel Morse with the telegraph or Alexander Graham Bell with his many inventions, the light bulb and others, these people would work on their idea and they would then develop their idea into a patent and take it in the proper form and would submit this idea, submit it to the Patent Office and the Patent Office would consider their idea.

Traditionally, no matter how long it took our Government to act in granting the right of ownership to that piece of property, that intellectual property, the applicant always knew that after the patent was granted that he would have a guaranteed patent term. Well, that was part of the guaranteed rights that we had.

You have a right to freedom of speech, you have a right of freedom of religion, you have a right of freedom of assembly. You have a right to own your property. Well, you also had a right to a guaranteed patent term. In the early part of our country's history, the patent term was, no matter how long it took you to get it issued by the Government, if it took 10 years, you would still have 14 years of patent protection. They would give you a guaranteed patent term of 14 years once it was issued.

Later on, as America began to realize how important the development of technology was to our well-being, our Government wisely extended the patent term to be 17 years. So for the last 150 years, American inventors would work on their patent and develop new systems and new ideas and concepts and technologies. They would go to the Patent Office knowing, and their investors would see them through, knowing that no matter how long it took for that patent to be issued, they would have 17 years to recoup and benefit from that. From that time that they had put in personally or the venture capitalist who put in the investment, they knew they would have a chance to get a return.

This has served America so well. Technology and the fact that we have been on the cutting edge of technology has made all the difference in our country. It did not make just all the difference for the aristocracy. The fact is they did not have this freedom in other countries. They did not have the freedom of speech, the freedom to own property, the economic freedoms we have, and they also did not have the patent freedom that we had in America in these other lands, but the aristocracy did not care because they had the rights. The aristocracy kept the power and the rights to themselves in other societies.

That is why in the United States of America that we made the blessings of liberty to every person here, was available to every person here. That is the reason why we became a beacon of hope to the world, but also we became a leader in the world in the standard of living of our people, of the average person. Our people were able to outcompete every potential competitor in the world because Americans had, yes, low taxes, which was important, and yes, we had people who were willing to work. But there are other countries with low taxes and other countries that basically had many people willing to work. But what we did was we put our working people in the position of being able to outcompete anyone in the world because they were using superior technology, cutting-edge technology, and it was the American people that were coming up with the ideas to lift the burden of labor from their fellow Americans in a way that would increase the production of their fellow Americans, making us more productive but making us a wealthier society.

This was the vision that Thomas Jefferson had. This was the vision when he retired to Monticello and he was tinkering with his various devices, and if you visit that place today, you will see that Thomas Jefferson believed in that. If you visit Philadelphia and visit the home of Benjamin Franklin and the places where he lived, you will see that Benjamin Franklin was the inventor of the potbellied stove. Now that does not mean much to us today, but it certainly meant an incredible amount to people who lived in cold homes and all they had were fireplaces before this. It permitted the average person to be warm in the wintertime. It was a piece of technology. Thomas Jefferson, Benjamin Franklin. Benjamin Franklin invented the bifocal. He experimented with electricity, and how many of us read about that in our childhood when we went to school about Benjamin Franklin flying the kite and experimenting with electricity?

□ 1745

Thomas Jefferson experimenting with balloons in Paris when he represented the United States there, as well as Benjamin Franklin experimenting with flight; they had vision. In fact, when Benjamin Franklin in his waning years thought about the future—there is a famous quote from Benjamin Franklin saying that he is sorry that he is going to die, not because he is sorry for leaving the planet, just for not being alive, but he is sorry to die because he knows that the American people will be inventing so many new things and there will be so many changes in the human condition brought on by devices and technologies that are undreamed of in that day when he was alive, and that he just yearned to be able to see those inventions. Well, he had faith in the American people, and he ensured that the American people's rights were protected. And during the century after his death, the American people did not let him down. We were the center not only of freedom but of innovation.

The Fulton steam engine on the steamboats; we all think of Robert Fulton as being the inventor of the steam engine. He was not the inventor of the steam engine. The steam engine was built many, many years before, but it was the American genius that put that steam engine onto a boat in order to use it rather than having people having to paddle or use the sail in order to propel a boat.

We had inventions, whether it was the initial inventions that permitted us to have mass manufacturing, or whether it was the initial inventions of the telegraph or these other things that help us with communication, or whether it was the great surge of inventions that happened after we actually increased the length of the patent term.

Alexander Graham Bell and others came forth with these new types of processes that propelled mankind into an era when the common man was not just trying to keep warm in the winter, but where average families lived decent lives.

A black American who invented a process of how to bring down the cost of building shoes was issued a patent back in the, I think it was 1870, and this patent man, here he was in a country that basically discriminated against black American citizens, but they so believed in the patent right that they protected his right to that patent, and in doing so that black American was able to contribute knowledge and technology that within a few years reduced the price of shoes for the average American by 50 percent. And what that meant: that Americans were able to have shoes. Americans had clothing, they had shoes, they had full stomachs. They in fact were not slaves to their labor because there were labor-saving devices that were being developed every day by other Americans.

This is what made us. This freedom and this technology is what made us the most prosperous country in the world. It also protected us during those times of conflict when America's safety was in the balance during World War II and during the cold war. It was American technology, not raw manpower that saved America.

You know, if we tried to match, if Americans tried to match the world man for man, economically, we never would have succeeded; we will not succeed in that today. There are many people who think that just, oh, basically we cannot compete against cheap labor around the world. Well, there was always cheap labor around the world, and our people always outcompeted them; and in terms of warfare, we could not have competed against adversaries man to man, we could not put

raw muscle power or the numbers of people in the field that adversaries, tyrannical adversaries, could.

What saved us economically and saved us militarily was the fact that our people were superior in the equipment that they had to use to produce goods and services, but they were also superior in the technology that was in the weapon systems they used to protect our country.

Our adversaries understand this. During the cold war, more than anything else it was the concept that the United States of America had technology that was well beyond anything that could have been produced in Communist countries. That unnerved the Communist bosses and led to a disintegration, a disintegration of the Communist empire that threatened us for four decades after World War II.

We can thank our rocket scientists, we can thank our people who went forth to develop a missile defense system, but we could also thank the aerospace engineers who over those 40 years built airplanes that would take our people out to battle and make sure that they were superior to any aircraft in the world. We can also thank our scientists and our other technologists who produced the radar, produced the electronics, produced the other equipment that enabled us to with confidence tell the Soviet Union, as Ronald Reagan did, that it would be left in the dustbin of history unless it joined the free nations of the world and put away its aggressive aims on the West and its aims at destroying democracy.

So instead, we have ended the cold war without firing a shot at the Soviet Union. Instead of massive destruction, we ended the cold war by insuring that we were ahead technologically and by being strong advocates of human freedom.

Unfortunately, what helped us end the cold war, what has preserved the American way of life and given us a standard of living, given a standard of living to the American people as no one has ever dreamed before, is under attack. It is under attack because a global economic war has replaced a cold war. That is something we cannot get rid of. We cannot escape that. We cannot escape the fact that now we will have global competition because technology has improved communication and transportation beyond anything that could have been believed only 100 years ago.

So we have a global economy, we have a global war economically going on, but our adversaries have launched a sneak attack on the United States of America.

This will surprise many of the American people, but there has in the last 4 years been a concerted effort to diminish the patent protections that we have considered to be a right of Americans over the history of our country. There has been an underhanded effort to change patent law and to undo this great economic prosperity that we have for the common man by coupling, decoupling that is, America from its greatest asset, and that is our technological superiority over our competitors and our adversaries.

Let me say this so that it will be very plain for everyone to understand. The fundamental patent law of our country, which is the reason why Americans from all parts of the world were able to come here and produce these great new technologies, it did not just happen on its own, it did not happen because of our race or religion or anything else, it happened because we were a people that had a Government that was set up to protect intellectual property rights, especially patent rights, and those laws protecting patent rights have been fundamentally changed and there is a move in this country to basically greatly diminish the patent protection enjoyed by our people.

In order to what? Why would someone do that? Why would any American do that? It is being done by many people with a straight face, who come forward thinking they are trying to create a better world in the name of creating a global market. Lord save us from benevolent souls who would restructure our lives and remake the entire world in order to make it a better place by their understanding of what a better place means. Lord help us from people who think that they are going to make a perfect world because what we are facing when you face someone who is going to make a perfect world, you are facing an individual who has all the good intentions in his heart but is willing to destroy your rights in order to achieve his or her objectives. That is what we saw with all the past reformers who were going to make this a global world which was a perfect world.

Well, that is what we are facing here. We have groups of people, powerful individuals who think they are going to build a perfect world, and they are going to guide us into this new era of a global economy, and they are going to regulate the global economy. Well, they cannot even regulate the American economy. Even that does not work. And now they are going to try to create the global economy.

Now I happen to believe in free trade. I am a free trader. I believe commerce between people is a good thing. But I would tell you one thing: I do not believe in free trade with dictatorships because it is only free on one end. What I believe in is free trade between free people, and between free people we will prevail. But one of the things that will make us prevail is the fact that we will continue to protect our own citizens.

We live in a world where there are many countries that are not free, and if in order to create a global marketplace that includes these unfree societies, these dictatorial societies like Communist China, and like I would say probably a quarter of the other countries across this planet where people live in despotism, where they live in deprivation, where they have no rights, where the working people are basically slaves that have no right to organize unions, they have no right to have contracts enforced; they are the pawns of vicious and ugly rulers who side with the elites in their society. If we tried to basically lower the standards of the American protection, our protections that we have had, the protection of our rights as U.S. citizens, in order to create a global economy in which we will be dealing on an equal basis with those kinds of societies, the American people are bound to lose.

And what is happening, and the patent fight is just the first step in this global economy battle that we will see popping up here in Congress over and over again, what we will see, more and more, is that in order to be in a global economy we have to eliminate this, we have to eliminate that, we have to change this, our law, and we have to diminish the rights of Americans.

What we are talking about is that there is an elite at work in the world and in the United States that in order to create a global economy is willing to cast away and diminish the rights that have been protected by the American people, rights of the American people. They are willing to diminish those rights in order to achieve their objective because, once they achieve a global marketplace, their theory is, oh, the dictatorships like that in China and elsewhere, they will disappear because if they just have more contact with the West, well, those dictatorships, those ruthless regimes, will liberalize, they will become more benevolent, and they can become part, in fact, of the benevolent new global order. I guess George Bush called it the New World Order.

Well, this type of nonsense is going to lead to nothing but misery for the American people. This type of logic will lead the American people with the same status as the multitude of people who live in countries throughout the world that were the homelands of our forefathers and mothers. We left those societies to come and live in America to be free. We came here because we knew our rights as human beings would be protected and that America was a special place.

□ 1800

But now we see that those protections are going to be diminished.

In the beginning, they hoped to diminish these rights. Just basically, they do not want to talk about it, and in this first battle, I might say, of the global economy, they tried to do this in a very underhanded way. Let me describe how the patent rights of the

American people have already been diminished.

What was our basic right to begin with? Our basic right was, the American inventor could apply for a patent and no matter how long it took the bureaucracy to prove that patent, he or she would still own that patent and have a right to benefit from it for 17 years. That was called the right of a guaranteed patent term.

Well, in order to harmonize our law and to have a global economy, it was determined that the United States should end the guaranteed patent term, that that should no longer be a guaranteed right for the American people. As I say, in a very underhanded fashion the change in the patent law was snuck in, and I say snuck in because I asked repeatedly for any language that would be in the GATT implementation legislation about patents, and was denied the right to know what was in there until the very last minute. I am a Member of Congress asking what language will be in a piece of legislation, and the administration was denying me that right to know what was in it. They put this change in patent law into the GATT implementation legislation.

Let me explain what GATT implementation legislation means. The GATT implementation legislation is the legislation that we passed in Congress in order to fulfill our obligations by agreements that we reached with other countries, to establish the general policies on trade and tariffs for around the world. Basically, GATT means General Agreement on Trades and Tariffs.

When this administration and other administrations were negotiating GATT, they were given the right to negotiate GATT by the Members of Congress, and I voted for this, by the way. They were given what they called fast track authority, because there is nobody to negotiate an agreement like this if you are going to have every little thing that is agreed upon have to be voted up and down by Congress.

Fast track simply means that the Congress will be kept informed of what is involved in the GATT agreement, and then the Congress would be given 50 days to examine the agreement and everything that is in the legislation that implements the agreement, and then we would only have an up or down vote on the GATT implementation legislation.

So we gave up our rights here; to look at every little section of the GATT implementation legislation, we gave up that right with the promise that we would have 50 days to examine it and know everything that was in it; and that there would be nothing, and here is the catch, there would be nothing in that legislation that was not required by the GATT agreement itself, and the agreement that we made with all of these other countries.

Well, there was no agreement made as part of GATT that required us to cast aside and to eliminate this traditional guarantee that we had of patent protection important to the American people. There was nothing in there that mandated we had to do that. Yet, the administration snuck this into the GATT implementation legislation, would not even tell me as a Member of Congress until the last minute that it was in there, and then gave us just a few days to pass GATT. Luckily, we beat them back and we were able to postpone that vote on the GATT implementation legislation.

That is really when I became active on this issue of the GATT implementation legislation. What it was was an amendment, a small amendment, obscure, hard to see the importance of it; and in fact, if you read the language it looked like they were actually increasing the time of patent protection for the American people.

The change is, and traditionally, remember, if you applied for a patent, no matter how long it took you to get it, once you got it, it was yours for 17 years, 17 years of a guaranteed patent protection. Now, under the new law which is now in law, they totally betrayed us, they put it in there without it being required by GATT, I was not able to defeat it, now what does the law say?

The law says that someone who comes up with a new idea, new invention, can submit that, but the clock starts ticking immediately. And the clock is ticking not against the government, not against the bureaucracy, not against those people on the outside who would try to interfere, try to interfere with a man's right to have his patent issued as soon as possible; no, the clock is ticking against the inventor. If it takes him 15 or 20 years to get his patent, his or her patent issued, that inventor will have seen three-quarters of his or her patent term eliminated, because the time is ticking, the clock is ticking against the inventor, and he or she only has 20 years.

And if it takes 15 years, and many of the breakthrough technologies that we have had, especially in this last two and three decades, many of them take 5 and 10 years for a patent owner to get the patent issued, because if it is a breakthrough technology—by the way, most of the patents, 90 percent of all patents are very simple, just readjustments of new technology. The breakthrough technologies take a very long time to get through the patent system. Many of them have taken 10 and 20 years themselves.

That means that we are dramatically reducing the amount of time that our inventors have to reap the rewards of their own innovation, and in fact we have eliminated the guaranteed patent term. There is no guaranteed patent term. That was done. That was done basically in a very surreptitious way, and I have been fighting that battle. That is what the Patent Restoration Act is going to be all about, is restoring the guaranteed patent term.

But those people who eliminated that guaranteed patent term, why did they do that? They did it, as I say, as part of this harmonization effort. But who really started the ball rolling? The American people will be surprised to hear, the real reason we have been trying to eliminate the guaranteed patent term by some people here in this body who have been trying to eliminate the guaranteed patent term is because it will harmonize our law with Japan.

Bruce Lehman, the head of our patent office, went to Japan, had a meeting with his counterpart in which he signed an agreement to basically harmonize our law, not to bring up the level of protection in Japan to that of the United States, but to bring down the level of protection in the United States to that of the level of Japan.

That system, where there is no guaranteed term and the clock is ticking against the inventor, has been the Japanese system. That is why they never invented anything. That is why they use our technology, because they have a system where the inventor, once he applies, the clock is ticking against the inventor. The huge corporations come in and they beat down the inventors and they force them to give up their rights, and the creative people in that society are steamrollered by powerful interests who want to have control of the wealth-producing ideas and technology that will determine who has the power in the future.

That is the system they are imposing on us, ladies and gentlemen. That is the system that these planners want to put on the United States.

There is, by the way, another bill, as I say, that is being introduced by the same people who snuck this into the GATT implementation legislation. It is H.R. 400. It is the second shoe that is falling. The first shoe was eliminating the guaranteed patent term for the American people. That helped harmonize law with Japan, except in Japan they also have something else. H.R. 400, and I call this the Steal American Technologies Act, H.R. 400, the main purpose of that bill is to do what?

The bill, by the way, when it was first introduced was called the Patent Publication Act. That is what it was originally titled when they first introduced it in the last session of Congress. But they changed that right away, because they figured out, oh, my gosh, everybody realizes what it is all about. No; H.R. 400 is almost the same piece of legislation, it has the same purpose. It is to harmonize our law with Japan on the last element that we are not the same with Japan on.

In Japan it has been far different than the United States. In the United

States, someone comes up with a new piece of technology, patents it, goes to the patent office and applies for a patent. That man is not only guaranteed, no matter how long that man or woman, no matter how long it took them to get their patent through the process, they would have that 17 guaranteed years of protection, but they were also guaranteed that during the time before that patent was issued, that information, all of the creative genius, all of the investigatory work, all of the materials and details about the new technology would be kept secret and confidential. No one would know about it, and in fact, it was a felony for Members of the Government to disclose that information because we protected the rights of that inventor.

Well, guess what H.R. 400 does? It says that after 18 months, whether or not the patent has been issued to the American patent applicant, it will be published for the entire world to see. Do you get what I am saying here? Understand the magnitude of this. Every new idea that Americans come up with technologically will be published for every copycat brigand and everyone who would set up factories in order to destroy us economically. They will have every piece of information about America's new innovative ideas, even before the patents are issued. And do you know why? Because that is the way it is in Japan. That is also Japanese law.

It is Japanese law that you do not have a guaranteed patent term, the clock is ticking against the inventor, and as soon as the inventor puts this patent in, after 18 months it is published so everybody in Japan can see it. That is why no one invents anything in Japan, and that is why the special interests, the powerful lords of Japan, the great shoguns of their economy beat the life out of their own people in order to steal the new technological ideas, and why people just do not invent anything.

But here is the problem: If we change our laws so that we do not have a guaranteed patent term, and that after 18 months these very same shoguns in Japan, and monsters in China who murder their own people, who do not care one bit about human rights, these people in different parts of the world who wish to steal everything that is America's, copycats, these people will now know all of our secrets. They will be able to come here and do to the American people, through people that they have hired, lawyers and lobbyists who they have hired here in Washington, DC, to do to our people what they have been doing to their own people.

We are making the American people vulnerable to the same sort of corrupt power plays that have been going on for centuries in these other societies. We are making our own people vulnerable to it here, and we are doing it in an area that makes America the most vulnerable of all. It is our future ability to compete with the world technologically. It is our achilles' heel. It did not take our economic adversaries too long to realize, "How do we bring America down? These guys are always one step ahead of us. They are one step ahead of us because they have a system that protects these new inventors, these individuals who come up with all of the ideas."

The major force behind this move for harmonization is coming from multinational corporations. It is coming from some people who are very well intended, who have become convinced that there is a problem in our current system. They call it a submarine patent problem. Submarine patents, by the way, are a minor problem that have affected certain industries in a very bad way. The electronics industry, there are some problems in which submarine patents have played a part and have hurt some people. Some people have been unfairly treated economically and businesswise because of submarine patents.

To let my colleagues know what a submarine patent is, it is when it is alleged that inventors try to stall the issuance of their own patent. They manipulate the system at the patent office so that their patent will not be issued until 5 years later or 10 years later, because they want it to be issued later, so then they will be able to have more money coming in because their technology will be a little bit better used in the long term rather than short term.

□ 1815

Of course, this happens maybe in one-tenth of 1 percent, perhaps, at most, of all patents, and it has minimal impact on the overall economy. Minimal impact. What they are telling us is this problem, they believe it will be solved. And how will it be solved? It will be solved by publishing all the information on every patent in America so everybody will know what that inventor is hiding, and to eliminate the guaranteed patent term so that the inventor, all the time will be put against the inventor.

Yes, there is a small problem called the submarine patent problem. By the way, in the piece of legislation I am proposing, the Patent Term Restoration Act, we deal with that. The only thing to solve this problem, it only takes some remedial discipline or basically some remedial reforms within the Patent Office structure itself. We do not even need legislation on that.

The Patent Office, because if you have someone manipulating the process at the Patent Office, the Patent Office can simply change their procedures to prevent manipulation. It is the Patent Office that has to make the decision to grant someone a continuance in their application or whatever. The Patent Office can change this.

But no, no, we cannot do that. We have been told instead, in order to solve this problem we have to destroy the whole patent system. We have to take the system that has served America so well and eliminate the basics of that system in order to get to the submarine patent problem.

I used this example before and I will use it tonight, as well. This is very similar to someone who has a hangnail problem and his doctor says, you have a hangnail; in fact, your hangnail is infected. Every time you go to the doctor, the doctor is saying, oh my gosh, this hangnail; in fact, you are even beginning to limp a little bit because your hangnail is bothering your foot. The doctor says, look at the hangnail; and all the doctor ever talks to you about is how bad the hangnail is.

That is what is happening with the submarine patent. Any time you talk about patent law, the people who are trying to destroy the patent system talk about the submarine patents. It is like that hangnail. They have huge pictures of the hangnail, how ugly it looks; please focus on the hangnail. Then you find out what the doctor really wants to do is amputate your leg. And you say, amputate my leg for a hangnail? You are out of your mind. No, look how bad hangnails are.

I would say that if someone's doctor is suggesting that they amputate the leg because you have a hangnail, that you had better question either the sanity or the motives of your doctor. Something is wrong there. And the doctor says, we have to get the hangnail corrected; otherwise you are going to limp for the rest of your life or as long as that hangnail is there. But you say, wait a minute; if I cut my leg off, I will not even be able to walk. Forget it, hangnails are terrible.

That is what is happening with the submarine patent issue. There is a problem. It can be corrected easily. But it is being used as an excuse to destroy the patent rights that have been part of the American system since the founding of our country.

We had a right to a guaranteed patent term. They are using the submarine patent issue, which I think is a bogus issue, or in fact, a minuscule part of our system, they are using that as an excuse to publish every secret that we have developed technologically to people all over the world who will steal that technology and will use it against us. This is how terrible it is.

Our genius will be used to destroy our standard of living. Our genius will be used not to make the lives of the American people better, not to enable us to compete with the rest of the world, against people with low-priced labor. Our genius will not be used to secure us from foreign adversaries. Our

genius will be exposed to the rest of the world, giving it to them on a platter, and they will use it against us. This is a sin against the American people.

People say, how can this possibly happen? How can it happen? We are dealing with powerful interest groups. These multinational corporations, many of them who control American corporations now, these people are the ones who hire lobbyists. They determine the policy of these big companies.

Is it any wonder that these big companies perhaps do not have the best interests of the American people at heart, when they are owned and controlled by groups of who knows who; somewhere, people who perhaps have absolutely no, they have absolutely no commitment to the ideals that we think of as Americans?

I have been told over and over again in the debate, Most Favored Nation debate about China, that if we just deal with China for so long that this rotten Communist regime is going to liberalize and it is going to become more mellow, and actually we are teaching the Chinese how to respect human rights.

That is not what it is all about. We know that. These businessmen are out to make money and they do not care if it is blood money or not, and they do not care if they have to put out of work all their American workers; they are going to go over there and make a 10-percent or 15-percent profit, rather than a profit here with 5 or 6 percent, in which the American people would be able to have jobs, to have decent families.

These same people get involved in economic relationships. They have no ideals. They never go to the Communist bosses in China and say, by the way, now that I am here doing business, I would like to tell you that, you know, you should respect people's right to have their own religion. You should not be enclosing those Christians in jail or those Buddhists over here in prison camps, or you should not be wiping out villages in Tibet. We should live with respect towards human rights. They do not do that in China. These very same people now are trying to change our law so that the inventions we come up with as American people, within 18 months they will have every detail, and it will be faxed to their companies in China, and they will be producing it over there.

I was in the office here in the Rayburn Building when last year's bill, which I call the Steal American Technologies Act, H.R. 400, the equivalent of that was going through committee last year. There was a man from a solar energy company. He said, Mr. Congressman, if this passes and they publish all the information about my patent applications after 18 months, I will tell you what will happen. The Japanese will have all that information, and they will have it in production, with my new technology, before I am even issued my patent. They will take that profit that they have used from my technology and they will use it to destroy me. They will hire lawyers in the United States and elsewhere to destroy me and take away my rights to what I have developed with millions of dollars. That is what will happen. This will be a catastrophe for my company.

It is not hard to understand. They are going to publish everything for every brigand in the world to see. Yet they say it with a straight face; we have to do that because you have a hangnail. There is a little submarine patent problem here. We can solve the submarine patent problem. Do not let anybody talk about amputating your leg for a hangnail. Do not let anybody talk about destroying your rights as Americans because there are some problems in our country.

We have had problems with people who abuse their free speech. We have had problems with people who abuse the freedom of religion. We have had problems with our freedom in this country because some people misuse it. But that is no excuse to diminish the protection of these freedoms that are enjoyed by the American people. That is what we are being told we have to accept now, economically. They will win, unless the American people rise up and talk to their Members of Congress.

This is what will surprise everyone. Most Members of Congress have no idea this is going on. I would say 75 percent of the Members of Congress have no idea about this battle. If they do, they just heard a little bit about it, and it is only one thing they have heard in passing, and they have no idea of the magnitude of the decision that is going to be made. But they are being visited by lobbyists, and they are being visited and pressured by huge corporations that have connections to this international, global dream of a global marketplace, by multinational corporations who they emulate or are in economic relationships with.

These Members of Congress might go along with the pressure. But one thing I can tell you, in America, when the American people talk to their Members of Congress, when the American people watch how their Congressmen vote and let their Congressmen know that, let their Members of Congress know how important it is to you and to the future of our country about certain issues, this Congress responds.

Lobbyists and paid adversaries can be overcome when people who live throughout our country contact their Congressman and say, you have to defeat H.R. 400, the Steal American Technologies Act; you have to defeat that. It is going to hurt our country, it is going to hurt the standard of living of normal people. You have to support this restoration of America's patent rights. You have to restore the patent term to the American people, as we have had in our country's past, because this will give us what we need to maintain the standard of living of regular people, not just the elite.

The elite has lost touch. I will tell Members something. If we had to depend on the elite of the business community to save American freedom, we would all be in chains right now. Most of the business elite of this country are looking for that extra 5-percent profit at the expense of every value and expense of the freedom of other people in the world. They do not care, because they want that extra 10-percent profit. We are not talking about the entrepreneurs who built American industry 100 years ago, people who knew what it was like to come from humble beginnings.

We are talking about people who have been educated at Harvard and educated at all these elitist schools who really do not identify with the American people. They identify more with the elite of other societies. They would rather hobnob with these people in other societies in their guarded, gated communities.

The American people need to express themselves, that they will not see their rights diminished in order to establish a global marketplace, or anything else. Yes, we will correct any abuses that exist. We are not a perfect country. But we will not see our freedoms diminished because some people abuse them.

We will enter this global marketplace with the protections we have had. We will win the competition, just the way we have beaten the competition before. We have beaten them because we had freedom and we had technology on our side. That is what our Founding Fathers saw so long ago, that people would come to this country, and that is why our country would prosper, that is why our people would be safe. Here we are, with a little obscure issue like patent law, a little issue like that, that has been discovered as very pivotal to the well-being of our country in the future.

Mr. Speaker, I hope my colleagues will pay attention, and I know they will, pay attention to calls from home when people call to say, for goodness sakes, do not support this H.R. 400, the Steal American Technologies Act, and please, cosponsor DANA ROHRABACHER's bill that will restore patent protection for the American people, and protect us.

By the way, one other part of H.R. 400 I need to tell you about. That is something that is going to shock you more than anything I have said. It eliminates the Patent Office from the U.S. Government. It takes our patent examiners and turns it into a quasi-private corporation. It is like they are

proposing in the Steal American Technologies Act to basically make the judges who determine who owns the technology, take them away from their civil service status and Government status now, which means they have to answer to us, and they are going to make it a quasi-independent organization.

They are going to publish all our secrets to the world. They are going to take away the guaranteed patent term. Now they are just going to obliterate the Patent Office as part of the U.S. Government. Does that not tell us something? We have to act. We would not let our courts be privatized by somebody who we did not know, who was going to run the show. We would not let that happen.

These hardworking patent examiners, these people are making decisions that affect not only the course of our country's future, but affect billions of dollars of wealth. They should be part of the Government. I believe in privatization, but you do not privatize something like that.

I would hope that people gather together and say we will not stand for this diminishing of our rights. I know we will come through, and America will not only survive, but America will prevail and America will be free, because that is the way God intended America to be.

## SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

(The following Member (at the request of Mr. HOEKSTRA) to revise and extend his remarks and include extraneous material:)

Mr. LATOURETTE, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Ms. PELOSI) and to include extraneous matter:)

Mr. ANDREWS.
Ms. WOOLSEY.
Mrs. KENNELLY of Connecticut.
Mr. FAZIO of California.
Mr. TRAFICANT.
Mr. LANTOS.
Mr. VISCLOSKY.
Mr. MURTHA.
Ms. SLAUGHTER.
Mr. STOKES.
Mr. RICHARDSON.
Mr. TOWNS.
Mr. ORTIZ.

(The following Members (at the request of Mr. HOEKSTRA) and to include extraneous matter:)

Mr. ROGERS in two instances.
Mr. DICKEY.
Mr. GOSS in two instances.
Mr. GILMAN.
Mr. RAMSTAD.
Mr. LIVINGSTON in two instances.

(The following Members (at the request of Mr. OWENS) and to include extraneous matter:)

Mr. COBLE.
Mr. HAMILTON.
Mr. SMITH of New Jersey.
Ms. ROS-LEHTINEN.
Mr. GILMAN.
Mr. SANDERS.
Mr. TOWNS.
Ms. WOOLSEY.
Mr. HOUGHTON.
Ms. DUNN.
Mr. FRELINGHUYSEN.

(The following Members (at the request of Mr. ROHRABACHER) and to include extraneous material:)

Mr. GALLEGLY.
Mr. BAKER.
Mr. CASTLE.
Mr. HILLIARD.

## ADJOURNMENT

Mr. ROHRABACHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, February 12, 1997, at 10 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1732. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Glufosinate Ammonium; Tolerances for Residues (FRL 5585-8) received February 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1733. A letter from the Acting General Counsel, Department of Housing and Urban Development, transmitting the Department's "Major" final rule—Sale of HUD-Held Single Family Mortgages [Docket No. FR-3814-F-04] (RIN: 2502-AG42) received February 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

1734. A letter from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Hamilton County, Tennessee [TN-178-1-9707a; FRL-5682-9] received February 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1735. A letter from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Tennessee and Memphis-Shelby County, Tennessee [TN-155-1-7178; TN-MEM-149-3-9701; FRL-5669-3] received February 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1736. A letter from the Director of the Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Modification of the Ozone Monitoring Season; Alabama, Georgia, and Mississippi [FRL-5683-4] received February 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1737. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Approval and Promulgation of Carbon Monoxide Implementation Plan for the State of Alaska: Anchorage and Fairbanks Emission Inventory (FRL 5686-2) received February 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1738. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana (FRL 5678-5) received February 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1739. A letter from the Director of the Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Changes in the Operator Licensing Program [NRC Generic Letter 95-06, Supplement 1] received February 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

1740. A letter from the Senior Attorney, United States Copyright Office, transmitting a report of activities under the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

1741. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Reemployment Rights of Certain Merchant Seamen (Maritime Administration) [Docket No. R 169] (RIN: 2133-AB28) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1742. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Operational Measures to Reduce Oil Spills from Existing Tank Vessels Without Double Hulls (U.S. Coast Guard) [CGD 91-045] (RIN: 2115-AE01) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1743. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations; Hillsborough Bay; Tampa, FL (U.S. Coast Guard) [CGD07-96-074] (RIN: 2115-AE46) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1744. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL (U.S. Coast Guard) [CGD07-96-054] (RIN: 2115-AE47) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1745. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Facilities Transferring Oil or Hazardous Materials in Bulk (U.S. Coast Guard) [CGD 93-056] (RIN: 2115-AE59) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1746. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations: Southeast end of Vieques Island, PR (U.S. Coast Guard) [COTP San Juan 96-077] (RIN: 2115-AA97) received February 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOSS: Committee on Rules. House Resolution 46. Resolution providing for the consideration of the bill (H.R. 581) to amend the Public Law 104-208 to provide that the President may make funds appropriated for population planning and other population assistance available on March 1, 1997, subject to restrictions on assistance to foreign organizations that perform or actively promote abortions (Rept. 105-3). Referred to the House Calendar.

Mr. SOLOMON: Committee on Rules. House Resolution 47. Resolution providing for consideration of the joint resolution (H.J. Res. 2) proposing an amendment to the Constitution of the United States with respect to the number of terms of office of Members of the Senate and the House of Representatives (Rept. 105-4). Referred to the House Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Ms. ROS-LEHTINEN (for herself and Mr. DIAZ-BALART):

H.R. 666. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 relating to welfare and public benefits for aliens; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART (for himself and Ms. ROS-LEHTINEN):

H.R. 667. A bill to amend the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to provide for an exception to limited eligibility for SSI and food stamps for totally and permanently disabled permanent resident aliens; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARCHER:

H.R. 668. A bill to amend the Internal Revenue Code of 1986 to reinstate the airport and airway trust fund excise taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. BAKER (for himself, Mr. MCCOLLUM, Mr. DREIER, Mr. LAFALCE, and Mr. FLAKE):

H.R. 669. A bill to enhance competition in the financial services sector, and for other purposes; to the Committee on Banking and Financial Services, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARRETT of Nebraska:

H.R. 670. A bill to amend title 49, United States Code, to permit States to impose fees to finance programs for providing air service to small communities; to the Committee on Transportation and Infrastructure.

By Mr. BARRETT of Wisconsin (for himself, Mr. KLECZKA, Mr. FRANK of Massachusetts, Mr. PETRI, Mr. ROHRABACHER, Mr. HINCHEY, Mr. BEREUTER, Mr. SANDERS, Mr. GUTIERREZ, MR. FOGLIETTA, and Mr. LUTHER):

H.R. 671. A bill to prohibit the use of certain assistance provided under the Housing and Community Development Act of 1974 and the Housing and Community Development Act of 1992 for employment relocation activities; to the Committee on Banking and Financial Services.

By Mr. COBLE:

H.R. 672. A bill to make technical amendments to certain provisions of title 17, United States Code; to the Committee on the Judiciary.

H.R. 673. A bill to provide for the extension of surcharges on patent fees; to the Committee on the Judiciary.

By Mr. DELAY (for himself, Mr. CONDIT, Mr. GINGRICH, Mr. HOSTETTLER, Ms. BROWN of Florida, Mr. BUYER, Mr. COBLE, Mr. WOLF, Mr. DICKEY, Mr. NORWOOD, Mr. BURTON of Indiana, Mr. HAMILTON, Mr. THORNBERRY, Mr. TANNER, Mr. GOODE, Mr. MCCOLLUM, Mr. BATEMAN, Mrs. CARSON, Mr. MCINTYRE, Mr. MCINTOSH, Mr. SENSENBRENNER, Mr. ORTIZ, Mr. BONILLA, Mr. SALMON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STEARNS, Mr. GOODLATTE, Mrs. FOWLER, Mr. SOUDER, Mr. PARKER, Mr. SAM JOHNSON, Mr. LEWIS of Kentucky, Mr. DUNCAN, Mr. BRYANT, Mr. DEAL of Georgia, Mrs. MEEK of Florida, Mr. STENHOLM, Mr. SANDLIN, Mr. CANADY of Florida, Mr. BURR of North Carolina, Mr. FROST, Mr. ROEMER, Mr. EDWARDS, Mrs. NORTHUP, Mr. TAYLOR of North Carolina, Mr. ARCHER, Mr. PICKETT, Mr. BENTSEN, Mr. SESSIONS, Mr. COMBEST, Mr. PEASE, Mr. TURNER, Mr. HASTINGS of Florida, Mr. HINOJOSA, Mr. HEFNER, Mr. SISISKY, Mr. CRAMER, Mr. GOSS, Mr. SCOTT, Mr. CALLAHAN, Mr. BALLENGER, Mr. EVERETT, Mr. BARTON of Texas, Mr. SMITH of Texas, Mr. MICA, Mr. JONES, Mr. BRADY, Mr. LUCAS of Oklahoma, Mr. WHITFIELD, Mr. JOHN, Mr. BAESLER, Mr. HALL of Texas, Mr. ETHERIDGE, Mr. PRICE of North Carolina, Ms. JACKSON-LEE, Mrs. MYRICK, Mr. WATTS of Oklahoma, and Mr. HULSHOF):

H.R. 674. A bill to authorize funds for construction of highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FRANK of Massachusetts:

H.R. 675. A bill to amend the Higher Education Act of 1965 to clarify the authority of the Secretary of Education with respect to eligibility standards for short-term educational programs; to the Committee on Education and the Workforce.

By Mr. FRANK of Massachusetts (for himself, Mr. RAHALL, Mr. GONZALEZ, Mr. FILNER, Mr. DELLUMS, Mr. UNDERWOOD, Mr. EVANS, Mr. WATT of North Carolina, Mr. BORSKI, Mr. SERRANO, Mr. KLECZKA, Mr. OLVER, and Mr. SANDERS):

H.R. 676. A bill to amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRELINGHUYSEN (for himself, Mr. BASS, and Mr. FRANKS of New Jersey):

H.R. 677. A bill to amend the Tennessee Valley Authority Act of 1933 to provide that no funds are authorized to be appropriated to carry out that act; to the Committee on Transportation and Infrastructure.

By Mr. GILLMOR (for himself, Mr. BONIOR, Mr. DINGELL, Mr. GOSS, Mr. PALLONE, Mr. PAYNE, Mr. LAMPSON, Mr. LATOURETTE, Mr. NEY, Mr. PORTMAN, Mr. OXLEY, Mr. REGULA, Mr. SAWYER, Mr. HALL of Ohio, Mr. TRAFICANT, Mr. KASICH, Mr. HOBSON, Mr. KILDEE, Mr. LEVIN, Ms. RIVERS, Mr. CONYERS, Mr. DAVIS of Virginia, Mr. FROST, Ms. NORTON, Ms. DELAURO, Mr. SABO, Mr. TOWNS, Mr. HORN, Mr. BERMAN, Mr. SAXTON, Mr. LIPINSKI, Mr. BARCIA of Michigan, Mr. ACKERMAN, Mr. STEARNS, Mr. HASTERT, Mr. GOODLATTE, Mr. ANDREWS, Mr. BORSKI, Mrs. THURMAN, Mr. SHAYS, Mrs. JOHNSON of Connecticut, Mrs. CLAYTON, Mr. KING of New York, Mr. SMITH of Michigan, Mr. FRANK of Massachusetts, and Ms. STABENOW):

H.R. 678. A bill to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the birth of Thomas Alva Edison, to redesign the half dollar circulating coin for 1997 to commemorate Thomas Edison, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. HAMILTON (for himself, Mr. LEWIS of Kentucky, Mr. WHITFIELD, Mr. GORDON, Mrs. NORTHUP, and Mr. MCINTOSH):

H.R. 679. A bill to amend the Clean Air Act to exclude beverage alcohol compounds emitted from aging warehouses from the definition of volatile organic compounds; to the Committee on Commerce.

By Mr. HAMILTON:

H.R. 680. A bill to amend the Federal Property and Administrative Services Act of 1949 to authorize the transfer to States of surplus personal property for donation to nonprofit providers of necessaries to impoverished families and individuals; to the Committee on Government Reform and Oversight.

By Mr. HYDE (for himself, Mr. COBLE, and Mr. ROGAN):

H.R. 681. A bill to designate the U.S. Post Office building located at 313 East Broadway in Glendale, CA, as the "Carlos J. Moorhead Post Office Building"; to the Committee on Government Reform and Oversight.

By Mr. KOLBE:

H.R. 682. A bill to authorize the Secretary of the Interior to assess up to $2 per person

visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes; to the Committee on Resources.

By Mr. LIVINGSTON (for himself, Mr. BAKER, Mrs. CHENOWETH, Mr. COOKSEY, Mr. ENGLISH of Pennsylvania, Mr. FORBES, Mr. FROST, Ms. GRANGER, Mr. HAYWORTH, Mr. HOLDEN, Mrs. KELLY, Mr. KNOLLENBERG, Mr. LATHAM, Mr. LEWIS of California, Mr. MCHUGH, Mr. MCINTOSH, Ms. MOLINARI, Mrs. MYRICK, Mr. NEY, Mr. NETHERCUTT, Mr. NORWOOD, Mr. PACKARD, Mr. PARKER, Mr. PETRI, Mr. RADANOVICH, Mr. ROHRABACHER, Mr. SHADEGG, Mr. SKEEN, Mr. SNOWBARGER, and Mr. WALSH):

H.R. 683. A bill to amend the Internal Revenue Code of 1986 to increase the unified estate and gift tax credit to an amount equivalent to a $1,200,000 exemption; to the Committee on Ways and Means.

By Mrs. MINK of Hawaii:

H.R. 684. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of funeral trusts; to the Committee on Ways and Means.

By Mr. OLVER (for himself, Mr. SABO, Mr. CONYERS, Mr. DELLUMS, Mr. FRANK of Massachusetts, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. NADLER, Mr. MARTINEZ, Mr. MCDERMOTT, and Mr. SANDERS):

H.R. 685. A bill to amend the Fair Labor Standards Act of 1938 to raise the minimum wage; to the Committee on Education and the Workforce.

By Mr. RAMSTAD (for himself, Mr. OBERSTAR, Mr. VENTO, Mr. RAHALL, Mr. SABO, Mr. MANTON, Ms. SLAUGHTER, Mr. EWING, Mr. PASTOR, Mr. BARRETT of Wisconsin, Mr. MINGE, Mr. LUTHER, Mr. GUTKNECHT, and Mr. CAMPBELL):

H.R. 686. A bill to extend certain Medicare community nursing organization demonstration projects; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABO (for himself, Mr. CONYERS, Mr. OLVER, Ms. NORTON, Mr. HINCHEY, Mr. SANDERS, Mr. TOWNS, Mr. MARTINEZ, Mr. VENTO, Ms. VELAZQUEZ, and Ms. MCKINNEY):

H.R. 687. A bill to amend the Internal Revenue Code of 1986 to deny employers a deduction for payments of excessive compensation; to the Committee on Ways and Means.

By Mr. DAN SCHAEFER of Colorado (for himself, Mr. STUPAK, Mr. OXLEY, Mr. NORWOOD, Mr. BURR of North Carolina, Mr. LIVINGSTON, Mr. MCHUGH, Mr. SKEEN, Ms. NORTON, Mr. BEREUTER, Ms. CHRISTIAN-GREEN, Mr. NETHERCUTT, Mr. BACHUS, Mr. KLUG, Mr. PARKER, Mr. GRAHAM, Mr. DEAL of Georgia, Mr. GILLMOR, Ms. RIVERS, Mr. TAYLOR of North Carolina, Mr. MCINTOSH, Mr. DOYLE, Mr. LAFALCE, Mrs. MYRICK, Mr. GEKAS, Mrs. THURMAN, Mr. WATKINS, Mr. LUCAS of Oklahoma, Mr. HEFLEY, Mr. PORTER, Mr. MCDADE, Mr. CANADY of Florida, Mr. DOOLEY of California, Mr. EHLERS, Mr. SPRATT, Mr. HILLEARY, Mr. BOB SCHAFFER of Colorado, Mr. KANJORSKI, Mr. CRAPO, Mr. TAUZIN, and Mr. MCCRERY):

H.R. 688. A bill to amend the Solid Waste Disposal Act to require at least 85 percent of funds appropriated to the Environmental Protection Agency from the leaking underground storage tank trust fund to be distributed to States for cooperative agreements for undertaking corrective action and for enforcement of subtitle I of such act; to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. RANGEL, Mr. MCDERMOTT, Mr. MCNULTY, and Mr. KENNEDY of Rhode Island):

H.R. 689. A bill to amend title XVIII of the Social Security Act to continue full-time-equivalent resident reimbursement for an additional one year under Medicare for direct graduate medical education for residents enrolled in combined approved primary care medical residency training programs; to the Committee on Ways and Means, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TRAFICANT:

H.R. 690. A bill to amend title 5, United States Code, to clarify that the Government in the Sunshine Act applies to the Federal Open Market Committee; to the Committee on Government Reform and Oversight.

H.R. 691. A bill to provide for a three-judge division of the court to determine whether cases alleging breach of secret Government contracts should be tried in court; to the Committee on the Judiciary.

H.R. 692. A bill to amend the independent counsel provisions of title 28, United States Code, to authorize the appointment of an independent counsel when the Attorney General determines that Department of Justice employees have engaged in certain conduct; to the Committee on the Judiciary.

By Mr. FRANKS of New Jersey:

H.J. Res. 48. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. HUTCHINSON (for himself and Mr. DICKEY):

H.J. Res. 49. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. POMEROY:

H.J. Res. 50. Joint resolution proposing an amendment to the Constitution of the United States to require a balanced budget; to the Committee on the Judiciary.

By Mr. HOUGHTON (for himself, Mr. GALLEGLY, Mr. ACKERMAN, Mr. BALLENGER, and Mr. GILMAN):

H. Con. Res. 18. Concurrent resolution congratulating the people of the Republic of Nicaragua on the success of their democratic elections held on October 20, 1996; to the Committee on International Relations.

By Ms. WOOLSEY:

H. Con. Res. 19. Concurrent resolution expressing the sense of the Congress that the German Government should investigate and prosecute Dr. Hans Joachim Sewering for his war crimes of euthanasia committed during World War II; to the Committee on International Relations.

By Ms. DUNN of Washington (for herself, Mrs. MORELLA, Ms. MOLINARI, Mrs. MEEK of Florida, Mrs. FOWLER, Ms. RIVERS, Ms. JACKSON-LEE, Ms. CHRISTIAN-GREEN, Mrs. CARSON, Mrs. KELLY, Mr. MCCOLLUM, Mr. BURTON of Indiana, Mr. MCDERMOTT, Ms. BROWN of Florida, Mr. FOLEY, Mr. FROST, Ms. STABENOW, Mr. SESSIONS, Ms. DEGETTE, Mr. KING of New York, Mrs. EMERSON, Mr. LOBIONDO, Mr. ROTHMAN, Mr. MARTINEZ, Mr. MCGOVERN, Ms. GRANGER, Mrs. ROUKEMA, Ms. PRYCE of Ohio, Mr. NETHERCUTT, and Mr. RAMSTAD):

H. Res. 48. Resolution expressing the sense of the House of Representatives concerning the need for further studies and accurate guidelines regarding the use of mammograms and other technology to screen women between the ages of 40 and 49 for breast cancer; to the Committee on Commerce.

By Mr. GILMAN (for himself, Mr. HAMILTON, and Mr. MANZULLO):

H. Res. 49. Resolution expressing appreciation for the life and service of Ambassador Pamela C. Harriman; to the Committee on International Relations.

By Mr. STEARNS:

H. Res. 50. Resolution expressing the sense of the House of Representatives that aviators who meet the qualification standards of the Air Forces Escape and Evasion Society should be granted recognition for meritorious service by the Department of Defense; to the Committee on National Security.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1: Ms. NORTON, Mr. CANADY of Florida, Mr. SKEEN, Mr. PEASE, and Mr. HASTERT.

H.R. 14: Mr. SNOWBARGER, Mr. MANZULLO, Mr. STEARNS, Mr. CANADY of Florida, Mr. GORDON, Mr. BURR of North Carolina, Mr. HOSTETTLER, Ms. MOLINARI, and Mr. FOLEY.

H.R. 41: Mr. TIAHRT, Mr. ROGERS, and Mr. MCKEON.

H.R. 53: Mr. MARTINEZ, Mr. DELLUMS, Mr. BROWN of California, Mr. GEJDENSON, Ms. SLAUGHTER, Mr. EVANS, and Mr. CUMMINGS.

H.R. 100: Mr. STUMP, Ms. ROYBAL-ALLARD, Mrs. CLAYTON, and Ms. JACKSON-LEE.

H.R. 135: Mr. FORD, Mr. HEFNER, Mr. LIPINSKI, Mr. OBEY, Mr. SHAYS, Mr. SKEEN, and Mr. WEXLER.

H.R. 156: Mr. SHAW.

H.R. 157: Mr. GEKAS, Mrs. KELLY, and Mr. TRAFICANT.

H.R. 158: Mr. BRYANT.

H.R. 162: Mr. SENSENBRENNER.

H.R. 163: Mr. PARKER, Mr. TAYLOR of North Carolina, Mr. BEREUTER, Mr. TALENT, MR. ROHRABACHER, Mr. EHRLICH, and Mr. GOODLING.

H.R. 169: Mr. SHADEGG, Mr. TAYLOR of Mississippi, Mr. WEXLER, and Ms. PRYCE of Ohio.

H.R. 180: Mr. WEXLER and Mrs. THURMAN.

H.R. 230: Mr. WELDON of Florida.

H.R. 306: Mr. FOGLIETTA, Mr. HEFNER, and Mr. BOUCHER.

H.R. 337: Mr. MCGOVERN, Mr. DELLUMS, Mr. TORRES, Mr. KILDEE, Ms. BROWN of Florida, Mr. DAVIS of Illinois, and Mr. MORAN of Virginia.

H.R. 338: Mr. SCARBOROUGH.

H.R. 340: Mrs. MYRICK, Mr. SMITH of Michigan, Mr. COBURN, and Mr. NORWOOD.

H.R. 343: Mr. ENGLISH of Pennsylvania.

H.R. 406: Mr. GEKAS, Mr. SHAW, and Mr. SMITH of New Jersey.

H.R. 407: Mrs. MEEK of Florida, Ms. PELOSI, Mr. SANDERS, Mr. MATSUI, Ms. BROWN of Florida, Mr. FALEOMAVAEGA, and Mr. FRANK of Massachusetts.

H.R. 410: Mr. GOODE.

H.R. 411: Mr. CUMMINGS, Mr. DEFAZIO, Ms. LOFGREN, MS. FURSE, Mr. DIXON, and Ms. PELOSI.

H.R. 418: Mr. KENNEDY of Rhode Island, Mr. SMITH of New Jersey, Ms. STABENOW, Mr. BARCIA of Michigan, Mr. GONZALEZ, Mr. BOUCHER, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. EVANS, Mr. SAXTON, Mrs. KELLY, Ms. BROWN of Florida, Mr. FOLEY, Mr. ROMERO-BARCELO, Mr. UNDERWOOD, and Mr. WOLF.

H.R. 420: Ms. ESHOO.

H.R. 443: Ms. NORTON, Mr. DELLUMS, Mr. RUSH, and Mr. WEYGAND.

H.R. 446: Mr. SHIMKUS, Mr. BILBRAY, Mr. CUNNINGHAM, Mr. BLUNT, Mr. BUNNING of Kentucky, Mr. BAKER, Mr. PACKARD, Mr. GILLMOR, Mr. PAPPAS, and Ms. MOLINARI.

H.R. 450: Mr. COLLINS, Mr. MEEHAN, Mr. CHAMBLISS, Mr. CLEMENT, Mr. TALENT, Mr. LEWIS of Kentucky, Mrs. THURMAN, Mr. SMITH of Texas, Mr. BURTON of Indiana, and Ms. MCCARTHY of Missouri.

H.R. 464: Mr. FALEOMAVAEGA.

H.R. 465: Mr. WYNN and Ms. GRANGER.

H.R. 477: Mr. DAN SCHAEFER of Colorado.

H.R. 493: Mr. CASTLE, Mr. UNDERWOOD, Mr. GREENWOOD, Mr. CAPPS, Mr. FRELINGHUYSEN, and Mr. LEVIN.

H.R. 495: Mr. WELLER.

H.R. 498: Mr. MCGOVERN.

H.R. 500: Mr. KENNEDY of Rhode Island and Mr. FILNER.

H.R. 539: Mr. TOWNS, Mr. MARTINEZ, Mr. FOGLIETTA, and Mr. FORD.

H.R. 554: Mr. WATTS of Oklahoma.

H.R. 561: Mr. GREEN, Mr. SERRANO, Mr. RUSH, Mr. DELLUMS, Mr. GONZALEZ, Ms. PELOSI, Mr. FROST, Mr. MORAN of Virginia, Mr. EVANS, Mr. FOGLIETTA, Mr. KENNEDY of Rhode Island, Mr. FORD, and Ms. LOFGREN.

H.R. 612: Mr. MCGOVERN, Mr. BLAGOJEVICH, Mr. WALSH, Mr. BOUCHER, Mr. EVANS, Mr. STEARNS, Mr. SAWYER, Mr. NEY, Mr. HOLDEN, Mr. HEFNER, Mr. FAZIO of California, Ms. PRYCE of Ohio, Mr. VENTO, and Mr. ACKERMAN.

H.R. 615: Mr. FOGLIETTA.

H.R. 627: Mr. YOUNG of Alaska.

H.R. 633: Mr. MORAN of Virginia.

H.R. 664: Mr. GEJDENSON.

H.J. Res. 1: Mrs. EMERSON and Ms. PRYCE of Ohio.

H.J. Res. 8: Mr. GUTIERREZ and Mr. COBURN.

H.J. Res. 27: Mr. CLYBURN.

H. Res. 22: Mrs. THURMAN, Mr. MCNULTY, Mr. KLUG, Mr. SHERMAN, Mrs. LOWEY, and Mr. ABERCROMBIE.

H. Res. 23: Mrs. MYRICK, Mr. SCARBOROUGH, and Mr. COBURN.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.J. Res. 2

OFFERED BY: MR. HUTCHINSON

*(Amendment in the Nature of Substitute)*

AMENDMENT NO. 1: Strike all after the resolving clause and insert the following:

That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"CONGRESSIONAL TERM LIMITS AMENDMENT

"SECTION A. No person shall serve in the office of United States Representative for more than three terms, but upon ratification of the Congressional Term Limits Amendment no person who has held the office of United States Representative or who then holds the office shall serve for more than two additional terms.

"SECTION B. No person shall serve in the office of United States Senator for more than two terms, but upon ratification of the Congressional Term Limits Amendment no person who has held the office of United States Senator or who then holds the office shall serve more than one additional term.

"SECTION C. This article shall have no time limit within which it must be ratified by the legislatures of three-fourths of the several states.".

# EXTENSIONS OF REMARKS

## PATENT AND TRADEMARK OFFICE SURCHARGE EXTENSION ACT

### HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. COBLE. Mr. Speaker, today, I am pleased to introduce a bill which responds to an aspect of the budget proposed by the administration last Thursday and to congressional practice over the past 6 fiscal years. The administration's budget proposal would divert $92 million in fiscal year 1998 from the U.S. Patent and Trademark Office, which receives no taxpayer dollars, to other tax-funded areas of the Government. In 1999, the administration proposes that $119 million be diverted. In fiscal year 1997, Congress diverted $54 million, a significant increase over previous diversions. This legislation would correct this serious and growing problem, without harming the budget, so that the PTO can continue to be the engine that fuels the creation of competitive American technology.

Last month, Representatives GOODLATTE, CONYERS, LOFGREN, and I introduced H.R. 400, the 21st Century Patent System Improvement Act, a bipartisan bill which will make critical reforms to our Nation's patent laws and to the PTO for America's high-technology industries. However, unless we move quickly to preserve and stabilize the finances of the PTO, these improvements and the patent system itself will be in jeopardy.

The Patent and Trademark Office is funded totally through the payment of application and user fees. Taxpayer support for the operations of the Office was eliminated in 1990 with the passage of the Omnibus Budget Reconciliation Act. The act imposed a massive fee increase—referred to as a "surcharge"—on America's inventors and industry in order to replace taxpayer support the Office was then receiving. The revenues generated by this surcharge, $119 million, which constitute approximately 20 percent of the PTO's operating budget, are placed into a surcharge account. The PTO is required to request of the Appropriations Committees that they be allowed to use these surcharge revenues in this account to support the 20 percent of its operations these revenues represent. It was anticipated in 1990 that Congress would routinely grant the PTO permission to use the surcharge revenue since it was generated originally from fees paid by users of the patent and trademark systems to support the cost of those systems.

Unfortunately, experience has shown us that the user fees paid into the surcharge account have become a target of opportunity to fund other, unrelated, taxpayer-funded Government programs. The temptation to use the surcharge, and thus a significant portion of the operating budget of the PTO, has proven increasingly irresistible, to the detriment and sound functioning of our Nation's patent and trademark systems. Beginning with the diversion of $8 million in 1992, Congress has increasingly redirected a larger share of the surcharge revenue, reaching a record level of $54 million in the current year. In total, over the past 6 fiscal years, over $142 million has been diverted from the PTO.

This, of course, has had a debilitating impact on the Patent and Trademark Office. The effort to reclassify the patent search file to keep it current with developing technologies had to be eliminated. The efforts to provide technological training for patent examiners and to expose them to the latest developments in their fields has been reduced. The support of legal training for patent examiners has been cut 50 percent. One of the most promising cost-saving steps contemplated by the PTO, allowing applicants to file their applications electronically, has been postponed indefinitely. Since the diversion of $54 million this year, the Office has been forced to reduce the hiring of patent examiners 50 percent at a time when patent application filings are increasing by nearly 10 percent annually. In the budget delivered to this body by the administration last Thursday, the President is proposing that we continue to increase these diversions in the amount of $92 million in fiscal year 1998 and $119 million, the amount of the entire surcharge, in each of the succeeding years through fiscal year 2002. In anticipation of this denial of user fees, the PTO has canceled totally all plans for hiring patent examiners this year because it would not have sufficient funds to pay for them next year. We cannot afford to allow this dismantling of our patent system to occur.

The legislation I am introducing today is revenue neutral. It does not increase an expenditure of taxpayer revenues which would increase the deficit. It would merely permit the PTO to use all of the patent and trademark fees it receives to examine patent and trademark applications, to grant patents and to register trademarks. It does this by placing the fees generated by the surcharge mandated by the Omnibus Budget Reconciliation Act of 1990 into the same category as the other user fees paid by patent and trademark applicants. Specifically, it would characterize these fees as "offsetting collections" rather than "offsetting receipts" so that all of the fees collected could be used for the purposes for which they were paid.

We must stop this unwarranted tax on innovation. Our Patent and Trademark Office cannot operate effectively on 80 percent of its operating budget—all of which is paid for not by you and me, but by the applicants who use it. I look forward to working with all interested parties to reverse this potential decline in the services offered by the PTO. In this increasingly competitive world, the economic survival of the United States will be dependent upon high technology products and services. We cannot allow the pillar upon which our competitiveness in the global economy rests to be destroyed.

## SUNSHINE ON THE FEDERAL OPEN MARKET COMMITTEE ACT

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. TRAFICANT. Mr. Speaker, in 1995 the Chairman of the Federal Reserve clarified that transcripts of its Federal Open Market Committee [FOMC] meetings will be disclosed to the public—after 30 years.

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

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

The entity within the Fed responsible for determining the country's monetary policy is the FOMC, which consists of the 7 member Board of Governors and 5 of the 12 district bank presidents. The FOMC meets every 6 weeks but, unfortunately for the general public, they meet in relative secrecy. I say relative because, in the wake of a FOMC meeting, members of the committee give speeches to business groups where, with a wink and a nod, they may reveal specifics of the new policy. Meanwhile, the ordinary American gets a convoluted synopsis of the policy immediately after the meeting, an edited transcript 6 weeks later, and the full story 30 years later. It is time to open these meetings up to all.

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

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

I urge my colleagues to once again support and cosponsor this important measure.

## TRIBUTE TO CLARENCE DUDLEY NOLAND

### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. ROGERS. Mr. Speaker, today I would like to pay tribute to a dedicated public servant, a good citizen, and a man who is well-respected throughout my home State of Kentucky.

Clarence Dudley Noland, known to many as "C.D.", the gentleman from Estill County, is a man who has left his mark in Kentucky. As a State legislator, an entrepreneur, a railroad engineer, a farmer, and a 30-year member of the Army National Guard, C.D. has touched the lives of many people throughout our State.

As a Member of the Kentucky House of Representatives for 15 years, C.D. earned a reputation for being hard-working, fair-minded, and rooted in good, old-fashioned common sense. From the first day C.D. took his oath of office in 1982, he set out to make a difference for the people he represented.

If you know anything about the Appalachian region of eastern Kentucky, you realize that we have many challenges, but C.D. has tackled those challenges with great success. He has been instrumental in developing industrial parks, medical service heliports, sewer and water improvements, and mobile dental clinics for Appalachian children. He has fought for veterans programs, affordable housing, nursing home facilities, and historic preservation and conservation of Kentucky's lands and heritage.

C.D.'s dedication, diligence, and fairness gained him the esteem of Governors, legislators, and public administrators alike. During his tenure, he served as vice chairman on the powerful Appropriations and Revenue Committee. Other committees he served on include the Legislative Research Commission, Rules Transportation, Program Review and Investigations, Cities, and Natural Resources and Environment. He was a member of the Governor's Task Force on Health Care and the Governor's Commission for Tax Reform where his insights proved invaluable. His was also actively involved in the executive committee of the Kentucky Republican Party, the American Legislative Exchange Council, and the National and Southern Conferences of the State Legislators Association.

From 1991 to 1994, C.D. stepped into the leadership of the general assembly, when he was elected to serve as the house minority caucus chairman. After serving two terms, he stepped aside so fellow legislators might share the experience.

C.D.'s departure from the general assembly did not mean that he would hang up his hat. Today, he is still doing what he can to improve the quality of life for the people of Kentucky. He continues to share his time and talent as a member of the board of directors of 21st Century, Inc; the Marcum Wallace Hospital Board of Directors; the Estill County Chamber of Commerce; the Irvine-Ravenna Kiwanis Club; the Community Development Foundation Council; the Natural Bridge Park Association; the Council of the National Rifle Association; F and A Masons, Irvine Lodge 137; Oleika Shrine Temple; and the Estill County Sportsmen's Club.

It has been an honor and a privilege knowing and working with C.D. Noland throughout the years. On behalf of the people of eastern Kentucky, I want to commend C.D. for all he has accomplished for our State, and thank him for a job well done.

## LONG TIME DEMOCRAT JOINS REPUBLICAN RANKS

### HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. LIVINGSTON. Mr. Speaker, on December 19, 1996, the mayor of Slidell, LA, the Honorable Salvatore A. "Sam" Caruso, left the Democratic party for the Republican Party. I commend Mayor Caruso on his decision and welcome him to the Republican Party.

Like other conservative Democrats, mayor Caruso found it difficult to be a member of a party whose philosophy blatantly contradicted his own deeply held beliefs. I recommend that my House colleagues take a moment and read Mayor Caruso's remarks.

SOME REFLECTIONS UPON THE OCCASION OF CHANGING MY POLITICAL PARTY AFFILIATION FROM THE DEMOCRATIC PARTY TO THE REPUBLICAN PARTY

(By Salvatore A. Caruso)

Thank you for coming here today.

The fact that we have had sleet, and rain and snow here in south Louisiana over the past few days was merely what Congressman Livingston predicted would happen whenever I would change political parties. Except that he predicted both events for July 32nd.

Bob Livingston has been trying to persuade me to make this change for at least ten (10) years now. In a desperate attempt about a year ago, he added one new reason. Bob told me that I look more like an elephant than a jackass. I was not sure if that was a compliment or an insult. Although he added that if I became a Republican I could ride the elephant into an unlimited political future. I told him that if the elephant could fit on my shoulders I would do it.

A lot of people have a right to a serious explanation regarding this change in my Party affiliation.

Because I have been a Democrat for all of my life and because I have been correctly identified as a proponent of a few issues which some people call "liberal", there has been an obscuring of the fact that upon several other issues I have always been strongly conservative and correctly identified with what might be called the Republican position.

Let me give you three examples:

(1) There is currently a popularly used word to describe the divesting of power by the Federal Government from itself, and the passing of that power on to Stat and Local governments. The word is "devolution."

For me, that is simply a newly popular word to replace the more traditional word "subsidiarity." Subsidiarity is a word and a concept that have been available to us for a very long time. The word has a proper place in philosophy, economics, political science, management and other areas of human endeavor. Put simply, it means this: Nothing should be done at a higher level of organization than is necessary to accomplish the purpose involved. Or, conversely, whatever needs to be done should be done at the lowest level of organization that is possible. In governmental terms: Whatever needs to be done by the government should be done by the government closest to the people.

(2) I am a fiscal conservative and I always have been. That strong fiscal conservatism has been consistently reflected in my speech, in my actions, and in my decisions as a public official for over eighteen (18) years now. No one turns around a public hospital from a three and one-half million dollar debt to a thriving enterprise by using financially liberal practices. No one leads a city to $55,000,000 worth of capital improvements while finishing eleven (11) years of operations with a financial surplus by being profligate with public money.

(3) I believe strongly in environmental protection. But, I do not believe that business people ought to be, in effect, deprived of the use of their land because it holds a puddle of water for two weeks out of the year. I believe even less that local governments, struggling to keep their people from flooding, ought to have to obtain permission from the Federal Government to build the necessary structures on land where some exotic grasses are growing. I like plants, but like people more.

And, it is my love for people that brings me to the central reason for this change in political parties.

Before I expand upon that, I want to insert here a very personal note. I began this speech with a couple of humorous comments about Congressman Livingston. Now I want to tell you something that is very serious. No one should ever change political parties simply because of a personal friendship. And, over the years, I have resisted any temptation to do that. The issue is simply too important to be decided at that level. But, if there are other matters that are compelling or nearly compelling, then certainly it is honorable to allow personal considerations to top-off the decision-making process.

And, that is, in fact, happening in this case. As almost everyone knows by now, Bob Livingston and I were classmates at Our Lady of Lourdes Grammar School in New Orleans. He has survived the publication of that fact until now, and I expect that he will continue to manage after this. What yet may be unclear is the extent to which Bob has been a friend to me and to the city which I lead. Over all of these years and throughout all of his success at the national level, he has never been any different in personal attitude than he was when we were both boys. And, during all of that time no one could have been a better friend to a former classmate than Bob Livingston has been to me. No one could have been a better friend to the City I lead than Bob Livingston has been to the City of Slidell. Federal money that is at

work right now in the City of Slidell came here largely through Bob Livingston. Federal money to control flooding, and for which we have only recently become eligible, will come to us almost solely because of Bob Livingston, if only we have the sense to take it.

What all of us owe to my grammar school classmate is more than I can cover in this speech. And, so, for now, in this setting, the only thing more that needs to be said is: Thank you, Bob.

Now, let me return to my comment about my love for people.

I come from a family which always struggled for a reasonable level of existence, which was occasionally near the poverty level, and in which both parents died at age fifty-three (53), and died bankrupt for the crime of having cancer but no health insurance.

For the past twenty-four (24) years, as a licensed psychiatric social worker, I have heard more than I ever expected to hear about the endless ways in which human suffering comes to people, about how they cope or do not cope with that suffering, about what kind of help they have needed from me, from others, and sometimes from the whole community.

No one needs to tell me about such things. I have lived them. I have heard them. I have, hopefully, helped people through them.

I love people.

But, within that love for people I have a peculiar feeling and a peculiar notion.

I also love people who already exist but are not yet born.

Those people are called by different names: tissue, zygote, embryo, fetus, baby, human, child of God.

I confess to another strange, peculiar notion. It is this: No one has the right to kill another human being except to save his or her own life or the life of another innocent human being. And, if I have not stretched your patience too far already, please listen to yet one more strange peculiar belief. I also believe that the same nearly universally accepted rule which forbids such killing also applies to our fellow human beings who already exist but are not yet born.

I think it is unacceptable and barbaric to kill unborn babies. And, in an even more retrogressive concept, I hold that society has something to say about this, that the community has something to say about this. I deny and deny emphatically that this is a purely private matter.

There are, indeed, issues and behaviors that are or should be beyond the reach of the society, the community, or the State. There are behaviors that are or should be purely personal, private matters. These are behaviors that, for the most part, involve only one person or freely consenting adults. Generally, sexual preferences and practices are or should be covered by a veil which excludes everyone but the consenting adult participants. For example, a decision to use contraception is or should be a purely personal matter in which no outsider has a right to interfere. There are other examples, in other aspects of life, which carry and should carry a sign saying: PRIVATE, NO ENTRY.

But abortion is not one of them: Abortion is different. Abortion involves two different human beings—one of them is neither an adult nor consenting. Abortion involves the killing of one human being by another with or without accomplices. Where else in this culture do we say that such behavior is a purely private matter? Where else do we say that in such circumstances the society, the community, and the State itself have no rights at all? No where.

It is obvious, of course, that the circumstances of pregnancy are unique. But in western civilization we purport to value life more than any of the conditions of life. But, not if it is an unborn life. In that circumstance, any condition *at all* is held to be good enough, heavy enough, to outweigh even the basic right to life itself.

I suggest to you that this is insane, that we are a nation that has lost our collective mind over this issue.

And, even some people who are pro-choice seem to know this. There seems to be a psychological need for denial, for euphemism, for semantics, and for general self-deception in order to make the psyche accept that which it could otherwise not accept.

Listen to a few examples:

(1) "The fetus is not human."

By now, this is hardly worth the effort to refute it. On the basis of science, not religion, we know that from the moment of conception, the fetus has its own full set of chromosomes, an absolutely unique genetic pattern, and 100% of the material necessary to develop into a fully grown human being. The mother, who has already provided fifty percent (50%) of the building materials, now also provides a site and nourishment for the event. Nothing less but nothing more.

(2) "But, this is part of the mother's body."

By now, this is almost ludicrous. There is enough biological information available even to the general public to expose the lie in this claim. From the moment of conception, the fetus is immunologically foreign to the mother. It may have a different blood type. And, in about fifty percent (50%) of all cases it has a different gender than the mother.

How, by *any* standard, can this be a part of the mother?

(3) "But a woman has a right to control her own reproduction."

Yes, she does. She has the right to abstain from sexual intercourse. She has the right to engage in sexual intercourse and to use contraception.

But abortion is not contraception. It has nothing to do with reproductive rights. It has to do with killing that which has already been reproduced.

No amount of euphemism will change that.

Do we use the words "vaccine" and "antibiotic" interchangeably? If so, then let's begin to use the words "contraception" and "abortion" interchangeably. Until then, I think the clarity of distinction could be helpful.

(4) "This is a religious issue and no one has a right to impose his or her religious beliefs on anyone else."

Indeed we have no such right! But, at its most common denominator, abortion involves not theology, but humanity. One does not need to believe in God to be opposed to abortion. One needs only to believe in humanity. One needs only to believe that we do not kill each other except to save ourselves or another one of us. A creed is not needed to abhor abortion for convenience.

I never want to live in a community where a majority of Catholics can forbid the sale of contraceptives, or where a majority of Baptists can forbid the sale of liquor, or where a majority of Jews can forbid the sale of pork. But, it is a source of horror to live in a country where any number of people can forbid protection to a group of innocent human beings targeted for killing.

In addition to the horrors generally associated with abortion, there has now been added to the lexicon a phrase that should go down in history along side the terms "The Inquisition", "The Witch Burnings", "The Camps", "The Ovens", "The Holocaust", and "The Final Solution." That phrase is "Partial Birth Abortion."

This phrase refers to an absolutely barbaric act in which an abortion is performed late in the second trimester and through the entire third trimester of a woman's pregnancy.

In September, 1993, a pro-choice nurse, Brenda Pratt Shafer, witnessed her first partial birth abortion.

Here is her description of what she saw:

"I stood at the doctor's side and watched him perform a partial birth abortion on a woman who was six months pregnant. The baby's heartbeat was clearly visible on the ultrasound screen. The doctor delivered the baby's body and arms, everything but his little head. The baby's body was moving. His little fingers were clasping together. He was kicking his feet. The doctor took a pair of scissors and inserted them into the back of the baby's head, and the baby's arms jerked out in a flinch, a startle reaction, like a baby does when he thinks he might fall. The doctor opened the scissors up. Then he stuck the high powered suction tube into the hole and sucked the baby's brains out. Now the baby was completely limp. I never went back to the clinic. But, I am still haunted by the face of that little boy. It was the most perfect, angelic face I have ever seen."

Doctor Pamela E. Smith, Director of Medical Education, Department of Obstetrics and Gynecology, at Mount Sinai Hospital in Chicago testified to a committee of the United States Congress:

"There are absolutely no obstetrical situations encountered in this country which require a partially delivered human fetus to be dstroyed to preserve the life or health of the mother."

Doctor Harlan R. Giles, a "high-risk" obstetrician, gynecologist, and perinatologist at the Medical College of Pennsylvania agreed with her. So did Doctor C. Everett Koop.

Now, on the other side, President Clinton says that even partial birth abortion acceptable. By now he has given at least three different reasons for his veto of the bill passed by Congress to outlaw partial birth abortion. I will not give you those reasons because by tomorrow they may be obsolete.

Upon an attempt to override the President's veto, the necessary majority of the Congress voted to sustain the veto. Most of the votes to sustain were democratic votes.

I can no longer belong to a party which says that this sort of absolutely needless barbarism is acceptable national policy.

I read the newspapers, and late at night, I watch CNN. I have read and heard the rumors that the Republican Party is not perfect. I even suspect that those rumors might be true. But, I will tell you this: The Republican Party has consistently stood up and said that, except to save the life of the mother, it is not O.K. to have a national policy of killing our urborn babies. Most recently, as a Party, the Republicans have stood up and said that, "Well excuse us, but we do not agree that it is alright to stab a baby in the back of her head, open a hole there, insert a vacuum cleaner, and suck out her brains."

It is without hesitation and without personal regret that today I leave the Democratic Party and join the Republican Party.

I know there are other important issues. I have alluded to them in the beginning of this speech. On some of those issues I may disagree with my new Republican colleagues.

But, let me tell you this: Over my 18 years as a public official I have had far more success in sensitizing Republican leaders to various human needs than I have had in sensitizing Democratic leaders to the moral outrage of abortion.

Let me tell you something else. This issue of abortion is no ordinary issue. It cannot be put into line with any number of issues on one side and weighed against all of the issues on the other side. No. This issue is different in kind. This issue is the slavery issue of the Twentieth Century. No moral person could have decided for or against the Civil War on the basis of the exportation of cotton, or upon the cultural differences between the North and the South. No. All that mattered. But there was one issue that riveted the attention of the nation, one issue that screamed for moral judgment, one issue that finally called for the "terrible swift sword." That issue was human slavery. Today that issue is human life itself.

Although it would be untrue, accuse me if you will of deciding this on the basis of one issue. I stand then with Abraham Lincoln. I stand with William Lloyd Garrison. I stand with all of the abolitionists from both centuries, and on both issues.

I want to close this speech with a different kind of thought. For years now I have said that opposition to abortion should not be based primarily upon religious beliefs. But certainly once we have established our opposition upon broader grounds, we need not be embarrassed to add to those grounds our own religious considerations.

All of us in this room, Christian and non-Christian, all of us who believe in God at all, have got to also believe that that God is still howling across the centuries: "Where is your brother...? What have you done? Listen! Your brother's blood is crying out to me from the ground." Genesis 4:10–11

Where are our brothers? Where are our sisters? Gone into the bucket. Gone into the ground. Victims of the idolatry of absolute free choice. Victims of the idolatry of unlimited ambition for public office.

Allow me, please, to reflect my own Catholic Christianity. The Second Vatican Council closed on December 8, 1965. That was 8 years before *Roe* v. *Wade* in this country. Even without that stimulus, the Council Fathers addressed abortion directly. They said:

"From the moment of conception, life must be guarded with the greatest of care, while abortion and infanticide are unspeakable crimes."

On March 25, 1995, in his Encyclical, "Evangelium Vitae," (The Gospel of Life), Pope John Paul II said:

"I declare that direct abortion, that is, abortion willed as an end or as a means, always constitutes a grave moral disorder, since it is the deliberate killing of an innocent human being."

And now in closing I want to return to our common Christian heritage. By happy coincidence or by the grace of God, this event is occurring just five days before Christmas.

My own favorite Christmas story is one that is, comparatively, unfamiliar.

It begins in the mind of God before all of the millennia. St. John the Evangelist brings it to us in some of the most majestic language in the history of Christianity. I first came to love it when our Church recited it in Latin at the end of every Mass. And, if you will indulge my love for the sheer beauty of the language, I will repeat a part of it here for you, first in those sounds that I once so loved to hear.

St. John closes the Prologue in this Gospel with these words:

And the Word was made flesh
and dwelt among us;
and we saw His glory,
the glory of the only begotten of the Father
full of grace and of truth.

—*John 1:1–14.*

Maranatha. And Merry Christmas.

## INTRODUCTION OF LEGISLATION

### HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. HAMILTON. Mr. Speaker, I am pleased to introduce legislation today to clarify that the 1990 Clean Air Act Amendments do not require pollution controls for beverage alcohol compounds emitted from aging warehouses.

To meet the strictures of the 1990 amendments to the Clean Air Act, installation of pollution controls may be required for beverage alcohol—ethanol—emissions from distilled spirits aging warehouses despite the facts that the EPA recognized that such controls could adversely affect product quality and that ethanol emissions do not contribute significantly to ozone formation.

The aging process is a natural process by which distilled spirits products derive their inherent characteristics, including color, taste, and aroma. Altering this aging process by imposing emission control technology on aging warehouses could inflict an unreasonable adverse effect on the maturation process for these products and thereby jeopardize the desired quality and uniqueness of each distilled spirits brand.

Imposition of Clean Air Act emissions controls on aging warehouses would create significant costs on both the industry and the Government. First, for the industry, distillers would risk jeopardizing the quality of their products by installing pollution control technology of uncertain effect on aging warehouses.

Second, for the Government, tax revenue would be threatened by any action which significantly impacts product quality and product sales. Distilled spirits are the highest taxed consumer product in the United States and a major source of revenue for Federal, State, and local governments.

Since December 1992, the industry has tried time and time again to get a definitive answer from either the EPA or the State governments involved on the question of whether such controls are required by the 1990 amendments. While both the Indiana and Kentucky General Assemblies have passed resolutions urging EPA not to regulate beverage alcohol compounds emitted from aging warehouses, EPA has still not provided a definitive response.

The change I am proposing is only for those emissions coming from aging warehouses and does not exclude any other portions of the distilled spirits production process from Clean Air Act requirements.

## TRIBUTE TO MAYOR MATTHEW CAPANO

### HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. ANDREWS. Mr. Speaker, I rise today to honor an individual who has given of himself to make his borough a better place to live. I am speaking of Matthew Capano, former mayor of the borough of West Paterson.

Matthew Capano's dedication to West Paterson and his fellow citizens is exemplary. Mayor Capano is a lifelong resident of West Paterson. The mayor has demonstrated his dedication to West Paterson through his long service to the West Paterson Democrat Club, including serving the club as president. Mayor Capano served his borough as a council member for the borough from 1987 until 1992. Matthew Capano took this worthy dedication to service even further during his term as mayor from January 1, 1994, to December 31, 1996.

As mayor, Matthew Capano conducted himself with a single goal, embodied in his motto: "West Paterson first!" Mayor Capano had a number of impressive achievements during his term as mayor. Mayor Capano brought financial stability to West Paterson by refusing to increase municipal taxes. He united all borough departments, organization, and residents into the single goal of working together for the good of West Paterson. The West Paterson Municipal Alliance became a model for the rest of Passaic County as a result of Mayor Capano's dedication to efficiency. Mayor Capano advanced his belief in efficient and responsible government by transforming the police department and the Department of Public Works; this transformation greatly improved their ability to respond to the needs of the people of West Paterson.

All who know Mayor Capano are honored by his service to the borough of West Paterson. I know that Mayor Capano's wife Donna and children Gina, Sarah, Matthew, and Rebecca are as proud of his accomplishments as we all are. Matthew Capano's service has been remarkable, and I congratulate and thank him on behalf of all the citizens of New Jersey.

## LEGISLATION TO EXTEND MANDATORY COVERAGE OF THE INDEPENDENT COUNSEL LAW TO JUSTICE DEPARTMENT EMPLOYEES

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to require the U.S. Attorney General to call for the appointment of an independent counsel to investigate allegations that Justice Department employees engaged in misconduct, criminal activity, corruption, or fraud. The bill is similar to legislation I authored in the 103d and 104th Congress.

The independent counsel provisions of the Ethics in Government Act of 1978 require the

Attorney General to conduct a preliminary investigation when presented with credible information of criminal wrongdoing by a high ranking executive branch official. If the Attorney General finds that further investigation is warranted or makes no finding within 90 days, the act requires the Attorney General to apply to a special division of the U.S. Court of Appeals for the appointment of an independent counsel. The act also gives the Attorney General broad discretion in seeking the appointment of independent counsel with regard to individuals other than high ranking executive branch officials. However, the Attorney General is not required to do so in such cases.

My bill amends the act to treat allegations of misconduct, corruption or fraud on the part of Justice Department employees in the same manner as allegations made against high ranking cabinet officials. My goal is to ensure that, when there is credible evidence of criminal wrongdoing in such cases, these cases are aggressively and objectively investigated.

I am very concerned over the growing number of cases in which Justice Department employees have been accused of misconduct, corruption or fraud. In several cases I have personally investigated, innocent men fell victim to overzealous or corrupt Federal prosecutors. No action has ever been taken against the prosecutors.

The 1992 Randy Weaver incident that took place in Ruby Ridge, ID is perhaps the most notorious and disturbing example of Justice Department employees, in this case, high ranking officials, acting in a questionable manner, and receiving no punishment other than disciplinary action. In the Randy Weaver case, an unarmed woman holding her infant child was shot to death by an FBI sharpshooter acting on orders from superiors. Former FBI Deputy Director Larry Potts allegedly approved the decision to change the rules of engagement the FBI sharpshooters and other Federal officials at Ruby Ridge were acting on. The decision allowed FBI sharpshooters to shoot on sight any armed adults—whether they posed an immediate threat or not. As a result of this decision, Vicki Weaver was shot to death while holding her infant daughter.

While several officials, including Mr. Potts, were disciplined—some forced to leave the department—no criminal charges were ever filed against any of the officials involved in the Ruby Ridge incident. I would point out that at the outset of the incident a 14-year old boy was shot in the back by U.S. Marshals. Last August, the Federal Government agreed to pay the Weaver family more than $2 million—but did not admit any wrongdoing in the incident. The Ruby Ridge incident served as a stark reminder that the Justice Department does not do a very good job of objectively and aggressively investigating potential criminal acts or misconduct on the part of Justice Department employees. This is especially true of actions involving Justice Department attorneys.

In 1990, a congressional inquiry uncovered the fact that no disciplinary action was taken on 10 specific cases investigated by the Justice Department's Office of Professional Responsibility [OPR] in which Federal judges has made written findings of prosecutorial misconduct on the part of Federal prosecutors. Several Federal judges have expressed deep concern over the lack of supervision and control over Federal prosecutors. In 1993, 3 Federal judges in Chicago reversed the conviction of 13 members of the El Rukn street gang on conspiracy and racketeering charges after learning that assistant U.S. attorneys had given informants alcohol, drugs, and sex in Federal offices in exchange for cooperation, and had knowingly used perjured testimony. No criminal charges have ever been made against the Federal prosecutors, nor has OPR taken any meaningful disciplinary action, other than firing one U.S. attorney.

Unfortunately for our democracy, over the years the Justice Department has built a wall of immunity around its attorneys so that it is extremely difficult to control the actions of an overzealous or corrupt prosecutor. In many instances, the Attorney General has filed ethics complaints with State bar authorities against nongovernmental lawyers who complain about ethics lapses by Federal prosecutors. How has Congress let this agency get so out of control?

The majority of Justice Department officials are hardworking, courageous, and dedicated public servants. The unethical and criminal actions of a few officials and attorneys are tarnishing the reputation of the department. By allowing these actions to go unpunished or by not taking aggressive action in the form of criminal indictments, the department is eroding the public's confidence in government.

As the El Rukn case illustrated, in their zeal to gain a conviction, Federal prosecutors overstepped the boundaries of the ethical and legal behavior. As a result, dangerous criminals were either set free or received greatly reduced sentences. Such actions are unacceptable. The Federal Government needs to act in an unambiguous and aggressive manner against any Federal prosecutor or official who betrays the public trust in such a blatant and damaging fashion. Sadly, that was not done in the El Rukun case, and countless other cases where Justice Department officials acted in an unethical or illegal manner.

The American people expect that the Justice Department—more than any other Federal agency—conduct its business with the highest level of ethics and integrity. It is imperative that the Independent Counsel Act be amended to require that allegations of criminal misconduct on the part of Justice Department employees be treated with the same seriousness as allegations made against high ranking cabinet officials. I urge all of my colleagues to support this bill, the text or which is as follows:

H.R. —

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

**SECTION 1. ADDITIONAL AUTHORITY FOR APPOINTMENT OF INDEPENDENT COUNSEL.**

Section 592(c) of title 28, United States Code, is amended by striking "or" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting "; or", and by adding after subparagraph (B) the following:

"(C) the Attorney General, upon completion of a preliminary examination under this chapter, determines that there are reasonable grounds to believe that—

"(i) employees of the Department of Justice have engaged in misconduct, criminal activity, corruption, or fraud, and

"(ii) further investigation is warranted.".

## INTRODUCTION OF LEGISLATION TO REQUIRE THE INSTALLATION OF EMERGENCY LOCATOR TRANSMITTERS ON AIRCRAFT

### HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mrs. KENNELLY. Mr. Speaker, I am pleased to rise today to introduce the Airplane Emergency Locator Act with Mr. SHAYS. This important legislation would require the installation of emergency locator transmitters in small aircraft to save lives. Unfortunately, current law exempts many types of small planes, including Lear jets, from the requirement to install these lifesaving devices.

This past Christmas Eve, two Connecticut residents piloting a plane to New Hampshire crashed near the Lebanon Municipal Airport. An extensive search in cooperation with the Federal Government and six States including Connecticut was unsuccessful in locating the plane or any survivors. This plane did not have an emergency locator device, which could have made a difference in saving the lives of these two men.

Timing is such a critical element in rescue operations. Providing additional tools for search and rescue teams to locate plane crashes more quickly can mean the difference between life and death. It is unfortunate that tragedy prompted the introduction of this legislation. But it is my hope that this event will force the necessary changes to aid future rescue efforts and save lives.

I applaud my colleague CHRISTOPHER SHAYS for taking the lead on this lifesaving legislation and I am pleased to join him today in introducing this bill, and I urge all my colleagues to join us in supporting the Airplane Emergency Locator Act.

## TRIBUTE TO TOM STAPLETON

### HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. FAZIO of California. Mr. Speaker, after 50 years of service and leadership in the International Union of Operating Engineers Local 3, T.J. ("Tom") Stapleton is being honored by his friends and peers.

Tom Stapleton was first elected in 1982 as business manager and chief presiding officer of Local 3 of the Operating Engineers. Based in Alameda, CA, Local 3 represents 35,000 members in northern California, northern Nevada, UT, and Hawaii—the largest construction local union in the country. Tom took the helm of the union and guided it safely through the most turbulent economic times in the history of the construction industry.

A visionary in every sense of the word, Tom understood the importance of strengthening

the bridges between unions and employers for the benefit of the men and women of the construction industry. When medical costs were escalating out of control for construction workers, he brought unions and employers together to build a vast network of contract health care providers. This network, the Basic Crafts Health Care Coalition, has brought health care costs back under control.

It can be said that Tom Stapleton never picked a fight, but he never backed away from one, either. Tom organized a grassroots program that mobilized thousands of workers when the prevailing wage laws that provides stability to the construction industry were threatened. He also spearheaded the Foundation for Fair Contracting, a program which monitors the illegal construction industry and provides evidence against unscrupulous contractors who cheat their employees out of wages and benefits.

Tom has earned the admiration and respect from those in the highest levels of government, the labor movement, and the business community for his leadership and genuine care for the well-being of those who make construction their livelihood.

Mr. Speaker, I would like to take this opportunity to extend our heartfelt congratulations upon the retirement of Tom Stapleton. I know Tom will be just as successful in his future endeavors as he was at Local 3.

## TRIBUTE TO NELDA BARTON-COLLINGS

### HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. ROGERS. Mr. Speaker, during our lifetimes, we each have an opportunity to make our mark in this world. Some of us meet this challenge with tremendous gusto and commitment, and today I want to pay tribute to an outstanding woman who has done just that.

Nelda Barton-Collings is a 40-year resident of Corbin (Whitley County) in Kentucky's 5th Congressional District, which I represent. Nelda is more than a constituent. She is a friend, a certified medical technologist, a licensed nursing home administrator, a successful business entrepreneur, a political activist, a mother, a grandmother, a great-grandmother, and an inspiration to thousands of people in my home State of Kentucky.

When President Dwight D. Eisenhower said that politics should be a part-time profession for every citizen who wants to protect the rights and privileges of free people and wants to preserve what is good in our national heritage, he must have been thinking of Nelda Barton-Collings.

Nelda first ventured into politics during the late 1950's when her brother-in-law ran for tax commissioner of Whitley County. Since then, she has emerged as an effective leader in the Kentucky GOP, a committed representative for our State, and a prominent national figure. She served as Kentucky's Republican National Committeewoman for nearly 29 years—longer than any of the RNC's other members—and during the last four years she had the honor of serving as the RNC's national secretary. She was also the first woman from Kentucky to give a major address during a Republican National Convention (1980).

But, Nelda is more than a woman involved in Republican politics. She is an accomplished businesswoman, and she has a long history of being very involved in her community. In 1990 she was elected the first woman chairman of the board for the Kentucky Chamber of Commerce. From 1990–92 she sat on the National Advisory Council to the Small Business Administration. She was appointed by President Reagan to the Federal Council on Aging and by President George Bush to the President's Council on Rural America.

The many awards and honors she has received over the years speak volumes regarding her concern for and investment in Kentucky. She was recognized in 1992 by the Kentucky Association of Health Care Facilities when they established the Nelda Barton Community Service Award in her honor. October 22, 1973, was proclaimed Nelda Barton Day by the mayor of Corbin. Additionally, she has received the Kentucky Medical Association's Outstanding Layperson Award (1992); Cumberland College's Medal of Honor (1988); the Kentucky Business and Professional Women's Kentucky Woman of Achievement Award (1982–1983); Kentucky Federation Republican Woman of the Year (1968); the Tri-County Woman of Achievement (1982); the Dwight David Eisenhower Award (1970); and I could go on and on.

Although there is no one I know of that has devoted more time and attention to Republican activities than Melda, she has always been very well-respected by people of all political persuasions. Her number one priority has been bringing people together and pursuing ideals that will make our Nation strong. Her politics have always been marked by her concern for those around her. She has made her mark in Kentucky with a touch of class and an abundance of style.

I want to thank Nelda for all her hard work over the years on behalf of Kentuckians. While she will be greatly missed as Kentucky's representative on the Republican National Committee, I have no doubt that she will continue to serve as an inspiration to the men and women of our State.

## SALUTING THE CUYAHOGA COUNTY BAR FOUNDATION AND BAR ASSOCIATION PUBLIC SERVANTS MERIT AWARD RECIPIENTS

### HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. STOKES. Mr. Speaker, I rise today to salute eight outstanding individuals who will be honored later this week at a special ceremony. On February 14, 1997, the Cuyahoga County Bar Foundation and the Cuyahoga County Bar Association will host the 51st Public Servants Merit Awards Luncheon. At the luncheon, the honorees will receive the Franklin A. Polk Public Servants Merit Award. The individuals to be honored are: Delores Bell; Charles T. Birmelin; Michael Flanagan; Deborah Fleischer; John P. Garmone; Rosanne O'Brien; Fred W. Papay; and Maryellen Reddy.

The Public Servants Merit Award is named in honor of a distinguished lawyer, the late Franklin A. Polk. During his career, attorney Polk was committed to recognizing the contributions of public servants. He also chaired the annual awards luncheon for 40 years.

Mr. Speaker, I take great pride in saluting the 1997 Public Servants Merit Award recipients. Each of the individuals is more than deserving of this level of recognition. At this time, I want to share with my colleagues and the Nation some information regarding the honorees.

Delores A. Bell, as an employee of the Cleveland Municipal Clerk of Courts since 1972, Delores holds the title of deputy clerk. She is responsible for maintaining a safe and secure office, sorting capias from the previous day, initial processing of tickets from the division of building and housing as well as the Department of Health and the City Income Tax Dept.

During the late 1960's through the early 1970's, Delores worked inside the voting booth on each election day.

Married to John for nearly 35 years, she is the mother of three grown children, Monte, Sonnita and Tyronn. She states that her most outstanding accomplishment has been to raise her three children and be the very best mother possible. She is also proud of the fact that one child has earned two college degrees and the other two will soon earn their degrees as well. Delores states, "If I could live my life over, there are a few things I would do differently, but I would not change my walk with the eternal deity. It is best to give your children all of the time you can when they are young".

Her activities include walking miles around the track in the spring, summer and fall. For relaxation she enjoys traveling, going to the movies and meditating.

Charles T. Birmelin, a 1961 graduate of the Stenotype Institute of Washington, DC, Charles T. Birmelin began his career in the field of court reporting with Mehler and Hagestrom as a free-lance reporter for 5 years. In 1970 he came to work for the Cuyahoga County Court of Common Pleas taking the position of assistant official court reporter. By 1979, Charles has assumed the very demanding position of chief official court reporter. His responsibilities include overseeing the staff of 42 court reporters, plus two administrative staff. He services 33 judges of the court of common pleas; provides answers to persons who may have questions relating to the court reporters; as well as provide answers for the general overall supervision of the entire court reporting department and staff.

A native of Mansfield, OH, Charles also enlisted in the U.S. Army in 1962 and was decorated with the "Good Conduct Award" and the "Distinguished Service Award" before being discharged in 1965. Charles lists his outstanding accomplishments as being elected president of the Ohio Court Reporters in both 1978 and 1979 and receiving an award of being a fellow of the national court reporters Assoc. He was also an Eagle Scout and a troop leader in the Boy Scouts of America, Mansfield, OH.

For relaxation Charles enjoys fishing, boating and camping. He says he also likes to go to auctions to find that "good buy" of an antique.

Michael E. Flanagan, St. Edward's and Cleveland State undergraduate, Michael Edward Flanagan comes to his position as chief deputy bailiff of Cleveland Municipal Court based on a long family commitment to public service. His father was Chief Bailiff from 1948 to 1984 and his grandfather served in the Cleveland police department from 1921 to 1951. Michael's current responsibilities in the administrative services department include being a project leader to review current court programs to improve and modernize them. Since 1988, he has also been responsible for the design and implementation of the court's computerization [CIJIS]. He also has participated in "Bailiff Basic Training" through the Ohio Peace Officer Training Council as well.

Michael is equally committed to his family and his community. The father of Colleen, Kevin, Kathleen, and Megan, and husband for 18 years to Maureen, Michael devotes his time to St. Christopher Catholic Church, Ohio Association of Court Administrators, Normandy Nursing Home, Rocky River Municipal Court Security Advisory Committee, and still finds them to coach girls softball among other activities.

In his "free" time he enjoys traveling, hiking, canoeing, and family camping. He loves spending time working on his home computer which translates into better service to the Court.

Deborah Jean Fleischer, Deborah Jean Fleischer has spent the last 27 years of her life working for the Cuyahoga County Probate Court. At the age of 19, she assumed her first position with probate court in the docket department. Ten years later she transferred to the order department where she would eventually become supervisor in 1987. Prior to this position, Deborah worked part-time in a gift shop at Cleveland Hopkins International Airport while still attending high school.

Her duties at the court include: Certifying court documents; preparing court records for filing in the Court of Appeals; doing genealogical research; and assisting the general public when necessary.

Deborah has always been involved with her community. She was a volunteer for the project learn organization which helped teach illiterate adults to read. She volunteers through her church to help deliver food to local shelters, and she is also a very strong animal rights advocate, being involved in the Berea Animal Rescue Center.

In her spare time, she loves traveling and has visited many European locales including Italy, Austria, Zurich, and Switzerland. Traveling isn't the only thing she loves to do; she has a love of animals for which her neighbors can attest. She can often be seen picking up stray animals and taking them home for care.

John P. Garmone, as clerk of court for the Lyndhurst Municipal Court, John Garmone is responsible for the preparation and maintenance of the docket, general index and other court records. He is also responsible for collecting all monies payable to the clerk's office including fines, court costs and fees, bail, garnishments, bank attachments and trusteeships. In addition to signing and issuing arrest warrants, John also supervises a staff of seven full-time deputy clerks and two part-time deputy clerks.

After graduating in 1974 from Cleveland State with a bachelor of science degree, John immediately took a position with the municipal court in Cleveland as chief deputy clerk. John also was a bail investigator with the Cuyahoga County Bail Commissions interviewing and recruiting county prisoners for probationary diversion programs.

John lists his being a past president of Northeastern Ohio Municipal Court Clerks Association in 1993 as one of his outstanding accomplishments.

Married to Kathleen for nearly 3 years, he enjoys music and the theater and trying "to keep his wife in the style of living to which she has become accustomed." John also states that, "Trying to treat everyone as I would appreciate whether they are the public, coworkers, whomever and keep a sense of humor while doing it". John describes a typical day as, "Everyday is a Joke! And I would not have it any other way".

Rosanne M. O'Brien, born in Washington Island, WI, Rosanne O'Brien took a position with Cuyahoga County Juvenile Court in her senior year of high school as part of a career class. While holding a number of positions such as general clerk, numbering clerk, docketing clerk, and senior clerk typist since 1972. Her current position, assistant courtroom coordinator, is her most challenging yet. She is responsible for scheduling and reviewing cases prior to court and must speak with probation officers, attorneys, and clients to assure a smooth hearing in the courtroom. With such a diversified background, it is no wonder she has been nominated for employee of the year five times.

Rosanne is also very committed to her community, being a campaign volunteer for the American Cancer Society, American Heart Association, American Lung Association, Easter Seals and United Way. On the political side, she is also an elected precinct committee member and Chairperson for membership and attendance with the Lakewood Democratic Club.

Rosanne and her husband, James, have enjoyed over 18 years of marriage. Her two golden retrievers, Sandy and Dusty, keep her busy when she's not bowling or doing needle crafts.

Fred W. Papay, born in Cleveland, Fred. W. Papay graduated from West Technical High School. He began his work with the Cuyahoga County Clerk of Courts at the age of 24 in 1971. Nominated by Gerald E. Fuerst, clerk of courts for Cuyahoga County, Fred W. Papay is chief filing clerk. His responsibilities include overseeing all of the filing for both civil and divorce cases, and all subsequent pleadings in those cases.

A sergeant with the U.S. Air Force for 3 years, Fred is a Vietnam war veteran. After serving his country, he remained on inactive duty for another 2 years.

When Fred is not busy at work filing court documents, he enjoys sports. Fred is also an avid collector of any type of sports memorabilia. He says that in addition to his fascination with sports, he loves to collect elephant statues.

Maryellen Reddy, as a journal clerk/court community service liaison in Cuyahoga County domestic relations court for over 20 years, Maryellen Reddy has a wide range of job responsibilities. Her position requires her to review all journal entries prior to any hearings or the judges' signature. She also makes sure that all documents required by the State or local rules are attached to all entries. She monitors all contempt of court cases with the court's orders for compliance with the court community service.

Maryellen has been active in the political arena as well as being an executive board committee member of the Democratic Precinct, Ward 19.

An avid Cleveland sports fan, Maryellen is proud of the fact that she has been an eighteen year season ticket holder in the "Dawg Pound". She also enjoys Cleveland baseball, having season tickets for the Cleveland Indians. In her leisure time, Maryellen enjoys spending time with her family and cuddling up to a good book.

## OPPORTUNITIES BEING LOST

### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. RICHARDSON. Mr. Speaker, I want to bring to my colleagues' attention the following editorial by my good friend Charles William Maynes. Charles is retiring from his position as editor of Foreign Policy, the magazine of the Carnegie Endowment for International Peace.

I laud Charles for his thoughts in this editorial. He clearly outlines the need for the political will to aid the developing world, both overseas and here in the United States. He makes the case for aid in international development as a tool to achieve our national interest of peacefully coexisting constitutional democracies.

Charles is not unaware of the challenges facing the disbursement of international aid. He presents several concrete ideas for reforming the way in which aid reaches developing economies. The international economic system that is the rubic under which aid is now being administered demands changes in the way development aid is collected and distributed.

As the Congress debates the level of international aid the United States should contribute, I hope my colleagues will familiarize themselves with the following article, and the rest of Charles William Maynes' work.

[From the Washington Times, Jan. 20, 1997]

OPPORTUNITIES BEING LOST

(By Charles William Maynes)

Charles Williams Maynes is retiring as editor of Foreign Policy, the magazine published by the Carnegie Endowment for International Peace. Its editor since 1980, he delivered a farewell address in Washington to a closing session Jan. 15 of the International Development Conference, which is attended annually by more than 1,000 analysts, diplomats, businessmen and politicians involved with development work in the Third World. The following are excerpts from his address, which sets out his view of the world in the years head:

We are in one of the most plastic periods in modern history. It is rare in history for all of the great powers to be essentially at peace with one another and for all of them to accept one another's international legitimacy. In this remarkable moment, we have such a consensus, yet we are failing to exploit it, and opportunities are being lost every day.

Anti-immigrant feeling has never been higher in the postwar period. The vicious political infighting has already resumed on Capitol Hill. Concern for others is down. The publishing sensation of the country in recent years has been a study of white and black education performance, with the subliminal message one of resignation. Why continue efforts to lift others out of their current state if those you want to help are predisposed to

remain there? Why try to help others catch up, when studies show that they never will?

The country is increasingly skeptical and cynical. Few believe that government can work. And if it can't work at home, how can it possibly work abroad in cultures we scarcely comprehend? If we cannot construct sensible development programs for south-central Los Angeles, how can we possibly expect to develop them for Haiti?

AMERICANS ARE GROWING FEARFUL

We are facing, in other words, a new pessimism that threatens all sound programs for change and reform. Much of this new pessimism toward the developing world rests on a dark vision of the future * * *

[But] the World Bank forecasts that over the next 10 years, developing countries, including the former Soviet bloc, will grow by nearly 5 percent a year, compared with a rate of 2.7 percent in the rich industrial North. In other words, the Third World is going to be the growth engine of the world economy in the coming decade.

In addition, the share of the developing countries of the world economy is already much greater than common discourse allows. If output is measured on the basis of purchasing-power parities, then the developing countries and the former Soviet bloc already account for 44 percent of the world's output. If the World Bank's estimates turn out to be right, by the year 2020, these countries will have 60 percent of the world's global output.

What is the explanation for this deep pessimism that pervades American thinking?

We have to look for the answer not in facts, but in politics. What we are witnessing is the collapse of a powerful governmental paradigm, which governed our affairs for much of the post-World War Two period. After the great war, in part because of the genuine and heroic accomplishments of that struggle, in which everyone played a role from the president to the private to Rosie the Riveter, there was a widespread belief that government could work. Men and women could band together to accomplish high and noble goals. After all, they had already done it.

LOSS OF FAITH IN GOVERNMENT

In all of our political cultures, the dominant ideology became a disguised form of social democracy, which rested on the belief that governments, if well-organized and properly funded, could change societies for the better.

Even conservatives, with the evidence of the war effort so near, were hard pressed to reject this vision. And if the war memory did not persuade them, then they were converted because they feared that unless their society had answers for searing social and economic problems, the masses might be drawn to communism, which did promise answers.

Much of the international development effort rested on that ideology of social democracy, which has now collapsed. It was believed that if the New Deal could work at home, it could work abroad. The problem was simply to find the money.

Now communism has gone as an ideological challenge. But more important, also gone is our belief that we know what works. The result is a collapse in American leadership in the development field.

U.S. DEVELOPMENT EFFORT FALTERS

American aid levels have plummeted. In the 1950s and 1960s, America pioneered the concept of development assistance. Its contributions led all others. Today, America ranks at the bottom of the [Organization for Economic Cooperation and Development] countries in terms of [aid].

A growing percentage of our aid is concentrated in the Middle East and southern Africa, both regions that enjoy high aid levels, for political reasons. . . .

The Overseas Development Council estimates that no more than 17 percent of U.S. bilateral aid now goes for development. And multilateral aid has also been infected with the political virus. The United States and other donors have pressed the World Bank to make loans to the former communist countries that, under former criteria, would never have been allowed.

The cause of human rights has also suffered severe setbacks as a result of the new cynicism. When President Clinton announced a bold, new China policy, he said that "the core of this policy will be a resolute insistence upon significant progress on human rights in China." He received widespread applause. A few months later, he was the subject of mounting criticism as commentators claimed that he was sacrificing American commercial interests on the altar of a utopian concept of human rights. He decided to abandon the policy completely.

IDEALS TAKE A BACK SEAT

In Russia, most commentators applauded the administration for approving as a Russian president bombarded a parliament into submission, even though the essence of a democratic system is respect for laws, not respect for powerful individuals.

In Rwanda, the first case of documented genocide since the Second World War, virtually no one objected as the administration resisted U.N. involvement until spurred by a secretary-general who said that he was ashamed by the inaction of the Security Council.

To general silence, our State Department attempted to talk of "acts of genocide" rather than "genocide" because use of the latter word might trigger commitments under the Genocide Convention that no one wanted to honor. It has been estimated that as little as 2,000 troops could have prevented hundreds of thousands of deaths.

In the development field, we need to shift our focus from countries to problems. With the Cold War over, our people find it difficult to understand why we continue to support foreign countries.

Perhaps the American people could understand our desire to work with others on common problems. In an age of massive international travel, the United States is necessarily concerned about international health problems. It could work with others on those common problems. People at home would understand such an expenditure.

The administration has talked in these terms, but not boldly from the White House.

JOINT EFFORTS NEEDED

Our citizens would understand common efforts to deal with international environmental problems. We are helping Mexico to clean up rivers that borders both countries. We can work with other states to protect fisheries. We can attempt to develop a bold development effort for states that generate economic immigrants for the United States.

We must understand that people in those countries will only remain when they believe that there is hope for their children, even if there may not be much for them in their own lifetime.

In the field of democracy, we also need a new approach. At least at the governmental level, we have adopted a cookie-cutter approach to democratic development. There has been too much emphasis on elections and not enough on institutions. Yet, the essence of democracy is the web of institutions that together bring us the role of law, rather than the whim of leaders.

In the case of Russia, the U.S. made a serious mistake in backing [President Boris Yeltsin] so unconditionally in his struggle with the Duma. We should have pressed him to reach a compromise with its members, who now look moderate compared to those who replaced them. Democracy is not attained through sudden conversion, but through patient development efforts taking years.

We must also understand that in many ethnically divided societies, the American form of democracy poses a great threat to civil peace.

MAJORITY RULE REQUIRES SAFEGUARDS

"One man, one vote" in a winner-take-all election is too brutal a form of leader-selection for such countries. It will shatter consensus and can bring on civil war. For what we want is not majoritarian democracy, but constitutional democracy. The former can be established overnight, with a single election; the later takes years.

We say that we favor democracy worldwide. But until the mediating institutions of a constitutional democracy have evolved, won't democracy in the Arab world bring to power forces that will be profoundly anti-Western and maybe even authoritarian, although seemingly "democratic"?

With its elections and vigorous parliament, Iran is probably more democratic than most states in the Muslim world. But it has established a form of majoritarian democracy that must disturb us. There is no protection for vulnerable minorities or the dissident voice.

What we want immediately in the Arab world is decent governments that respect the fundamental human rights of their citizens. The building of real democracy is going to take decades.

We need a new approach to our campaign both for human rights and democracy. It should now be clear that the U.S. cannot impose its standards on the rest of the world. As strong as we are, we are not that strong.

We should work harder to multilateralize our human rights program. Human rights organizations contend that this administration, like its predecessors, is uncomfortable working with others in the human rights field. We must reverse this.

We need to begin to work harder to live up ourselves to international standards in the field of economic and social rights so that we can develop a common language with others. It is a disgrace that the infant-mortality rate in Washington, D.C., is higher than in many extremely poor Third World countries.

What is more disgraceful is that Washington policy-makers at times seemed more concerned with the rate in foreign countries than in their own capital. We have to recognize that the U.S. no longer has the power or enjoys the deference internationally simply to command others to behave as we wish.

NEEDED: A NEW RATIONALE FOR AID

Critical to the success of the humanitarian tradition in American foreign policy is funds.

We no longer have the Cold War to provide the excuse for large aid levels. We have to recognize that we are unlikely to be able to reverse such attitudes in the near future. There is little hope in trying to increase the aid budget under current conditions. We need a new paradigm.

We should begin to explore ways of asking those who benefit from the management of

the global commons to help pay for its upkeep. This is probably going to involve some taxation on international activities, but for reasons of accountability, if such taxes are established, their management must be subject to the control of national legislatures.

We must begin to wean some of the countries that view U.S. aid as an entitlement. The Middle East countries should be given a period over which U.S. aid to them would be significantly reduced and would be channeled into programs for regional development and global problems.

We need gun control abroad just as much as we need gun control at home. The position of the major supplier countries is an intellectual and policy scandal. The U.S. and its allies are the most culpable. The U.S. alone supplies over 70 percent of the international arms trade.

DISCOURAGE OVERSPENDING ON ARMS

We need to limit the ability of states that spend beyond a certain portion of the [gross national product] on defense to have access to the international financial institutions. We may have to offer a special exemption to states that face a unique security situation. But the ability to get such a waiver would be limited.

We need to convert the development effort from a responsibility of the rich toward the poor into a common responsibility. Every state above a certain level should be required to contribute to global-development funds. Membership in key global institutions might be keyed to such a requirement.

We should stress more South-South cooperation. We should limit the number of experts from the North, in order to reflect the success we have had in creating an enormous pool of trained expertise within the South itself.

We should insist that aid recipients agree to enter into regional projects as a condition of their aid.

TRADE, COMMUNICATIONS UNIFY GLOBE

Today, an international system is developing that is more inclusive economically and politically. Trade is pulling people together and communications are enabling them to form common views, which are a prerequisite to subsequent participation in the determination of their political fate.

But the U.S. is unable to exploit this moment because we are incapable of bold thinking. Today, we are like a musclebound giant that can't tie his shoes. We have a defense budget that is larger than all of the major countries in the world combined, but we can't reallocate the money where it would do the most good. We plan for wars that will not happen in our lifetime, and we are unable to participate in security operations that are needed today.

Meanwhile, we are largely absent in the countries whose future will determine the fate of whole regions.

In conclusion, in the current era, we must not allow inertia to define our policy. If we wish to seize the moment, all of us are going to have to think boldly. And we cannot wait for leadership from the administration or the Congress.

The more bold ordinary citizens are outside the offices of officials, the bolder they are likely to be inside. For in today's poll-driven politics, leadership lies as much with the people as with the officials. Power can lie in hands like yours. I urge you to use it.

## LEGISLATION ESTABLISHING SPECIAL JUDICIAL PANEL TO SCREEN INTELLIGENCE CASES INVOLVING BREACH OF CONTRACT DISPUTES

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation to mandate the establishment of a special Federal judicial panel to determine whether cases involving breach of contract disputes between U.S. intelligence agencies and individuals involved in espionage on behalf of the United States should go on trial. The legislation directs the Chief Justice to assign three Federal circuit court judges, senior Federal judges, or retired justices to a division of the U.S. Court of Appeals for the District of Columbia for the purpose of determining whether an action brought by a person, including a foreign national, in an appropriate U.S. court for compensation for services performed for the U.S. pursuant to a secret Government contract may be tried in court. The bill provides that the panel may not determine that the case cannot be heard solely on the basis of the nature of the services provided under the contract. The goal of the bill is to allow individuals who have a legitimate claim against the U.S. Government regarding a secret service contract to have their day in court. Currently, these types of cases are barred from even going to trial by the Totten doctrine, which bars the judiciary from adjudicating disputes that arise out of secret Government contracts which involve the performance of secret service.

The Totten doctrine is based on the 1876 Supreme Court case of Totten verses United States. The case involved the estate of an individual who performed secret services for President Lincoln during the Civil War. The court dismissed the plaintiff's postwar suit for breach of contract, stating, in part:

> The service stipulated by the contract was a secret service; the information sought was to be obtained clandestinely, and was to be communicated privately; the employment and the service were to be equally concealed. Both employer and agent must have understood that the lips of the other were to be forever sealed respecting the relation of either to the matter . . . It may be stated as a general principle, that public policy forbids the maintenance of any suit in a court of justice, the trial of which would inevitably lead to the disclosure of matters which the law itself regards as confidential, and respecting which it will not allow the confidence to be violated.

Other court rulings over the years have affirmed the Totten doctrine as it applies to breach of contract disputes arising from espionage services performed pursuant to a secret contract. Basically, the Totten doctrine prevents individuals who have performed espionage services for the United States and have legitimate claims against the Government from even having their claims heard in a U.S. court. In a paper published in the Spring, 1990 issue of the Suffolk Transnational Law Journal, Theodore Francis Riordan noted that "[W]hen a court invokes Totten to dismiss a lawsuit, it is merely enforcing the contract's implied covenant of secrecy, rather than invoking some national security ground."

While, on the whole, U.S. intelligence agencies do their best to fulfill commitments made to individuals who perform services on their behalf, there are instances in which, for whatever reason, U.S. intelligence agencies have not fulfilled its commitments.

For example, during the Vietnam war the Pentagon and the CIA jointly ran an operation over a 7 year period in which some 450 South Vietnamese commandos were sent into North Vietnam on various espionage and spy missions. The CIA promised each commando that, in the event they were captured, they would be rescued and their families would receive lifetime stipends. Due to intelligence leaks and intelligence penetrations by the North Vietnamese, most of the commandos were captured almost immediately. Many were tortured and some were killed by the North Vietnamese. Beginning in 1962, CIA officers began crossing the names of captured commandos off the pay rosters and telling their family members that they were dead. Many of the commandos survived the war. After varying periods of time they were set free by the Vietnamese Government. Two hundred of the commandos now living in the United States filed a lawsuit last year asking that all living commandos be paid $2,000 a year for every year they served in prison—an estimated $11 million. Last fall, the CIA decided to provide compensation to the commandos.

Mr. Speaker, how many other cases are there in which U.S. intelligence agencies have acted in a similar manner but not settled out of court? I find it outraged that an individual who risked his or her life for the United States would not even have the opportunity to have his or her grievance heard in a court of law because of Totten.

Existing Federal statutes give the Director of Central Intelligence the authority to protect intelligence sources and methods from unauthorized disclosure. I understand the importance to national security of preventing any unauthorized leaks of information that would compromise U.S. intelligence sources and methods. That is why my legislation directs the special judicial panel to take into consideration whether the information that would be disclosed in adjudicating an action would do serious damage to national security or would compromise the safety and security of U.S. intelligence sources at home and abroad. In addition, the bill provides that if the panel determines that a particular case can go to trial, it may prescribe steps that the court in which the case is to be heard shall take to protect national security and intelligence sources and methods, including holding the proceedings in camera.

Finally, because there may be a number of cases that were never even contested because of the Totten doctrine, the bill waives the statute of limitations for any claims arising on or after December 1, 1976 and filed within 2 years of enactment of the bill into law.

Mr. Speaker, this is a responsible piece of legislation that affords both U.S. citizens and foreign nationals who perform intelligence

services for the United States of some assurance that they have some recourse if the Government does not honor its commitments. The bill also includes enough safeguards to protect national security and the safety of U.S. intelligence sources. I want to emphasize that the bill would not automatically provide compensation to anyone. It simply would allow legitimate breach of contract cases to go to trial.

Supporters of the U.S. intelligence community have criticized court involvement in intelligence cases by noting that most Federal judges do not have the expertise, knowledge and background to effectively adjudicate intelligence cases. In fact, in the United States versus Marchetti, the Fourth Circuit took the position that, basically, judges are too ill-informed and inexpert to appraise the magnitude of national security harm that could occur should certain classified information be publicized. I must respectfully and strenuously disagree with this type of reasoning. I would point out, Mr. Speaker, that Federal judges routinely adjudicate highly complex tax cases, as well as other tort cases involving highly technical issues, such as environmental damage caused by toxic chemicals. It's absurd to assert that judges can master the complexities of the tax code and environmental law, but somehow be unable to understand and rule on intelligence matters.

The truth is, the U.S. intelligence community has become too insulated from the regulations and laws that other Federal agencies must abide by. The Totten doctrine has outlived its usefulness. There is no legitimate national security reason why an individual who was promised certain things in a contract with the U.S. Government—even a contract for the performance of secret services—should not be able to file a claim for breach of contract, and have that claim objectively reviewed based on the merits of the claim. That's all my legislation would do.

The bill would make the intelligence community more accountable to the public—without in any way compromising national security or intelligence sources and methods. It is a well-reasoned, fair bill. Most importantly, it's the right thing to do. I urge all of my colleagues to support the bill, the text of which follows:

H.R. —

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

**SECTION 1. ASSIGNMENT OF JUDGES TO 3-JUDGE DIVISION.**

(a) ASSIGNMENT OF JUDGES.—The Chief Justice of the United States shall assign 3 circuit court judges or justices (which may include senior judges or retired justices) to a division of the United States Court of Appeals for the District of Columbia for the purpose of determining whether an action brought by a person, including a foreign national, in a court of the United States of competent jurisdiction for compensation for services performed for the United States pursuant to a secret Government contract may be tried by the court. The division of the court may not determine that the case cannot be heard solely on the basis of the nature of the services to be provided under the contract.

(b) ASSIGNMENT AND TERMS.—Not more than 1 justice or judge or senior or retired judge may be assigned to the division of the court from a particular court. Judges and justices shall be assigned to the division of the court for periods of 2 years each, the first of which shall commence on the date of the enactment of this Act.

(c) FACTORS IN DIVISION'S DELIBERATIONS.—In deciding whether an action described in subsection (a) should be tried by the court, the division of the court shall determine whether the information that would be disclosed in adjudicating the action would do serious damage to the national security of the United States or would compromise the safety and security of intelligence sources inside or outside the United States. If the division of the court determines that the case may be heard, the division may prescribe steps that the court in which the case is to be heard shall take to protect the national security of the United States and intelligence sources and methods, which may include holding the proceedings in camera.

(d) REFERRAL OF CASES.—In any case in which an action described in subsection (a) is brought and otherwise complies with applicable procedural and statutory requirements, the court shall forthwith refer the case to the division of the court.

(e) EFFECT OF DIVISION'S DETERMINATION.—If the division of the court determines under this section that an action should be tried by the court, that court shall proceed with the trial of the action, notwithstanding any other provision of law.

(f) OTHER JUDICIAL ASSIGNMENTS NOT BARRED.—Assignment of a justice or judge to the division of the court under subsection (a) shall not be a bar to other judicial assignments during the 2-year term of such justice or judge.

(g) VACANCIES.—Any vacancy in the division of the court shall be filled only for the remainder of the 2-year period within which such vacancy occurs and in the same manner as the original appointment was made.

(h) SUPPORT SERVICES.—The Clerk of the United States Court of Appeals for the District of Columbia Circuit shall serve as the clerk of the division of the court and shall provide such services as are needed by the division of the court.

(i) DEFINITIONS.—For purposes of this section—

(1) the term "secret Government contract" means a contract, whether express or implied, that is entered into with a member of the intelligence community, to perform activities subject to the reporting requirements of title V of the National Security Act of 1947 (50 U.S.C. 413 and following); and

(2) the term "member of the intelligence community" means any entity in the intelligence community as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. App. 401a(4)).

**SEC. 2. APPLICABILITY.**

(a) IN GENERAL.—Section 1 applies to claims arising on or after December 1, 1976.

(b) WAIVER OF STATUTE OF LIMITATIONS.—With respect to any claim arising before the enactment of this Act with would be barred because of the requirements of section 2401 or 2501 of title 28, United States Code, those sections shall not apply to an action brought on such claim within 2 years after the date of the enactment of this Act.

## TRIBUTE TO ERNEST NIEMEYER

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. VISCLOSKY. Mr. Speaker, it is my privilege to commend an outstanding citizen of Indiana's First Congressional District, Mr. Ernest Niemeyer. On Friday, January 24, 1997, a testimonial dinner at the Radisson Star Hotel in Merrillville, Indiana, was held to honor Ernie for his 28 years of dedicated public service.

Ernie has devoted most of his life to improving and maintaining an outstanding environment for Indiana's First Congressional District. Over his distinguished career, Ernie served as a Lake County councilman for 4 years, Indiana State senator for 12 years, and Lake County commissioner for 12 years.

Ernie's public service began in 1962, when he was elected as a Lake County councilman. In 1968, Ernie was appointed to the Lake County Parks Board. Ernie was immediately elected president. Under his stewardship, the park board obtained the first two county parks: Lemon Lake and Stoney Run. In 1970, Ernie successfully ran for sixth district State senator. Ernie served his constituency as the chairman for the agricultural subcommittee. In this capacity, he introduced and was successful in passing legislation for funding projects, including the Williams Levee in the Kankakee River. Ernie was then promoted to senate majority whip. In 1984, Ernie was elected as third district Lake County commissioner, where he proudly served as a senior member. During this tenure, he served twice as commissioner board president.

Over the years, Ernie has also devoted time to numerous committees and boards. He has served as chairman of the Lake County Drainage Board and the Kankakee River Basin Commission. He also was an active member of the County Planning Commission, the Lake County Solid Waste District, and the Indiana State Association of County Commissioners.

Ernie's unselfish dedication to his civic duty must also be commended. Ernie was a member of the Lowell VFW, and Post 101 American Legion. He is a past president of the Indiana Auctioneers Association and past director of the National Auctioneers Association. Ernie was also a president of the Indiana Livestock Auction Markets Association, and he still retains membership in the Lowell Chamber of Commerce.

In addition, Ernie answered his country's call and joined the U.S. Army during World War II. He served 2 years in the South Pacific Theatre as a combat infantryman with the 158th Regimental Combat Team. This regiment was engaged in battles in the jungles of New Guinea leading to the liberation of the Philippines from the Japanese imperial forces. During those campaign battles in the Philippines, Ernie earned and was awarded the prestigious Combat Infantryman's Badge, three battle stars, and individual campaign ribbons. For bravery and dedication beyond the normal call of duty to his comrades in battle, he was honored with the Bronze Battle Star Special Award.

After returning home, Ernie took steps to begin his professional career as an auctioneer. In 1951, he graduated from auctioneers school and established one of the most successful auctioning businesses in northern Indiana. Ernie shares this business with his son, Rick.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in commending Ernie for his tireless efforts to improve the quality of life for Indiana's First Congressional District. Ernie, his wife, Norma, and their children, Doyle, Rick, and Pam, can be proud of his record of unselfish dedication to the public. His service will forever remain a part of northwest Indiana's great history.

## PRIMARY CARE PROTECTION ACT OF 1997

### HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Ms. SLAUGHTER. Mr. Speaker, I am proud to have the opportunity today to introduce the Primary Care Promotion Act of 1997. This thoughtful, constructive legislation would refocus and target the current Federal Government effort to reduce the number of medical specialists graduating from U.S. teaching hospitals.

There is little debate today that our Nation is experiencing a shortage of primary care physicians and an oversupply of specialists. In 1995, there were almost 650,000 active physicians in the United States. Of those, about 384,000 were specialists, while only 241,000 were primary care providers—a ratio of 1.6 specialists for every general practitioner.

As a result of this situation, some government agencies are working to change policies that appear to encourage students or medical schools toward training specialists rather than family practitioners. Last year, the Health Care Financing Administration [HCFA] issued a regulation reducing graduate medical education [GME] reimbursement for combined residencies. The apparent purpose of this action was to reduce a perceived incentive for students to enter combined residencies, which usually train doctors for a medical specialty like child psychiatry. There are, however, a small number of combined residency programs that produce primary care physicians. My legislation would restore full GME reimbursement for residents enrolled in a combined residency program where both programs are for training in primary care, like internal medicine and pediatrics.

This legislation has been carefully crafted to preserve HCFA's intent to reduce the number of specialists trained while increasing the ranks of family practitioners. The Primary Care Promotion Act has already been endorsed by: American Academy of Pediatrics, American Osteopathic Association, American College of Physicians, National Association of Children's Hospitals, Association of Professors of Medicine, American Society of Internal Medicine, Association of Program Directors in Internal Medicine, Medicine-Pediatrics Program Directors Association, American College of Osteopathic Pediatricians, Association of Osteopathic Directors and Medical Educators, Federated Council for Internal Medicine, which includes: American Board of Internal Medicine, American College of Physicians, American Society of Internal Medicine, Association of Professors of Medicine, Association of Program Directors in Internal Medicine, Association of Subspecialty Professors, and Society of General Internal Medicine.

I am pleased that Representatives RANGEL, MCDERMOTT, MCNULTY, and KENNEDY of Rhode Island have already joined me as original cosponsors of this legislation. I look forward to working with them and the rest of my colleagues to pass this constructive, bipartisan initiative.

## IN HONOR OF ALAN L. HOFFMAN IN RECOGNITION OF HIS OUTSTANDING PERFORMANCE AS SPECIAL COUNSEL TO THE ASSISTANT ATTORNEY GENERAL IN THE OFFICE OF LEGISLATIVE AFFAIRS

### HON. PORTER J. GOSS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. GOSS. Mr. Speaker, I rise today to call the attention of the House to the dedicated work of Alan Lawrence Hoffman as special counsel to the assistant attorney general in the Office of Legislative Affairs. During the last 18 months, Mr. Hoffman was of immeasurable help to the House Permanent Select Committee on Intelligence by expeditiously handling a range of matters of interest to the committee.

There were many difficult issues that came before the committee during the 104th Congress. Mr. Hoffman can take great pride in knowing that he approached every issue with a spirit of nonpartisanship that is a tribute to his professionalism. Mr. Hoffman should be particularly proud of his work on the Economic Espionage Act of 1996. This act will contribute substantially to the protection of U.S. trade secrets whose, compromise could endanger the national security of the United States. Mr. Hoffman also helped to develop a proposal that assisted in the clarification of the mission of the National Drug Intelligence Center in Johnstown, PA.

Mr. Hoffman will continue his public service as an assistant U.S. attorney in Philadelphia. He will be genuinely missed at the Department of Justice and by members and staff of the House Permanent Select Committee on Intelligence. It gives me great pleasure to recognize Mr. Hoffman's hard work and I want to wish him well in his new and exciting career. On behalf of the committee, I want to thank him for his continued service to our country and for the unstinting nonpartisan support he gave to the intelligence community.

## CHARRO DAYS, INC., CELEBRATES 60TH ANNIVERSARY

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. ORTIZ, I rise today to commend all those associated with Charro Days, Inc.—the organization which sponsors a 4-day February festival in south Texas—for their 60th anniversary.

Each year, the communities of Brownsville, TX, in the United States and Matamoros, Tamaulipas, in Mexico, join forces to commemorate the exceptional international relationship found on the United States-Mexico border. Charro Days, Inc. is composed of members from both communities and oversees the three parades and festivities of the celebration. This festival, which features many bands and theme floats during Charro Days, represents the legends, cultures, international spirit, and sometimes difficult history that leads us to where we are today.

Charro Days was originally a pre-Lenten holiday, along the lines of Mardi Gras in New Orleans. It has grown from a very small festival to an extraordinary international holiday that offers a variety of music, from mariachis and conjunto to modern Tejano. It has drawn the attention of visitors and has become 1 of the top 100 events in North America as highlighted by several organizations which guide tourists to North American attractions.

In this southernmost U.S. city, our hands are joined during Charro Days with the hands of our international neighbors as we celebrate all that makes us unique. We participate in events that contribute to the preservation of our border history, heritage, and traditions of our two nations. There is song, dance, costumes, food, craftsmanship, and a celebration of our past as well as our future.

Celebrations like these ensure both nations will remain friends and compãneros for a very long time to come. I ask my colleagues to join me in commending Charro Days, Inc., for their 60th anniversary.

## WHAT HAPPENED TO THE PALESTINIAN CHARTER?

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. GILMAN. Mr. Speaker, on January 15, 1997, Israel and the Palestinian authority reached an agreement on a protocol for the redeployment of Israeli forces in Hebron. Accompanying the protocol is a note for the record, prepared by the U.S. Special Middle East Coordinator, Ambassador Dennis Ross, which specifies reciprocal actions that must be taken by both Israel and the Palestinian Authority. U.S. officials have described this note for the RECORD as a road map for further progress in the peace process.

Among its various provisions, the Note stipulates that the Palestinian side must "complete the process of revising the Palestinian

National Charter" to expunge from it all clauses inimicable to Israel. Previously, both the Clinton administration and the PLO claimed that the charter had been changed by a vote taken by the Palestinian National Council [PNC] in April 1996. That vote claimed to have canceled all clauses in the charter which contradict the letters exchanged between the PLO and the Israeli Government.

But at the same time, the PNC ordered the adoption of a new charter, which would demonstrate to the world the exact textual changes made with regard to Israel. It referred the matter to a legal committee that was charged with submitting a new draft charter by October 24. Nothing happened then, and Yasir Arafat failed to meet this obligation in violation of the PLO's stated commitment. Moreover, the fact that the charter revision is included in the note drafted by Ambassador Ross is evidence that the Clinton administration know acknowledges that the Palestinian side is not in compliance.

Several weeks ago, the PNC delegated to another special legal committee the authority to draft a new charter. However, many questions still remain unanswered. In delegating authority, the PNC once again did not specify which clauses in the charter require amendment, nor did it specify a deadline for the revised text.

More recently, Chairman Arafat reportedly told two French publications that the Palestinians have already fulfilled their commitments, and that he does not intend to adopt a new charter because the Israelis do not have a constitution. "When they will have one," Mr. Arafat said, "we will do the same."

Mr. Speaker, such utterances from Mr. Arafat are not helpful to progress in the peace process. Mr. Arafat knows what he had to do. There is no reason for further delay.

Mr. Speaker, the PLO's failure to amend the Palestinian Charter is a violation of the peace agreements with Israel. That failure, along with continued hostile rhetoric toward Israel, indicates a lack of sustained commitment by Yasir Arafat to the peace process. Accordingly, I call on Chairman Arafat to demonstrate his commitment to peace by leading the effect to amend the Palestinian National Charter at the earliest possible opportunity. That is his responsibility. We will be watching his actions closely. The time has come and gone for prompt compliance. Further delay is additional evidence that Chairman Arafat and the PLO are not willing to meet.

## TRIBUTE TO WILLIAM J. PERRY

### HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. MURTHA. Mr. Speaker, I rise today to pay tribute to William J. Perry, who retired on January 24, 1997 as our 19th Secretary of Defense of the United States.

Dr. Perry has a long and distinguished record of serving his country. In the 1970's and 1980's, Bill's work on stealth technology for the Defense Department earned him the title "father of stealth." We all know how important this technology has become to our military and to our Nation. Bill was at the forefront of many other technology breakthroughs as well that today give America's forces the ability to dominate any potential adversary on the field of battle.

But I think crowning achievement came in quite a different arena than the scientific laboratories and high technology factories of this country. Beginning on "day one" of his tenure as Secretary of Defense, Bill Perry became a tireless advocate for the people who are the heart and soul of America's military might. He has led the fight for better pay, better housing, better health care, decent retirement benefits, and maintaining the highest standard of training for our men and women in uniform. This is not cheap and it is certainly not easy to accomplish given the competition we have for limited funds in a declining defense budget.

But Bill Perry has been true to the principle he so often recites: "Take care of the troops, and they will take care of you." Bill understands the lesson history tries to teach us again and again, but some never learn. That is, you can have the best military equipment in the world, but if you don't have well trained and well motivated people to operate that equipment, you don't have much. During his tenure Bill Perry put the men and women in uniform first, and those men and women have taken care of this country.

Over the years, some who don't know Bill well have misunderstood his quiet and studious manner to mean that he might waver on certain issues. Nothing could be further from the truth. Bill has been a rock when it came to fighting for this administration's core defense policies. After 3 years of holding the reins at the Pentagon, he has left no doubt in anyone's mind that the readiness of our forces and the qualify of life for the men and women who serve would come first, and he followed through on those convictions. For this I salute him.

Secretary Perry has had other important achievements as well. I know he is especially proud of his efforts to reduce the nuclear danger, particularly in Russia, Ukraine, Belarus, and Kazakhstan. Under Secretary Perry's steady hand, the sometimes foundering Cooperative Threat Program got off the ground to help these countries destroy over 4,000 nuclear warheads aimed at the United States and dismantle more than 800 bombers and ballistic missile launchers. This program also has been instrumental in helping the former Soviet nuclear states put tighter controls on nuclear materials such as highly enriched uranium to keep them from finding their way into the global marketplace.

These are real, measurable national security accomplishments that have made the world safer, and Bill Perry deserves to be proud of his record.

Mr. Speaker, Bill Perry made a difference throughout his many years of service to our country. On behalf of the Congress, and on behalf of the citizens of our great Nation I want to say to Bill and his family: "Thank you for a job well done, and Godspeed".

The most suitable closing to this tribute I can think of is in Bill's own words. I ask unanimous consent to enter into the RECORD Secretary Perry's farewell address delivered at Ft. Myer on January 14, 1997. His words are eloquent and poignant.

WILLIAM J. PERRY, SECRETARY OF DEFENSE FAREWELL ADDRESS-FT. MYER, JANUARY 14, 1997

I shall be telling this with a sigh.
Somewhere ages and ages hence.
Two roads diverged in a wood, and I—
I took the one less traveled by.
And that has made all the difference.
—ROBERT FROST

Four years ago, America faced a choice; a choice between two roads that diverged. One road led to isolation and apathy, the other road, to engagement and action. This century has taught us that the road of isolation and apathy leads to instability and war.

President Clinton chose the road of engagement and action. He strove to bridge the Cold War chasms; to reduce its nuclear legacy; to reach out to former adversaries, to prevent the conditions for conflict, and to create the conditions for peace. And *that*, as Robert Frost has said, has made all the difference.

It has made all the difference in Europe, where, by establishing the Partnership for Peace we have replaced an Iron Curtain which divided the nations of Europe with a circle of security which brings them together.

It has made all the difference in our own hemisphere, where all nations, save one, have chosen democracy, and by establishing the Defense Ministerial of Americas we have forged new links of trust and cooperation.

It has made all the difference in the Asia Pacific, where by establishing a Framework Agreement we froze the North Korean nuclear program and prevented a nuclear arms race; and where, by strengthening the Security Agreement with Japan, we have ensured America's security presence—the oxygen that fuels the region's prosperity.

Choosing the right road has made all the difference around the world. By executing the Nunn-Lugar program, we have dismantled 4,000 nuclear weapons that once targeted America's cities. Today, the threat of nuclear holocaust no longer hangs like a dark cloud over the heads of our children.

Four years ago, the Department of Defense faced a choice. One road was well-traveled and easy to follow, but it would have allowed our forces to atrophy as we completed the post-Cold War draw down. The other road was less traveled by, twisting and bumpy with hard choices—hard choices to ensure that we had strong capable military forces ready to respond in a world of new dangers.

Twice before in this century when faced with that same choice, we chose the well-traveled road of neglect. And we paid the price—in Korea with Task Force Smith, and after Vietnam with a Hollow Army. This time we chose the road less-traveled by—the road of readiness. We established training as our highest priority. Training designed to make the scrimmage tougher than the game. We established the iron logic that quality of life for our forces meant quality people in our forces. We reformed our acquisition system to give our quality people the most effective technology. Technology that enables them to dominate the battlefield; to win quickly, decisively, and with minimum losses. And *that* has made all the difference.

It made all the difference wherever we sent our forces to prevent, deter, or defeat aggression. In Haiti, where we restored democracy. In the Arabian Gulf, where we contained a brutal dictator. In the Korean Peninsula, where we stood firm with an ally. In Bosnia,

where we have stopped the killing and brought to a war-ravaged people the blessings of peace. The readiness road ensured the success of each of these missions. Readiness made all the difference.

Four years ago, I faced a personal choice between a well-traveled road to a quieter life, centered around family and friends; and a less-traveled road that led to turmoil, tension, and tough decisions. But it also led to an opportunity to serve our nation, to support the troops I cared for, and to achieve the dreams I cherished.

I thought long and hard upon that choice and took counsel from sage friends. I questioned my wisdom, my patience and my ability to endure. But the courage to meet the test came from the advice of a tough sergeant major: "Take care of the troops," he said, "and they will take care of you."

I have followed that advice, and that, for me, has made all the difference.

It made all the difference every time I advised the President on when and how to use military force. It made all the difference when I negotiated with ministerial colleagues, when I met with Presidents and Kings. It made all the difference when I decided on force levels, mission goals and rules of engagement every time we put our troops in harm's way. It made all the difference when I met with soldiers, Sailors, airmen and Marines, in distant lands, on domestic bases, on training fields, ships at sea in cargo planes, or fighter jets. It made all the difference when I shared Thanksgiving meals with them in Haiti, in Macedonia, in Bosnia.

That advice—"Take care of the troops, and they will take care of you"—has made all the difference as I learned from my mistakes, as I took pride in my achievements.

Today I say farewell to the President who honored me by asking me to serve as Secretary. I say farewell to my colleagues in the administration who worked with me to achieve common goals. I say farewell to my friends in the media, and in the Congress, and to the wonderful friends I have made in the embassies.

And I say farewell to our military leaders who have served our country so brilliantly. They have prepared our forces for war, but they are dedicated to peace. Elie Wiesel has said, "Peace is not God's gift to mankind. It is our gift to each other." And for the last four years peace is the gift we have given the American people.

But the hardest farewell to say is to the troops who have served me and whom I have served. Words cannot adequately describe my pride in you. So my farewell to you is a simple benefiction:

May the Lord bless you and keep you. May the Lord cause His face to shine upon you, and give you peace.

## REGARDING TERM LIMITS

### HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. DICKEY. Mr. Speaker, due to an inadvertent staff error, my name was added as a cosponsor to House Joint Resolution 2. Although my position has always been strongly in favor of limiting the number of terms for Congress, House Joint Resolution 2 does not comply with the State of Arkansas' congressional term limits amendment passed on November 5, 1996, as amendment 73 to the State Constitution. Unfortunately, House Joint Resolution 2 was reported from committee last week, and under the rules of the House, I am unable to remove my name as a cosponsor. My name being added as an original cosponsor to a resolution by Mr. HUTCHINSON containing the exact language contained in the Arkansas term limit amendment. Further, I plan to vote in favor of the Hutchinson resolution and against all other proposals that contain limits longer than 6 years for House Members since this represents the dictate of the recently passed amendment to the State Constitution.

## AMBASSADOR MALEEHAH LODHI

### HON. BOB LIVINGSTON

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. LIVINGSTON. Mr. Speaker, I want to take this opportunity to recognize the outgoing Ambassador of Pakistan, Dr. Maleehah Lodhi, for her distinguished service. Ambassador Lodhi returned to Pakistan on January 31, 1997. As many of my colleagues will attest, Ambassador Lodhi was a strong and objective advocate of her country and for freedom and democracy worldwide. Pakistan has been a great friend and ally of the United States. I can say with confidence that the Ambassador's tireless work over the past 3 years has enhanced and improved this bond. In fact, her endeavors contributed greatly to recent advances in our nations' relations. Advances that I believe we can look forward to seeing develop in the future. I wish her all the best.

## TRIBUTE TO HERB CAEN, SAN FRANCISCO'S BELOVED "BOSWELL BY THE BAY"

### HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. LANTOS. Mr. Speaker, I invite my colleagues in the Congress to join me in paying tribute to San Francisco journalist Herb Caen, who died last week at the age of 80. For 60 years, he has been a staple of San Francisco journalism, and, in the words of the New York Times, he is "a columnist known for his ardor for San Francisco." He began his career in the bay area in 1936 when he joined the San Francisco Chronicle, and his well-known column first appeared on July 5, 1938. Last year, as my colleagues will recall, Mr. Caen was awarded a Pulitzer Prize for his "continuing contribution as a voice and a conscience of his city." I called the attention of my colleagues in the Congress to Herb's honor on that occasion and paid tribute to him in the RECORD in April of last year.

Mr. Speaker, I invite my colleagues to join me now in honoring the memory of Herb Caen for his contribution to the uniqueness of our delightful city of San Francisco and for his contribution to journalism. Mr. Speaker, I also invite my colleagues to read the obituary of Mr. Caen that appeared in the New York Times.

[From the New York Times, Feb. 2, 1997]

HERB CAEN, NEWSPAPER WRITER, DIES AT 80

(By Michael J. Ybarra)

SAN FRANCISCO.—Herb Caen, whose 60-year journalism career was devoted to doting on San Francisco and whose affections were more than amply requited by legions of ardent readers, died this morning at the California Pacific Medical Center here. He was 80.

To call Mr. Caen "Mr. San Francisco," as was sometimes done, was redundant. No other newspaper columnist has ever been so long synonymous with a specific place. To his fans, Mr. Caen (pronounced cane) was sui generis, a towering icon in his adopted hometown—although he was largely unknown in much of the nation, his column of stubborn localisms not even traveling well across the San Francisco Bay.

But in the city, and no one ever doubted what city he was talking about, Mr. Caen enjoyed the status of a beloved Boswell by the Bay.

Part of his appeal seemed to lie in the endless bonhomie he projected, always nattily turned out in suit and fedora, often with a martini glass in hand. Mr. Caen exuded a whiff of elegance from a bygone era.

Indeed, his role model was Walter Winchell, the legendary gossip monger, but with the malice shorn off. And unlike Winchell, who outlived his own celebrity and doddered on into obscurity, Mr. Caen's status as a living landmark grew with his longevity.

In April 1996, Mr. Caen turned 80, won a special Pulitzer Prize for his "continuing contribution as a voice and a conscience of his city" and married his fourth wife. In May, he told his readers that he had inoperable lung cancer—he smoked for 40 years but quit 25 years ago—and 5,000 letters poured in. The city proclaimed June 14 Herb Caen Day and 75,000 people turned out to shower the writer with affection.

Mr. Caen was born in Sacramento on April 3, 1916, although he often said he had been conceived while his parents were visiting San Francisco. He wrote a high school gossip column called "Raisen' Caen" and after graduation he went to work as a sportswriter at The Sacramento Union. In 1936, he landed a job at The San Francisco Chronicle, arriving in town when Coit Tower was only three years old and ferries were the only way to cross the bay.

Mr. Caen began writing his column on July 5, 1938, and wrote it six days a week until 1991, when he cut back to five and later to three. "I can't find a way out: too many bills and ex-wives and a kid in school, things that chew up the income," he told an interviewer just before he turned 80. "I never intended this to be permanent, but it looks like it's going to be."

He is survived by his wife, Ann Moller, and a son, Christopher, from a previous marriage.

Except for an eight-year sojourn at its rival, The Examiner, Mr. Caen has been a fixture of The Chronicle, and, according to surveys, better read than the paper's front page. Editors had even estimated that as many as a fifth of the paper's 500,000 readers might cancel their subscriptions after Mr. Caen's death.

So avid were his fans that for years The Chronicle even ran old columns on Sunday, packaged as "Classic Caen." Local bookstores are full of still in-print copies of old columns recycled into tomes.

The columns combined gossip, news, word play and love to San Francisco and those lucky enough to live there, even when acknowledging the unpleasant side of the city. "The hookers are brazen, the abalone is frozen, and every night is Mugger's Day," he wrote in 1971. "Yet, in spite of it all, San Francisco remains one of the great tourist cities. Most triumphantly, there is life in the streets—raw, raucous, roistering and real."

Over the years Mr. Caen's journalistic work habits became as effortless as breathing: he wrote in the morning, held court in bars or cafes in the afternoon and took the pulse of the city at A-list events in the evenings, where the man with the cherubic smile and bald pate fringed with curly gray hair was as much a star as anyone he wrote about.

Though the self-deprecating Mr. Caen referred to his daily output, pounded out with two fingers on a Royal typewriter, as journalistic stoop labor, he tossed out more than a few enduring bons mots. Baghdad-by-the-Bay and Berserkeley were his coinage. "Don't call it Frisco," he admonished readers once, and locals never did again.

A play has been based on his columns and a mention in the same spot has been said to have saved numerous productions and restaurants.

At the same time, critics complained that he did not pay for his own meals or clothes or even always write his own column—charges that Mr. Caen never failed to shrug off, along with criticism that he was getting bitter in his old age. "That started when I was about 30," he recalled once. "Herb, you're getting old and bitter."

But on Herb Caen Day, when a three-mile stretch of waterfront sidewalk was named in his honor, the columnist was all honey. "I've loved this town before I was born, and I'll love it after I'm gone," he told the crowd. "One day if I do go to heaven, I'm going to do what ever San Franciscan does who goes to heaven—he looks around and says, 'It ain't bad, but it ain't San Francisco.'"

## LEGISLATION TO EXTEND COMMUNITY NURSING CENTER DEMONSTRATIONS INTRODUCED

### HON. JIM RAMSTAD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. RAMSTAD. Mr. Speaker, as a strong supporter of home- and community-based services for the elderly and individuals with disabilities, I rise to introduce legislation I sponsored in the 104th Congress to extend the demonstration authority under the Medicare program for Community Nursing Organization [CNO] projects.

CNO projects serve Medicare beneficiaries in home- and community-based settings under contracts that provide a fixed, monthly capitation payment for each beneficiary who elects to enroll. The benefits include not only Medicare-covered home care and medical equipment and supplies, but other services not presently covered by traditional Medicare, including patient education, case management and health assessments. CNO's are able to offer extra benefits without increasing Medicare costs because of their emphasis on primary and preventative care and their coordinated management of the patient's care.

The current CNO demonstration program, which was authorized by Congress in 1987, involves more than 6,000 Medicare beneficiaries in Arizona, Illinois, Minnesota, and New York. It is designed to determine the practicality of prepaid community nursing as a means to improve home health care and reduce the need for costly institutional care for Medicare beneficiaries.

To date, the projects have been effective in collecting valuable data to determine whether the combination of capitated payments and nurse-case management will promote timely and appropriate use of community nursing and ambulatory care services and reduce the use of costly acute care services.

Authority for these effective programs was set to expire December 31, 1996. Mr. Speaker, while I was glad to Health Care Financing Administration [HCFA] extended the demonstration authority for the CNO projects using administrative means, I was disappointed this extension was only for 1 year. HCFA stated that the authority was extended to allow them to better evaluate the costs or savings of the services available under the program, learn more about the benefits or barriers of a partially capitated program for post-acute care, review Medicare payments for out-of-plan services covered in a capitation rate, and provide greater opportunity for beneficiaries to participate in these programs.

Frankly, in order to do all this analysis of the program, we need more than one year. We need to act now to extend this demonstration authority for another 3 years.

This experiment provides an important example of how coordinated care can provide additional benefits without increasing Medicare costs. For Medicare enrollees, extra benefits include expanded coverage for physical and occupational therapy, health education, routine assessments and case management services—all for an average monthly capitation rate of about $21. In my home State of Minnesota, the Health Seniors Project is a CNO serving over 1,500 patients in four sites, two of which are urban and two rural.

These demonstrations should also be extended in order to ensure a full and fair test of the CNO managed care concept. These demonstrations are consistent with our efforts to introduce a wider range of managed care options for Medicare beneficiaries. I believe we need more time to evaluate the impact of CNOs on patient outcomes and to assess their capacity for operating under fixed budgets.

Mr. Speaker, it is important to recognize that the extension of this demonstration will not increase Medicare expenditures for care. CNOs actually save Medicare dollars by providing better and more accessible care in home and community settings, allowing beneficiaries to avoid unnecessary hospitalizations and nursing home admissions. By demonstrating what a primary care oriented nursing practice can accomplish with patients who are elderly or disabled, CNOs are helping show us how to increase benefits, save scarce dollars and improve the quality of life for patients.

Mr. Speaker, I urge my colleagues to consider this bill carefully and join me in seeking to extend these cost-savings and patient-enhancing CNO demonstrations for another 3 years.

## WEED THE SEED PROGRAM

### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. TRAFICANT. Mr. Speaker, in 1989, at a time when communism was beginning to fall in Eastern Europe, Congress approved the Support for Eastern European Democracy [SEED] Act. The purpose of the SEED Act was to provide special enterprise funds to assist the fledgling democracies in the development of free-market economies. Originally intended to be used for economic restructuring and all-important humanitarian relief, the funds have become part of a never-ending web of corruption and mismanagement. America has already lost millions and millions of dollars of hard-earned taxpayer money through these funds, yet we keep throwing more good money after bad.

The funds were established as private, nonprofit corporations. As such they are subject to little government oversight. According to a 1990 Senate Appropriations Committee report (101–519) the only role that the U.S. Agency for International Development [USAID] is to have in the process is to "simply write the check on a periodic basis when the enterprise funds determine that additional funding is necessary." This was done to give the boards of directors and the funds' managers wide latitude in determining how to invest the money and also to allow them the flexibility to react to market situations. While on the surface this may appear to be the best way to encourage the growth of market mechanisms, better, in fact, than traditional aid programs, it actually amounts to a situation in which there is no accountability to the investor, namely the American taxpayer. When the funds lose money as a result of poor investment practices it is the taxpayer who ultimately loses, with no way to recoup those losses.

Unfortunately, it is not uncommon for money to be lost as a result of an ill-advised investment. There is a significant lack of quality personnel who are willing to relocate to Eastern Europe to oversee the funds. As a result the most prudent courses are not followed and it is almost the norm for investments to result in a net loss. In addition, the proper economic and political environments, to foster success, often do not exist. As an example, the original schedule for disbursement was to be carried out in lump sums over 3 years. However, the funds are experiencing difficulty in meeting this schedule and thus it has been extended. Other funds, such as the Hungarian Fund and the Polish Fund have requested, and the Polish Fund was granted, supplemental funding demonstrating that the funds are not self-sustaining, as was originally intended. The most striking example, however, of the failure of funds' investments, is the case of the Czech and Slovak American Enterprise Funds (CSAEF). Authorized in 1991, the first two large investments failed terribly, resulting in a loss of $2 million. In all bad investments have resulted in a loss of two-thirds of the CSAEF investment portfolio.

A 1995 investigation conducted by an inspector general of U.S. Agency for International Development confirmed allegations of

mismanagement and corruption within the system. Skyrocketing overhead costs are largely the result of corrupt management practices, as money is often used to line the pockets of corrupt profiteers. The president of the Hungarian Fund was found to have paid two U.S. executives salaries upwards of $400,000, forcing a salary cap to be imposed. Even more disturbing is the fact that a Hungarian government official received payments through the fund. The CSAEF, in addition to making poor investments, has been embroiled in scandal. John Petty, former deputy chairman of the CSAEF, was forced to resign due to his improper conduct in managing fund monies. The investigation discovered that he gave his mistress, who was working for the fund as an executive assistant, a more than 50 percent raise so that her salary amounted to $85,000 per year.

The funds have simply not served their purpose. Corruption and mismanagement, coupled with poor environments for investment, have kept the funds from being an effective mechanism in moving Eastern Europe toward a market economy. The money has not been used for its original intent, economic restructuring and humanitarian relief. Instead, investments have been mismanaged and corruption has been a trademark of the system.

At a time when we are searching for ways to balance the budget, when some even go so far as to propose an amendment to the Constitution, we cannot afford to waste money overseas. Rather than continuing to slash to the bone funding for vital domestic programs, it seems logical to eliminate programs that simply do nothing to benefit the American people. This program wastes hard-earned taxpayer dollars. The American people deserve to have their money work for them, not to have it squandered abroad. H.R. 564 will prohibit USAID from spending any money allocated to it to finance the funds and will effectively phase them out over 2 years following its passage into law.

It is time to end wasteful overseas spending and to put that money to better use here at home. To that end, I encourage Members of Congress to join me by cosponsoring H.R. 564.

## LOVE YOUR NEIGHBOR WEEK IN DADE COUNTY

### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize "Love Your Neighbor Week" and its driving force, Jim Ward.

Encompassing Valentine's Day, the week seeks to encourage reaching out to all people in the community. Its mission is to identify us as a community that cares for all people without regard to race, ethnicity, religion, or social status. Toward that goal, Mr. Ward is seeking to mobilize all organizations that call south Florida home. This includes public, private, educational, business, and civic groups.

The pledge asks individuals to "live the spirit of Love Your Neighbor [LYN] in my daily life; to be kind and considerate to everyone; and to unite my community through thoughts, actions, and words." Organizations are asked to display LYN decals and signs and employees are asked to use the phrase in greeting customers.

Mr. Ward, a 27-year resident of south Florida, and Dade County's human resources director, is the man who put together this celebration of community. He has pledged to "go anywhere in behalf of the cause and to do all the work" necessary to see that this program gets off the ground.

Mr. Ward and all the volunteers who have put this healing exercise together deserve our thanks and support in their effort to make the world a better place.

## LEGISLATION TO RAISE AWARENESS OF MAMMOGRAPHY AND BREAST CANCER GUIDELINES INTRODUCED

### HON. JENNIFER DUNN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Ms. DUNN. Mr. Speaker, on January 23, the National Cancer Institute declined to recommend that women in their forties seek annual breast cancer screening. Research into the benefits of mammography for women in this age group is wholly inadequate. Further, without definitive guidelines, the lives of America's mothers, wives, sisters, and daughters are at risk. This year, an estimated 33,000 women in their forties will be diagnosed with breast cancer—these are women in the prime of their lives, women whose children are still in kindergarten, and women entering the peak of their careers.

Guidelines for women aged 40 to 49 were in place until 1993, when they were rescinded by the National Cancer Institute. This occurred despite the lack of confidence in available research and differing opinions by respected medical organizations on the wisdom of the rescission. Research performed in two studies last year found a 44 and 36 percent lower death rate among women who received mammograms in their forties, and a number of studies have shown that breast tumors in women under the age of 50 may grow far more rapidly than in older women, suggesting that annual mammograms are of value to women in this age group.

Congress must take an active role in this issue and that is why I am introducing this bipartisan resolution that calls for one, additional research into the benefits of mammography for women aged 40 to 49, and two, a strong request that the advisory panel for the National Cancer Institute consider reissuing the guideline rescinded in 1993 for mammography for women when it convenes in February 1997, or until there is more definitive data, direct the public to consider guidelines by other organizations. The resolution will serve as the House's opportunity to concur with the Senate's statement on this matter, when on February 4, it approved Senator SNOWE's bill, S. Res. 47, by a unanimous vote of 98 to 0.

Mr. Speaker, and distinguished colleagues, please support this vital resolution that helps raise awareness of mammography and breast cancer guidelines.

## INTRODUCTION OF A HOUSE CONCURRENT RESOLUTION CONGRATULATING THE REPUBLIC OF NICARAGUA ON HOLDING DEMOCRATIC ELECTIONS

### HON. AMO HOUGHTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. HOUGHTON. Mr. Speaker, I rise today, along with a group of colleagues, to introduce a concurrent resolution which does primarily two things: First, it congratulates the Republic of Nicaragua on holding democratic elections to elect an entirely new government, and second, it celebrates the peaceful swearing-in of a new President in Nicaragua. Along with me as original cosponsors of this resolution are BEN GILMAN, who is chairman of the House International Relations Committee, ELTON GALLEGLY and GARY ACKERMAN, the incoming chairman and ranking member of the Western Hemisphere Subcommittee, and CASS BALLENGER, my colleague on the International Relations Committee. I thank them for their support and assistance in putting this bill together.

My interest in Nicaragua started in 1988, when I first traveled there with a delegation of educators from my district to promote the values of education, and set up a private scholarship program for Nicaraguan students to study in the United States. While there, I met an extraordinary woman named Violeta Barrios de Chamorro, the wife of Pedro Joaquin Chamorro, who was then editor of *La Prensa*. Two years later, I revisited Nicaragua with Elliott Richardson as part of the United Nations' Electoral Observation team to witness Violeta Chamorro's victory in Nicaragua's first democratic elections.

I returned again in 1993 with Priscilla and two of my grandchildren to see for ourselves the tremendous changes that Nicaragua had undergone under her steady and courageous leadership. In September of 1995, we hosted a luncheon for President Chamorro here in the Capitol where, joined by Senators CLAIBORNE PELL and TOM HARKIN, and Congressmen TORRES and BILL RICHARDSON, we continued our discussion of the far-reaching changes that Nicaragua had undergone in the past 5 years.

On October 20, 1996, democratic elections were held across Nicaragua to elect an entirely new government. Over 80 percent of the country's 2.4 million eligible voters cast their ballots for the President and Vice President, National Assembly and Central American Parliament Deputies, and mayors. These elections were not perfect—there were complications and irregularities in the process—yet a large group of international and domestic observers declared that the elections were ultimately free and fair, and a legitimate expression of the will of the people of Nicaragua.

The candidate of the Liberal Alliance Party, Arnoldo Aleman, who was previously mayor of Managua, was elected President by a margin

of 49 to 38 percent over Daniel Ortega, the leader of the Sandinista Front [FSLN]. Aleman's alliance did not win an outright majority in the National Assembly, which leaves the Sandinistas with sufficient representation to be the country's leading opposition party.

On January 10, 1997, representatives from the United States and around the world witnessed the peaceful transition of the power of the presidency from Violeta Chamorro to Arnoldo Aleman. President Aleman immediately promised to continue the economic and social reforms started by the Chamorro administration, and most importantly, to work together with the other political parties to build a lasting peace and democracy in Nicaragua.

Mr. Speaker, the new Nicaragua is a country to be proud of. It is a success story. From a society bitterly divided by years of conflict comes a stable government with all of the new freedom that evolves along with democratization. Are there still problems in Nicaragua? Absolutely. The road to a lasting peace and democracy is a long one. There is no final destination. This bill recognizes that Nicaragua has come a long way since the turmoil of the 1980's. It also reaffirms the United States' commitment to promoting democracy throughout the Western Hemisphere.

Mr. Speaker, I hope you and all of my colleagues will join me today in congratulating the people of Nicaragua on the success of their elections.

## INTRODUCTION OF A BILL TO ABOLISH THE FEDERAL APPROPRIATION FOR THE TENNESSEE VALLEY AUTHORITY

### HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. FRELINGHUYSEN. Mr. Speaker, today I rise to introduce a bill abolishing the direct annual Federal appropriation to the Tennessee Valley Authority [TVA] at the end of fiscal year 1997. The elimination of this subsidy which has been provided by Congress since TVA's creation in 1933 is something that has been long overdue. I urge my colleagues to join me in cosponsoring this bill.

As a product of the new deal, the TVA was created as an independent, government-owned corporation exempt from taxation. Its original mission was to bring electricity and lights to the Appalachian hills and foothills. TVA serves a population of more than 7 million people in an 80,000 square mile region in Tennessee and parts of Alabama, Georgia, Kentucky, Mississippi, North Carolina, and Virginia. By some accounts the TVA is the Nation's largest utility.

Over the years TVA's mission has expanded to a point where some projects it currently undertakes are questionable at best. For example: Why would TVA be doing ozone research for the Federal Government when we already have an Environmental Protection Agency? What is TVA doing in China promoting trade when they are wholly owned by the U.S. Government and we currently have a Commerce Department to promote trade?

In fiscal year 97 TVA received $106 million for its non-power programs which includes five major areas: Stewardship, Water and Land, Land Between the Lakes, Economic Development and the Environmental Research Center. Recently, TVA's chairman Craven Crowell recommended that TVA stop receiving an annual Federal appropriation for its non-power programs. I couldn't agree with him more and for that reason I am introducing this bill to speed the process along.

My bill would stop all funding for TVA's non-power programs at the end of this fiscal year and not at the end of fiscal year 1999 as Chairman Crowell recommends. It simply amends Section 27 of the TVA Act of 1933 to authorize no more direct Federal monies for the TVA. With annual revenues of over $5 billion, TVA should not find it very difficult to abide by this new proposal. It should be the ratepayers of that region which fund TVA's activities not taxpayers all across the Nation. Pull the plug on the TVA now!!!!!

## INTERNATIONAL POPULATION ASSISTANCE

### HON. DAVID E. SKAGGS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. SKAGGS. Mr. Speaker, perhaps as soon as next week we will be debating the first foreign policy question to come before the House in this Congress—the rate of expenditure of appropriated funds for international population assistance.

This is a very important matter, one that will directly affect the quality of life of individuals and families around the world. It deserves careful attention by all Members.

Central to the debate will be the relationship between the restrictions that some seek to place on international assistance in this area and the incidence of abortion.

A recent issue of the Durango Herald included an article by the President of the Population Institute discussing exactly this point. Because I believe that it makes points that should be considered in the upcoming debate, I am including it in the RECORD for the benefit of all Members.

[From The Durango (CO) Herald, Feb. 2, 1997]

DEBUNKING ABORTION MYTHS—INCREASED CONTRACEPTIVE USE DECREASES RATE OF ABORTION

(By Werner Fornos)

Sometimes the line between dedication and obsession is pencil-thin.

An example is the 1994 shooting spree by anti-choice fanatic John C. Salvi III that left two dead and five injured at two health clinics in Brookline, Massachusetts.

Another example is the effort by anti-choice forces in Congress to kill U.S. government international family planning efforts.

It is far-fetched to compare a psychotic murder to elected federal lawmakers? Perhaps. Then again, when reactionaries to Congress succeeded in slashing 1996 overseas population assistance by 35 percent a consortium of experts conservatively estimated that the cut would result in 4 million more unplanned pregnancies, 2 million more unintended births, 1.6 million more abortions, 134,000 more infant deaths, and 8,000 more maternal deaths from pregnancy and childbirth complications.

The madman Salvi had a smoking gun, while the self-styled defenders of "the sanctity of life" and "the rights of the unborn" in Congress had the clout to deny contraceptives to poor women throughout the world. But who was more dangerous?

Although Congress last year appropriated $385 million for international population assistance in 1997, it added caveats that none of the amount could be spent until July 1—nine months into the fiscal year—and then at the rate of only 8 percent per month."

It has been estimated that the moratorium and metering of the funds will lead to even more unintended pregnancies, births, abortions and infant and maternal deaths than the 35 percent budget cut was expected to last year.

Consequences of the punitive withholding of the appropriation may include shortages of contraceptive supplies, closure of family planning clinics and sharp reductions in nearly all U.S. government population programs—including those in countries most in need such as Bangladesh, Kenya and Peru.

In addition, many countries with large populations and a large unmet need for family planning—including Indonesia and Mexico, with a combined population of 300 million—may be unable to receive U.S. funds that would be used in programs where there is even greater need.

Ironically, the restrictions placed on international population programs was instigated by lawmakers who claim to oppose abortion. These same members of Congress are well aware that U.S. funds have been prohibited from financing abortion for nearly a quarter of a century.

Moreover, an estimated 32 million abortions take place in the developing world annually and more than half are unsafe or clandestine and believed to result in 70,000 preventable maternal deaths each year.

There is ample evidence that when contraceptive use increases, abortion rates decline.

In the late 1960s there were close to 80 abortions per 1,000 women in Hungary, while contraceptive use was at a low 20 percent level. A subsequent rise in contraceptive use to more than 30 percent of couples in 1978 was accompanied by a reduction in abortions to just over 30 per 1,000 women.

A 24 percent increase in contraceptive use was recorded in Mexico City from 1987 to 1992, while the abortion rate dropped during the same period from 41 to 25 per 1,000 women.

Contraceptive use in South Korea increased from 24 percent in 1971 to 77 percent in 1988, while lifetime abortion rates per woman declined from a peak of 2.9 per woman in 1978 to 1.9 by 1991.

The 1997 U.S. international population assistance law permits the president to submit to Congress by Feb. 1 findings showing that withholding funds will be detrimental to family planning program efforts. Both houses will vote in February on whether or not to accept the president's findings. Acceptance allows the appropriation to be released as early as March 1, rather than by July 1.

Colorado's newly elected U.S. Senator Wayne Allard who voted against overseas family planning programs as a member of the House of Representatives, and all members of the states congressional delegation should consider the devastating consequences of denying contraceptives to

women in poor countries when he casts his vote on the president's findings in February.

## SALUTE TO KATHERINE HOFFMAN HALEY

### HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. GALLEGLY. Mr. Speaker, I would like to recognize one of Ventura County's outstanding citizens, Katherine Hoffman Haley. As the Granddaughter of the founder of Ventura County, Katherine has proudly carried on the legacy of her grandfather, William Dewey Hobson.

Katherine along with her mother, Edith and brother, Walter, have been responsible for keeping the heritage and history of Ventura County alive. She was instrumental in raising hundreds of thousands of dollars for the construction of the Ventura County museum of history and art. She has subsequently obtained additional hundreds of thousands for the support of the museum's programs over the years.

Her involvement in the community has not stopped there. She has served as a member of the board of directors of the Community Memorial Hospital in Ventura for over 35 years. And her generosity extends to the legions who have come far and wide to visit her home to see her extensive collection of western art.

Her innumerable contributions to the community will serve as a legacy to her dedication. I am proud to pay tribute to her today.

## TRIBUTE TO SUPERVISOR GARY GIACOMINI

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Ms. WOOLSEY. Mr. Speaker, in rise today to honor one of my district's most dedicated elected officials, Marin County Supervisor Gary Giacomini. Gary Giacomini was elected in 1972 to represent the Fourth Supervisorial District of Marin County. He has served the people of Marin County well in this capacity for over 24 years, being elected to six successive, 4-year terms, and serving as chair of the board for 6 years. Currently, he holds the distinction of being the longest serving county supervisor in the State of California.

As we celebrate Supervisor Gary Giacomini's years of service to this community, I wish to recognize Gary for his commitment to the people of Marin County, and to thank him for his lifelong record of public service. I was pleased to have worked closely with Gary over the last several years on important issues such as transportation and improvements along the 101 corridor, securing the purchase of the Northwestern Pacific Right-of-Way, conversion of Hamilton Field in Novato, and our ongoing efforts to preserve agriculture in west Marin and protect the lands adjacent to Point Reyes National Seashore. It was a pleasure to be working hand-in-hand with him, and in continue to be impressed by his dedication and vision.

In addition, Gary has been a leader on numerous local boards and commissions. He chairs the Marin County Congestion Management Agency, and is a member of the California State Coastal Commission; the Bay Conservation & Development Commission; the Golden Gate Bridge, Highway & Transportation District; the Local Agency Formation Commission and the Mental Health Advisory Board. As a member of the Marin Agricultural Land Trust, he has been instrumental in protecting the environment and agricultural land in Marin County. Now that he is leaving the Marin Board of Supervisors, Gary is creating an organization that will work to protect our coast and our natural resources. He advocacy group is already making a difference on this important issue.

Gary Giacomini is a native of Marin County, and currently lives in San Geronimo with his wife, Linda. Gary graduated from the University of California, Hastings College of Law, and is a member of the Law Journal, Thurston Honor Society, Order of Coif.

Mr. Speaker, it is my great pleasure to pay tribute to Supervisor Gary Giacomini. Marin County owes a great deal of gratitude for his tireless efforts over the year. Time and time again he has extended himself on behalf of many people and for many causes. I extend my hearty congratulations and best wishes to Gary, Linda, and their family for continued success now, and in the years to come.

## SUPPORT HOUSE RESOLUTION 40—SAVE THE LIVES OF 29,000 WOMEN

### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. TOWNS. Mr. Speaker, on January 23, 1997, the National Cancer Institute's Consensus Panel reviewed data on breast cancer and concluded that it could not recommend regular mammograms for women in their forties. In light of voluminous data and statistical evidence supporting mammograms for women in this age group, I am deeply concerned. Approximately 29,000 American women will contract this disease between the ages of 40 and 49.

Recently, Senator OLYMPIA SNOWE led a bipartisan coalition which introduced a Sense of the Senate resolution, Senate Resolution 47, concerning the need for accurate guidelines for breast cancer screening. We strongly support her efforts, and believe this is a positive step toward helping women. The resulting 98–0 vote shows that our Senate colleagues are fully aware of the critical nature of this issue.

I am also diligently working to ensure that women have clear direction from the Government. In fact, in 1994 the Subcommittee on Human Resources and Intergovernmental Relations, which I chaired, published a report, "Misused Science: The National Cancer Institute's Elimination of Mammography Guidelines for Women in Their Forties," which raised concerns about the National Cancer Institute's decision to change its mammography guidelines. Prior to publishing this report, I convened a hearing where numerous agencies, organizations, and individuals, included Senator SNOWE, testified about the impact of NCI's decision on the lives of women.

The message from all respected voices is clear: mammograms can save the lives of women in their forties, a disproportionate number of whom are African-American. As a concerned Member of Congress, on February 5, 1997, I introduced a Sense of the House resolution, House Resolution 40, encouraging Members to make a unified, unequivocal statement that women between the ages of 40 and 49 need clear, accurate guidelines for breast cancer screening.

I urge you to support this resolution to lead the charge for saving women's lives.

## INCOME EQUITY ACT OF 1997

### HON. MARTIN OLAV SABO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. SABO. Mr. Speaker, a year ago at this time, one couldn't open a newspaper or magazine without reading about the widening gap between the rich and poor in our Nation. Today, however, these articles are difficult to find. Although income inequality has declined slightly from its high point in 1993, we are still in the midst of a long-term rise in inequality that has persisted since the late 1960's.

While the income gap persists, working Americans are finding it even harder to make ends meet. Though our economy continues to grow, most American families have not returned to the income levels they had before the 1989 recession. In fact, in 1994 more than 16 percent of full-time workers could not support their families above the four-person poverty level—compared to 12 percent in 1979.

Although many forces lie behind the growing inequality of income and wealth in America, it is clear that both Government and corporate America have roles to play in narrowing the gap. For this reason, I am introducing the Income Equity Act of 1997. This legislation addresses the problem by encouraging corporate responsibility. For too many years, the trend in corporate America has been to pay top executives lavishly, while thinking of other employees as an expense or not thinking of them at all. My legislation will force companies to take a close look at how they compensate their employees at both ends of the income ladder.

The Income Equity Act would end our Government's practice of subsidizing excessive executive pay through the Tax Code by denying tax deductions for executive compensation that exceeds 25 times the company's lowest paid full-time employee. For example, if a filing clerk at a firm earns $10,000, then any amount of executive salary over $250,000 would no longer be tax deductible as a business expense. This bill will not restrict the freedom of companies to pay their workers and executives as they please. It will send a strong message, however, that in return for tax deductions, the American taxpayer expects

companies to compensate their lowest paid workers fairly.

Economic inequality is a problem that will, if not addressed, rend the fabric of our society. Our Government has every reason, and every right, to encourage responsible corporate citizenship. The Income Equity Act is not the ultimate answer to the widening gap between the rich and the poor, but it is an important step toward ensuring that all Americans can share in our Nation's prosperity.

## TRIBUTE TO IRENE KETCHUM

### HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. VISCLOSKY. Mr. Speaker, it is my honor to commend to you and my other distinguished colleagues, Ms. Irene Ketchum, an outstanding citizen of Indiana's First Congressional District. Irene is a shining example of commendable dedication to voluntarism. At the end of 1996, in recognition of her unselfish commitment to the community of northwest Indiana, Indiana State Representative Dan Stevenson of Hammond, IN, presented Irene with Indiana's highest honor designated by Governor Evan Bayh, the Sagamore of the Wabash. This distinguished award was bestowed upon her at a Democratic precinct open house at the Wicker Park Social Center.

Irene's distinguished career includes being managing editor of the Herald Newspapers in Gary, IN, from 1950–55. From 1956 to 1979, Irene served as clerk treasurer for the town of Highland, and in 1980, she became a trustee and board secretary of the Lake County Public Library.

Over the years, Irene has devoted her time to many community service organizations. She has served as treasurer of the Highland Community Events Council, president of the Highland Women's Democratic Club, and auditor of the Highland Democratic Club. Moreover, Irene has served as treasurer, secretary, vice president, and president of the Indiana League of Municipal Clerks and Treasurers, and she is a lifetime member of the Girl Scouts of America USA. In 1995, the Girl Scouts Calumet Council honored Irene with its Woman of Distinction Award.

Irene unselfishly spends 1 day a week at an east Chicago, Indiana church rectory, doing office work, and 1 day a week at Our Lady of Grace school library. Irene also aids the Hammond Public Library with the program for seniors once a month. Currently, Irene is treasurer for the St. John Deanery Council of Catholic Women, and she is president of the Our lady of Grace Court 80, National Catholic Society of Foresters.

In a country that benefits immensely from voluntarism, Irene has proven that unselfishness has unlimited rewards that do not go unrecognized. Irene can be proud of her efforts to enrich the caliber of life in Indiana's First Congressional District. Mr. Speaker, I ask you to join me in commending Irene for her lifetime devotion to community service.

## BERNICE C. JOHNSON—CITIZEN ACTIVIST

### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. HILLIARD. Mr. Speaker, I rise today to bring to the attention of my colleagues one of the spokes in the wheel of justice. Ms. Bernice Johnson's life represents that toward which we all should aspire—belief in self, commitment to community, dedication to the principles of democracy, and resolve to carry on in spite of adversity.

Ms. Johnson has worked in areas of voter registration, voter education, and voter participation in Jefferson County and throughout the State of Alabama. From 1963 to 1965, she traveled throughout the State organizing African-Americans for voter registration. It was not an easy task. She documented evidence which was sent to the U.S. Department of Justice during President Lyndon B. Johnson's administration. This data was useful in laying the groundwork for the need of Federal examiners in the State of Alabama.

She has worked with many community organizations. She was the first African-American woman to serve on the Alabama State Textbook Committee, the first African-American woman to run for the Jefferson County Board of Education, and the first African-American woman to serve on the Birmingham Planning and Zoning Board.

Ms. Johnson is firmly dedicated to the principles of democracy and the belief that "complete democracy will become a reality through proper use of the ballot." Her steadfast activism has made my State a better place for all Alabamians. With due diligence, unyielding faith and an appreciation for equal justice for all, Ms. Bernice Johnson has lived her life in a manner that is due the utmost respect. Today, in a small way, I am pleased to have the opportunity to recognize her for her many successful achievements.

## DEPOSITORY INSTITUTION AFFILIATION ACT OF 1997

### HON. RICHARD H. BAKER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. BAKER. Mr. Speaker, today I am introducing the Depository Institution Affiliation Act of 1997, which is legislation designed to enhance the competitiveness of our financial services sector in preparation for the 21st century. This legislation is similar to H.R. 814 which I introduced in the 104th Congress. I am pleased to introduce this legislation again in the 105th Congress. It is my hope that our efforts this year will be successful in framing the debate on financial services modernization.

Senator ALFONSE D'AMATO, chairman of the Senate Banking, Housing, and Urban Affairs Committee, is also joining me in introducing similar legislation in the Senate today. Senator D'AMATO and I share both a belief in the merits of this approach, and a commitment to pass financial modernization during this Congress.

I want to make it clear that I am totally committed to passage of the most far-reaching financial modernization package possible in the 105th Congress. The introduction of the Depository Institution Affiliations Act of 1997 signals that I am committed to an approach that allows for the broadest possible reforms and recognizes the reality of the current marketplace. This reality is that today's dynamic financial marketplace is being ill-served by the artificial and arbitrary market segmentation that is at best anachronistic, and at worst anticompetitive and economically harmful. If financial modernization indeed is broad in scope, then American consumers will benefit by improved competition, more available services, and more rapid technological innovation in the marketplace. This modernization must be crafted in a manner that gives consumers the certainty that their financial services are provided within a safe and sound framework.

At this unique point in time, we have an historic opportunity to achieve fundamental reforms in our Nation's financial services structure. That opportunity must not be squandered by leaving in place significant barriers in the market that will undoubtedly prove to be shortsighted. The restructuring of the financial services sector should recognize the market's evolution to date, and provide for market innovations to continue well into the future in a safe and sound manner.

The legislation I offer today is virtually identical to that legislation I sponsored last Congress with significant bipartisan support. As we move ahead toward the goal of modernization, I fully anticipate garnering wide bipartisan support for my approach. In the coming months, as the administration grows more engaged on this issue, it will be essential to develop a bipartisan approach to financial services modernization.

I believe this legislation is a good starting point for developing just such a bipartisan consensus in this modernization debate. The Depository Institution Affiliation Act also serves as my personal starting point on this issue in the 105th Congress, as I plan to hold hearings and introduce additional legislation in the coming months. The House Banking Committee should have before it all the available options in addressing the difficult issues posed by financial services modernization.

I want to commend my colleague, chairman of the House Banking Committee, JIM LEACH for his commitment and leadership in pushing for early action on financial modernization in the 105th Congress. I look forward to participating in all hearings the House Banking Committee will hold on this important issue.

As chairman of the Subcommittee on Capital Markets, GSE's, and Securities, I plan to hold hearings that deal with two issues I believe are very important in this debate: the issue of allowing banking and commerce to mix; and the proper scope of holding company regulation. I believe that putting together an effective consensus on these two issues will be the key to successful passage of a financial modernization package. Mr. Speaker, I look forward to working with you and all Members of the House in order to bring real reforms to our Nation's financial marketplace.

## IN APPRECIATION OF PAMELA C. HARRIMAN

### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. GILMAN. Mr. Speaker, it is with both sadness and gratefulness that I introduce the following resolution concerning the recent passing of a great American, Ambassador Pamela C. Harriman. Her sudden death last week left all Americans bereft of a truly dedicated public servant, a woman of wide learning and interest, and a great patriot.

I hope that all our Members will join with the International Relations Committee in adopting the following resolution that will put the House of Representatives on record in appreciation of Ambassador Pamela Harriman's life. We should bear in mind that as a wife she provided her wisdom and solace during the last years of his life to one of the great statesmen of this century, Gov. Averell Harriman. We should also take note of her contribution to the allied victory over Nazism in Europe, through her earliest exploits in the field of diplomacy helping to unite as allies the nations of France, Great Britain, and the United States.

In her capacity as the United States Ambassador, Extraordinary and Plenipotentiary, to France, Pamela Harriman gave the last measure of her life to serving America, her adopted country. She brought to this task all her skills and experience in keeping the ties between the United States and France strong, despite many troublesome disagreements between our countries. She was very much a hands-on Ambassador, working long hours and devoting much energy to this task.

Accordingly, I believe that support of the following resolution is merited, and I hope that all our Members will join Mr. HAMILTON, Mr. MANZULLO, and myself in recognizing Pamela Harriman as a distinguished stateswoman and a great American.

## TRIBUTE TO ANGELICA MARIA

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. ORTIZ. Mr. Speaker, I rise today to commend and pay tribute to Ms. Angelica Maria, the newly selected Mr. Amigo.

Every year, members of the Mr. Amigo Assocation, who represent the city of Brownsville, TX, travel to Mexico City to select a new Mr. Amigo to serve as the honored guest of the Mr. Amigo festivities in Brownsville. The Mr. Amigo festivity is a 4-day international event which invites the United States and Mexico to celebrate the distinct cultures of these neighboring countries. During the Mr. Amigo celebration, which originated as a pre-Lenten festival, Brownsville citizens participate in a series of parades, dances, and parties to demonstrate the goodwill of both countries. It is a major function which is eagerly anticipated by many South Texans as well as our winter visitors.

We are honored to recognize Ms. Angelica Maria as the 33d Mexican citizen chosen by the Mr. Amigo Association. Angelica Maria "La Novia de México" is one of the Spanish-speaking world's most loved entertainers. Angelica is a four-decade veteran of the movie, stage, television, and recording industry. She first garnered international recognition in 1952, when, as a child, she starred in an award-winning role as the year's best child actress in "Mi Esposa y Yo." For over 44 years, she has traveled all over the Spanish-speaking world amassing an impressive list of smash hits as a recording artist, stage actress, and star of television and movies. Her first American rock hit, "Eddie, Eddie," in 1962, propelled her to the top of the record charts. One of her most recent hits was a collaborative effort with the former Mr. Amigo, Vicente Fernandez. She has also appeared with former Mr. Amigo recipients Armando Manzanero and Marco Antonio Muñiz. Recently, another former Mr. Amigo, Raul Velasco, dedicated his entire 3-hour television show "Siempre En Domingo" in tribute to her 44 years of artistic success.

Angelica Maria's life's work is an impressive list of 56 movies, 16 television soap opera starring roles, 44 television dramas, 54 record albums, and numerous musical spectaculars in theaters and night clubs from Santiago, Chile, to New York, Madrid, Spain, and Los Angeles. A litany of 171 awards in recognition of her brilliant career is highlighted by the "Candileja de Oro 1996" for her most recent success in the leading role of Esperanza in the television hit "Bendita Mentira."

Ms. Angelica Maria is a perfect recipient of the Mr. Amigo Award. For she has, over the long period of her career, taken her unique screen, television, and stage performances to numerous countries, including the United States. A true ambassador of her country and of her culture, she has been praised by numerous organizations for her unconditional commitment to improve mutual understanding and cooperation between Mexico and the United States. Ms. Angelica Maria should be recognized for both her artistic ability and her contribution to her commitment to bicultural relations between the two nations.

Mr. Amigo, Ms. Angelica Maria, will receive the red-carpet treatment when she visits Brownsville as the city's honored guest during the upcoming Mr. Amigo celebration. During her stay on the border, she will make personal appearances in parades and other festival events. Official welcome receptions will be staged by organizations in Cameron County, TX, and the cities of Brownsville, TX, and Matamoros, Tamaulipas, Mexico.

I ask my colleagues to join me in extending congratulations to Ms. Angelica Maria for being honored with this special award.

## DR. W.C. PATTON: CIVIL RIGHTS LEADER

### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. HILLIARD. Mr. Speaker, I rise today to pay special recognition to the triumphs of Dr. W.C. Patton.

Dr. W.C. Patton, a native of Alabama, was nationally noted as a civil rights activist and czar in the Alabama civil rights movement and overall progress of Birmingham. He was known to many as the father of Alabama's NAACP movement.

Dr. Patton attended public schools in Birmingham and Alabama State College in Montgomery, AL. In 1970, the honorary degree of doctor of laws was conferred on him by the Birmingham Baptist College.

He spent 16 years in Alabama schools before becoming Alabama State manager of the American Woodmen, a fraternal life insurance association. In 1962, he was elected a member of the national board of directors of the Supreme Camp of American Woodmen and in 1964, vice supreme commander of the American Woodmen.

During this time, Dr. Patton became deeply involved in the political process of our State and Nation. In 1952, he called community leaders together from around the State and organized the Alabama State Coordinating Association for Registration and Voting. At the time, there were approximately 20,000 registered black voters in the State of Alabama. He became president of the Birmingham branch of the NAACP and later became president of the Alabama State Conference of NAACP Branches. After 10 years, he resigned with the American Woodmen to become executive secretary for the State NAACP of Alabama. Membership increased and Alabama ranked second behind North Carolina in the southeast.

In 1956, when the NAACP was enjoined from doing business in Alabama, he became the national association director of voter education for the NAACP with headquarters in Memphis, TN. Later he became national director of NAACP voter education .

Dr. Patton did not limit his work to one area; he has served his community in many capacities—on many boards and educational and civic committees, to make Birmingham a safe and progressive place to live.

## TRIBUTE TO THE HONORABLE RICHARD H. BREINER

### HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Ms. WOOLSEY. Mr. Speaker, I rise today to honor one of my district's most dedicated and caring public servants, the Honorable Judge Richard H. Breiner. Judge Breiner is being honored for a lifetime of exemplary service to his community as presiding judge of the Marin County Superior Court for the past 20 years. I was fortunate to have the opportunity to join many of his friends, colleagues, and family to celebrate his remarkable accomplishments at his retirement party in January of this year.

As an appointed judge to the Marin County Superior Court, Judge Breiner earned an excellent reputation, and received the prestigious California Judges Association President's Award in 1992. In addition, his ongoing commitment to improve the community led him to take leading roles in numerous civic and law-

related organizations. Since his arrival to Marin County in 1975, he has served as trustee of the Big Brothers of Marin, as director of the Marin County Drug Abuse Advisory Committee, as director of the Women's Foundation Advisory Committee, and as founding member and director of the Marin County Park and Open Space Foundation.

Mr. Speaker, it is my great pleasure to pay tribute to the Honorable Judge Richard H. Breiner and to thank him for his tireless efforts to serve his community, both as a judge and as an involved citizen. The people of Marin County owe him a great deal of gratitude. I extend my hearty congratulations and best wishes to Judge Breiner, his committed wife, Dottie, and his two children, Daniel and Deborah, for continued success in the years to come.

## THE BIPARTISAN CAMPAIGN REFORM ACT

### HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. CASTLE. Mr. Speaker, the 1996 elections highlighted a number of problems with our present system of camping finance—the power and influence of outside organizations, the tendency of wealth candidates to dramatically jack up the costs of a race, the ineffectiveness of the Federal Election Commission, and the wily resourcefulness of candidates and parties to raise the funds that they need.

At this point, I think most Americans and Members in the Chamber would agree that there is a problem with our system of financing campaigns and that the present system should be changed. However, there is significant disagreement on the best method for actually reforming the system. Enacting campaign finance reform legislation will not be an easy task, in spite of its necessity.

In the interest of moving campaign finance reform forward this year, I have agreed to cosponsor the Bipartisan Campaign Reform Act sponsored by Congressmen SHAYS and MEEHAN. This bill has the momentum to move through the cumbersome legislative process, and by moving forward, the bill keeps the issue of campaign finance reform alive and on the agenda. In addition, while I have reservations about some provisions, the legislation makes many important reforms that will do much to address campaign finance abuses of recent years.

For example, it equalizes PAC and individual contributions at $1,000 per election; it improves disclosure, thereby bringing sunshine on the spending practices of outside groups to influence Federal elections; candidates may match outside group spending without having that spending count toward their spending limits; it bans mass mailings in election years; it strengthens the Federal Election Commission's enforcement mechanisms; it bans soft money and bundling; and it enhances the power of small contributors by prohibiting candidates from raising or spending more than 25 percent of the spending limit—$150,000—in contributions greater than $250, among other provisions. It also includes provisions to address the matter of wealthy candidates—if a candidate spends more than $60,000 in personal funds toward an election, then the candidate's opponent's spending limit is increased and the amount PAC's and individuals can contribute to the opponent doubles to $2,000.

However, there are some things I'd like to see modified in the bill. For example, I'd like to see a requirement that at least 40 or 50 percent of a candidate's contributions come from within the State. I'd like to see stronger franking reforms, like changing the definition of a mass mailing to 250 pieces of mail or move rather than the present level of 500 pieces. I'd like to see a significantly lower contribution level for wealthy candidates—the bill allows candidates to spend up to $60,000 in personal funds toward the election.

Furthermore, I have questions about the efficacy of spending limits, and whether they serve to hinder, or to assist, challengers.

At this point, it is less important to draft the perfect campaign reform bill than to make sure that campaign finance is firmly established on the congressional agenda. There will be ample opportunity to discuss other campaign finance reform provisions once Congress is committed to cleaning up Federal election campaigns. This bill makes an outstanding contribution to the campaign finance reform debate and has the momentum to move through the legislative process. I urge my colleague to give it their careful consideration and cosponsorship.

## RECOGNITION OF THE SERVICE OF AMBASSADOR SAMUEL G. WISE, JR.

### HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. SMITH of New Jersey. Mr. Speaker, the Helsinki Commission mourns the recent death of its esteemed Director of International Policy, Ambassador Samuel G. Wise, Jr. He faithfully served his country through years in the Marine Corps, the U.S. Foreign Service, and the Commission on Security and Cooperation in Europe. I am privileged to have worked alongside him during his many years with the Commission, as he offered sage advice, well-reasoned insight and guidance based on years of experience in the diplomatic community. His appointment as Ambassador when he was Deputy Head of the U.S. Delegation to the 1986–89 Vienna Review Meeting was well deserved.

Typical of Ambassador Wise's commitment to the work of the Helsinki Commission and the best national interests of the United States, he most recently served on the U.S. Delegation to the Vienna Review Conference of the Organization for Security and Cooperation in Europe held last November. He attended and offered timely and indispensable advice in drafting the Declaration of the OSCE Lisbon Summit held in early December. Ambassador Wise's participation in these international meetings were tireless and his contributions, highlighting the fundamental importance of human rights throughout the work of the OSCE, were significant and lasting.

The numerous letters of condolences which have been received at the Helsinki Commission are indicative of the impact Ambassador Wise has had on the OSCE community. From diplomats, to human rights activists, to friends and colleagues, the effect of this one life has been eloquently chronicled. Some reminisced about their "fond memories of his personality, professional expertise and intellectual brightness." Others recognized his dedication "to promote the goals of the United States and of the Commission, as stated in the Helsinki Accords and in other documents issued subsequently." One noted that "compassionate and engaged, Sam was the consummate Helsinki expert whose objectivity and capacity to get it right were unrivaled. Highly regarded by the entire OSCE community, his loss is irreplaceable." Respected as "a man of integrity and honored convictions" and remembered as a "warm and compassionate human being," Ambassador Wise has admirers virtually around the globe.

Both as a Commissioner and, most recently, as Chairman of the Helsinki Commission, I sought and appreciated very much the counsel which Sam provided. The combination of Sam's gentle spirit and his winsome manner proved effective in his dealings with Members of Congress and staff, as well as the Department of State and the diplomatic community. His insights, experience, sound advice, and friendship will be sorely missed. My prayers are with his family as they grieve the loss of their husband and father.

## AMBASSADOR SAMUEL G. WISE

### HON. BILL RICHARDSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. RICHARDSON. Mr. Speaker, it is with great sadness that I received the news of my friend Samuel Wise's passing. Ambassador Wise was a great public servant for the United States, and he will be missed dearly.

His service to the United States during the cold war exemplifies what is best about the U.S. foreign policy. Samuel was an outspoken defender of dissidents, refuseniks, prisoners of conscience, and other individuals caught under the grinding strictures of tyranny.

His legacy will be the hope he brought to those he helped free from oppression, and the process he helped create which seeks to advance human civilization. The United States and the world has lost a great man and a true humanitarian. I will miss him and his counsel.

## ARTHUR SHORES—ALABAMA'S DRUM MAJOR FOR JUSTICE

### HON. EARL F. HILLIARD

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 11, 1997*

Mr. HILLIARD. Mr. Speaker, in December 1996, America lost one of its greatest warriors

for peace, justice, and equal opportunity. Arthur Shores, a man of unquestioned courage and character, passed away this past December. Arthur Shores is a revered figure in Alabama history and a significant persona of the civil rights movement.

Mr. Shores, a native Alabamian, was a graduate of Talladega College. He received his juris doctor from LaSalle University. In 1937, Mr. Shores passed the Alabama State Bar Examination. As a newly practicing attorney, he faced many forms of racial discrimination and resistance in his profession, but triumphed nonetheless.

Mr. Shores was the only black practicing attorney in Alabama in the early 1940's. He practiced civil rights law all over the State of Alabama. However, he was also called upon to handle cases outside of the State that had national significance. For example, he was one of the NAACP lawyers associated with the Brown versus Board of Education case. He also represented notable civil rights pioneers such as Dr. Martin Luther King, Jr., Autherine Lucy, Rev. Fred Shuttlesworth, and Vivian Malone.

Arthur Shores' civil rights work on behalf of all Alabamians is his living legacy for my State. He not only was part of change during the civil rights era, but he made it happen through his exceptional achievement as a civil rights jurist. He is regarded as one of the most brilliant and courageous pioneers in jurisprudence and social justice in this country. He was a destiny changer; one who made a difference in human and race relations. His courage and persistence through the use of the law would have profound impact on the social justice system of the State of Alabama, the South, the United States, and indeed the world.

His efforts on behalf of the politically and economically disenfranchised came with a price. In 1963, his home was bombed twice. No one was injured, but the incidents were examples of the hostility faced by a civil rights attorney. Still, he continued. Still, he fought the good fight.

Moreover, he was a family man. He clearly understood the meaning of family. His daughter Helen said her fondest childhood memories include going to the movies with her father and sister Barbara.

"Every Sunday for as long as I can remember he took us to the Eighth Avenue Theater to watch the serials and the western movies, rain or shine," she said. "If he flew out of town, he always came back to take us to the movies, even if he had to fly out on Monday."

"He was my best friend. I could always depend on him. He was always there, even for the grandchildren. Those who knew my father will tell you he was a very humble man. He was always one to turn the other cheek. Even when they bombed his house twice, I never heard him say one unkind word about anybody," she concluded.

Arthur Shores will be remembered for the court cases he won, the legal precedents he set, and the role he played in tearing down barriers; however, it is the comments from his daughter Helen that really show you the measure of the man. Arthur Shores was a man for all seasons—smart, dedicated, compassionate, and humble. I am honored to have known him and to have considered him my friend.